

CWU BULLETIN

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EBA UPDATE: 22 AUGUST MEETING



Dear Member,

Bargaining has continued this week with the Unions' Single Bargaining Unit (SBU) and Telstra making progress towards a new agreement.

Clause 45

Clause 45 remains a central focus of negotiations but in light of the progress made, it may soon take a back seat.

The SBU put forward further enhancements to clause 45 to strengthen and preserve entitlements for employees who may be subject to transfers to a Subsidiary in the future.

As you will remember, we recently reported that the scale for retrenchment benefits would be preserved for transferring employees at the rate of pay effective at the time of transfer or at the time of retrenchment, whichever is greater.

In addition to this, the SBU today obtained preservation of the 36.75-hour week and the 15 days personal leave for any employee who is offered a transfer to a Subsidiary. This means that a transferring employee would have these terms as contractual entitlements, that cannot be bargained away, for example, in a new enterprise agreement at the Subsidiary. This is a significant step for employees, who can rely on this added security and certainty, in these uncertain times.

To recap where we are at with clause 45 - if an employee is offered a position with a Subsidiary which:

1. Is to perform same/substantially the same role;
2. On terms and conditions no less favourable than their employment with Telstra;
3. That recognises service with Telstra;
4. Which provides for redundancy as per the Telstra scale;
5. Which provides for 36.75 hr week;
6. Which provides for 15 days personal leave; AND
7. Which maintains membership to defined benefit Super scheme for those that already have it,

THEN and only then is the employee not entitled to a redundancy from Telstra irrespective of whether or not they accept the offer. If ANY of the above 7 criteria are not met, then the offer is not suitable and the employee remains entitled to redundancy regardless of whether or not they accept the offer.

In Unity,

CAMERON BIRD
STATE SECRETARY

Remember, a transferring employee still has the Telstra Enterprise Agreement apply to them when moving to the Subsidiary – unless and until it is terminated or replaced. This means workstream employees and job family employees remain workstream and job family employees respectively and employees who currently have an RDO will maintain it in the Subsidiary.

Long Service Leave

The SBU today sought to reintroduce the issue around Long Service Leave (LSL) to the bargaining debate. As you will recall, Telstra is seeking to implement a new LSL policy that effectively enables management to 'direct' employees to take up to 24 days of LSL in any 12-month period, if they have more than 90 days accrued. The SBU maintains that LSL is a reward for long serving employees and it should not be managed in a punitive way. While we accept that LSL is there to allow long serving employees to take a break and we accept that Telstra's LSL liability is considerably high, we do not agree that long term employees should have this dictated to them. We believe a compromise that takes account of Telstra's desire to reduce its LSL liability without giving management the power to direct employees to take that leave is achievable. The SBU is working on a proposal ahead of the next meeting.

Pay

The current pay offer of 1.8% remains an outstanding issue, which will be discussed further at the next meeting. As outlined previously, in the absence of a new Agreement Telstra will apply a wage increase through a policy decision of 1.5% to take effect on 1 October 2019.

Outstanding matters

Aside from matters of drafting, we consider the outstanding issues to be Pay, LSL and the length of the agreement. These are scheduled for discussion in the next round of talks.

We will continue to keep members updated as talks progress with the next meeting to occur next week. In the meantime, if you require any further information or have feedback to share, please contact your State Branch Official Mark (Kiwi) Templeman on 0417 700 868.

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