

# E-BULLETIN Postal

#15. Friday, 29 August 2014



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## 1. CWU convinces Post that loss of a week's pay is not on – so far

The CWU has convinced Australia Post that the loss of a week's pay is not acceptable. But it is not over yet.

Click [here](#) to view Recommendation.

Further talks are planned when and if Post decides to make changes to the pay system.

However for now we have convinced Post that repaying a loan to make up for the loss of a week's pay is not on.

We emphasised the strong opposition by employees to Post's proposal. Employees made their views very clear - This is a scam. Totally unfair. We want to work and be paid for it. Typical Post arrogance. No pay no work!



The loss of a week's pay has overshadowed the issue of over and under payments. We can now concentrate on fixing that problem. Talks between the CWU national office and Post are scheduled to commence in mid September on this issue.

We will keep you advised.

## 2. Post job cuts – latest update

### The big picture

Post has explained that we are dealing with the first tranche of job cuts at this stage. These are non operational jobs. These are the 900 jobs that Post calls the "headcount reduction". The reduction is 20% of the non operational staff of some 4,500 people.

We do not know when the second tranche cuts will be announced. These will be in the operational areas.

### The first tranche –round 1

To date 260 jobs have been identified to be cut by September 2014 - 156 Award and 104 contract management jobs. Previously Post had said 378 jobs were going by September this year (156 Award and 222 contract management jobs).

No forced or involuntary redundancies identified at this stage. Still no assurance from Post that no jobs will be outsourced. No information on the number of contractor jobs cut. And, no information on job cuts in StarTrack. National Secretary, Dan Dwyer, has put Post on notice to provide to the union information on whether any of the jobs going in Post will be done by StarTrack.

Form As (RRR process) have been issued for 126 of the 156 Award jobs identified to be cut in September – 9 jobs have been removed as out of scope and 21 roles moved to later phases.

Members affected can request to have their details provided to the union to discuss personal circumstances on an individual basis, such as, the proposed redundancy, redeployment, relocation and retraining.

Volunteers and job swaps register are available. Ironically Post is still advertising jobs in the JIC. But all jobs pass by Transition and a matching exercise against the job swaps register is undertaken so that people on the Transition List supposedly have a look at any jobs first.

Employees who elect to be redeployed are entitled, with some qualifications, to salary maintenance until another job is found at their level. Employees who accept a voluntary redundancy have a one week cooling off period to change their mind.

### **The first tranche –round 2**

A further 112 Award jobs across the various Business Units and States have been identified to be cut by March 2015. Further consultation on job cuts identified in round 2 will occur in October 2014.

### **The first tranche –round 3**

Consultation on round 3 job cuts will not commence before January 2015.

Contact your CWU branch or National office on [cwu.org.au](http://cwu.org.au) for help if your job or work area is affected. Watch our web page at [cwu.org.au](http://cwu.org.au) for further updates.

## **3. CWU, business and community alliance opposes changes to mail delivery**

Your National Office has organised an Alliance of Unions, community and business groups to lobby Politicians in Canberra to oppose changes to Australia Post's Community Service Obligations (CSOs) that would result in large scale job cuts and wreck the traditional mail business.

The Alliance brings together business groups representing printers and mail houses (PIAA), licensed post offices (LPO Group) and unions (CWU, AMWU and CPSU). The country Women's Association is also lobbying to review cuts to delivery of mail to regional centres.

"The CWU and these other organisations have come together to voice their concerns about the future of Australia Post," said CWU assistant secretary Martin O'Nea.

Australia Post is deliberately ignoring the views of the Australian community and the findings of their own research said Martin O'Nea.



**Alliance members Michael Tull CPSU; Lorraine Cassin AMWU Printing Division; John Mathieson AMWU Retired Members; Angela Cramp and Andrew Hirst Licensed Post Office Group; Bill Healey Printing Industries Association of Australia; Martin O'Nea CWU in Canberra this week.**

For example, an Australia Post consumer survey found that:

- 85% of people read their mail on the day it is received.
- 98% of people open their mail compared to only 20-25% for email.
- 67% of people still prefer to get their bills and bank statements through the mail.

The Alliance is calling on all members of parliament to support:

1. The retention of all of Australia Post's existing CSOs.
2. The restoration of ACCC oversight of price increases in bulk lodged mail and the monitoring of service standards, as is currently the case of with Post's CSOs.
3. The establishment of a bipartisan round table involving all industry stakeholders to examine Australia Post's future with oversight of proposals and outcomes by the Senate Communications Committee.

Despite Australia Post's strong view that regulations governing them should be watered down, if the Government does not change the CSOs Post will not go broke said Martin O'Nea.

Alliance members met with key independents and Senators in Canberra this week to set out their vision for Australia Post's future.

## **4. Thousands of workers injured at Post each year**

Thousands of workers are injured each year in Australia Post and sometimes killed. The cost to Post is a \$120 million liability on their balance sheet with \$11.3 million for claims in 2012/13 and \$10 million for 2011/12. But the cost to workers, their families and the community is far greater.

This raises serious concerns about workplace safety especially at a time when there are big job cuts which will have the effect of making workers more reticent to speak up against unsafe, unhealthy and unacceptable working conditions.

We have posters and slogans 'Stop Think Do', urging workers to take care, wear protective equipment, lift loads the correct way, obey all safety instructions - the clear implication at present is that if anything goes wrong then it's the fault of the worker.

Workers are also threatened with formal counselling because they injured themselves. Little wonder health and safety is often associated with discipline and punishment.

This is the exact opposite of what should happen. Workers need to be able to speak up in the workplace.

Only the union can help workers speak up for health and safety. Your union is addressing workplace issues such as, safe work durations and task rotation on the new parcel sorting equipment that suits workers not just Post and the introduction of equipment to assist with manual handling in the parcel bullring areas.

We must act to ensure that we have CWU elected and CWU trained HSRs because workers equipped by the union with knowledge and skills to negotiate good health and safety protections in their workplace are safer. And because Post can do a lot better than it is currently.

## 5. Balancing work and family still key issue for women



Many women find themselves forced to trade off wages for more flexible work arrangements. In Post some managers have tried to exclude women from higher duties because they had a workplace flexibility agreement in place. This is wrong. Eligibility for higher duties is not prevented because a person is on flexible working arrangements. The only factor that should be

considered is can the person perform the higher duties as per the business requirements.

The need to balance work and family, especially the right to flexible working arrangements, protection against discrimination and coercion to trade off wages for more flexible work is still one of the biggest issues facing women.

At Post an employee who is a parent or carer of a child under school age or under 18 and has a disability, and has a minimum of 12 months continuous service has a legal right to request a change in working arrangements to assist the employee to care for the child.

The process requires the request be in writing. The employer (Post) must respond in writing within 21 days. The request may only be refused on reasonable business grounds and these must be detailed. Contact your CWU branch or CWU national office if you need any help with these issues.

**Is it still true? No-it's worse** - The pay gap between men and women's wages is 18.2%, nearly 1% worse than 2013, and the worst in 20 years. Men on average will earn \$14,500 more than a woman, who will have to work 66 days more to earn it.

## 6. Trial of new method to capture time for non-EPOS counter work

CWU members in Post Offices will recall one of the outcomes of the ROM/WFM Back Office Working Group was the introduction of a "diary for counter review" to capture non-EPOS tasks and additional time spent on EPOS tasks. This information is then used in ROM/WFM assessments for staffing post offices.

But union members on the committee have continued to work on trying to get a simpler way to capture this information. IT upgrades to WFM have now created an EPOS transaction to capture non-EPOS tasks (TC4990 WFM Assessment).

It is proposed to trial this EPOS transaction during September in 3 corporate post offices - Melton, Vic, Maddington, WA and Broken Hill, NSW. The trial will be conducted over a couple of weeks and feedback provided to the CWU national office.

In essence, the new EPOS transaction means counter staff will use a shortcut keyboard method or barcode method to record times for non-EPOS transactions. The new transaction will collect time data for a number of different types of non-EPOS tasks.

If the trial outcomes are positive then in the future counter staff will not need to manually record times for non-EPOS tasks during a ROM/WFM review. Additional time spent on EPOS transactions would however still be recorded manually on the "diary for counter review".

The new process will address members' concerns about having to manually record times for ROM/WFM reviews and hopefully result in more accurate time data for staffing post offices.

## 7. Modified tropical wet weather gear trial

CWU members at Mansfield and Nambour facilities reported some concerns with the new tropical range of wet weather gear supplied by Dririder.

Dririder representatives attended the facilities and discussed the concerns directly with the delivery workers. During those discussions, workers suggested a number of modifications that may improve the performance of the tropical range of garments.

Subsequently, these modifications have been incorporated into a number of samples that will be sent to outdoor postal delivery workers at these facilities for trial.

The modified garments are expected to arrive at the facilities in early September. As much of Queensland is in a drought the assessment will continue until sufficient wet weather exposure has occurred to ensure a thorough trial.

## 8. Stop Think Do in action

Pothole in floor. Manual material handling equipment gets stuck in pothole. Hazard reported. And reported again. No action taken to fix hazard. Workers bring in bag of cement and fix hazard.

Sadly, stories of 'no action' on safety hazards typical in Australia Post workplaces.

Conclusion, Stop Think Do is largely flawed.

## 9. Federal Court finds Post's refusal to offer alternative duties unlawful

The Federal Court has found that Australia Post contravened the DDA by engaging in unlawful discrimination on the ground of an employee's disability. The contraventions occurred when Australia Post failed to make reasonable adjustments for the employee so she could remain at work.

The CWU represented the matter on behalf of the employee to Australia Post before referring it onto union lawyers when it could not be resolved.

### The facts

The employee, a manager for Australia Post and a CWU member, suffered a psychological injury which was the subject of a workers' compensation claim. The employee was able to continue working but in 2010, Australia Post moved to manage her position under its "Non work related medical restrictions policy." In mid-May 2010, Australia Post directed the employee to take sick leave and not attend for work saying it was not satisfied she was fit to perform her role, and there were no modifications or restrictions it considered were reasonably available to allow her to do so. In other words, Australia Post did not permit the employee to continue in the position she had been occupying as part of her return to work program. The Court summarised the position as follows, "Delay, prevarication, lack of cooperation, stubborn adherence to process and some obstinacy on both sides all contributed to two years passing without the employee returning to work. She used up her sick leave, her annual leave and from 4 August 2011 had to take leave without pay."

### The judgement

Essentially the Court found that an employer is required to make "reasonable adjustments" to enable an injured worker or any employee suffering from a disability to return to or remain at work. In this case the court found that it was possible for Australia Post to make adjustments without suffering "unjustifiable hardship" to use the words of the DDA.

The employee was therefore entitled to compensation consisting of the re-crediting of her leave and other entitlements, with effect from June 2010 up to April 2011. As well she was entitled to general damages (damages for pain and suffering) which were fixed in the sum of \$10,000.

### **Victory for injured workers**

The judgement means that large employers like Australia Post and indeed any employer who is covered by the SRCA will probably struggle to show unjustifiable hardship in making reasonable adjustments to allow an injured worker to remain at, or return to, work. This case is a victory for common sense and for those many workers who following an injury at work risk being thrown on to the scrap heap by employers who don't wish to take the time or put in the effort to return injured workers to meaningful employment.



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