

E-BULLETIN Telecommunications

#4. Friday 21 March 2014

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1. CWU seeks explanation from Telstra on GPS proposals

The CWU met with Telstra on Friday 14 March following media reports that the company intends to extend its use of GPS monitoring of field staff.

Comments by CEO David Thodey earlier that week suggested that Telstra wants to allow customers to view field staff's movements in real time with the help of Telstra's GPS systems.

As well as representing a further intensification of the current electronic monitoring, such a development would raise obvious privacy issues.

At the meeting Telstra confirmed that it wants to introduce a system that will narrow the "window" currently set for installation/maintenance appointments by giving customers a more precise Expected Time of Arrival for Communications Technicians (CTs).

It has also acknowledged that a limited trial of such an approach was conducted with Telstra Platinum employees "some time ago" but that the systems used were not suitable for integration with the company's existing scheduling platforms.

Telstra says that development of a workable model remains a work in progress and that no prototype is likely to emerge for several months. It has not, however, ruled out some form of "interactive" tracking of CTs by customers, such as being able to see their position on a map.

The CWU has raised with Telstra a range of potential concerns, mainly around privacy and OH&S that would come from the introduction of this type of proposal. However, until Telstra is in a position to consult on a working model we will not be able to adequately address these concerns.

Members have expressed their concerns about such a model. Members who have already participated in trials of such systems or are in future asked to do so are encouraged to contact their state branches.



2. Telstra makes 14 Day Calling Card mandatory

Telstra has informed the CWU that it intends to make use of the 14 Day Calling Card (14DCC) –now to be known as the 14 Day Customer Card - mandatory for its field workforce from the end of March.

The 14DCC was introduced into the Telstra field workforce last year on a voluntary basis. The card is provided to customers when a Communications Technician (CT) visits a premises and allows the customer to call that particular CT back if s/he still has problems with the service.

Telstra argues that this system improves customer experience by providing a more direct and personalised service. But CWU members have expressed a range of concerns about the cards, including potential stress involved in dealing with dissatisfied customers, the impacts of the new requirements on work volumes and the possibility that CTs will have customers ringing them outside work hours.

The CWU met with Telstra on Tuesday 18 March to represent these issues. Telstra has now advised the following:

- The maximum number of calls that any one CT is currently handling in any one day is 1-2;
- Customer calls are filtered through the TIPT system rather than coming directly to the CT. This can be used to ensure that CTs are not contacted outside their working hours;
- CTs are not expected to assist customers with work that is out of scope;
- In circumstances where a customer leaves a message for a CT which the CT can't attend to during working hours, CTs are not expected to deal with it after hours.

Telstra says that to date the 14DCC system has been successful in resolving customer problems without involving revisits. Although only a small minority of customers are using the card, 72% of the issues they raised by phone were being resolved by phone.

That's a productivity increase for Telstra .. but who benefits?

Over and above their actual install/maintain work, CTs are now being required to perform certain front-line "customer care" tasks in addition to internal reporting and recording functions – but with no additional training or reward.

The CWU will continue to pursue these questions with Telstra. The union seeks feedback from members on their actual experiences of the 14DCC, especially if they don't match up with the information and policy outlined above.

3. CWU meets with Visionstream on new EA

The CWU met with Visionstream on 17 March as part of negotiations for a new Enterprise Agreement (EA) for the company.

It has been some years since Visionstream has had a new union-negotiated agreement, at least for the telecoms sector. Since 2004 its employees have worked under non-union agreements.



But under the *Fair Work Act* Visionstream is obliged to enter into negotiations with any union that has members in the company.

And given Visionstream's role in the NBN roll-out to date it has been increasingly important to the CWU

that a new agreement securing good conditions is secured for Visionstream employees.

At the most recent meeting, discussions focussed largely on classification structures and levels which need to be brought into line with contemporary work practices, skill needs and salary levels. Development of these structures is still at an early stage and more work will have to be done before agreement can be reached in this area.

Any Visionstream members who have not yet been contacted by the CWU and wish to have input into these negotiations should contact their state branch now.

4. Optus award modernisation

Optus has successfully applied for an extension of time for submitting its proposed modern enterprise award.

The Fair Work Commission had originally set a timetable that would have seen Optus submit the award by 14 March and given the CWU until 17 April to oppose the application or seek to modify it.

Those timelines have now been extended by three weeks.

As reported in earlier E-bulletins, the CWU has offered in-principle support for Optus' application to have an enterprise-specific award. However, there are some areas where we believe the draft award needs to be strengthened to reflect wider industry standards.

These include specific limitations on the number of ordinary hours that can be worked on any one day and penalty payments when employees are required to work through work breaks.

The union is also examining the issue of allowances which at present form no part of the Optus award and are only provided for through policy.

5. D-Day looms for NBN switchovers

The date for the first mass disconnections from the Telstra copper access network is fast approaching.

On 23 May, close to 25,000 services in the areas where the National Broadband Network (NBN) was initially rolled out will be decommissioned, leaving premises without a wireline service unless they have elected to switch to the NBN.

Despite the passionate public debate that has raged about the merits of the NBN project, this stark choice is likely to come as a shock to many of those affected.

They must now make prompt decisions about such questions as the location of internal equipment, whether or not they want battery back-up and whether they want a voice service only – or no wireline service at all.



How ready is the community for the first mass disconnections?

For businesses and for households using special equipment – ranging from medical alarms through to EFTPOS services –there will be further challenges. NBN Co advice to such consumers makes it clear that ensuring the ongoing functioning of such services will be the responsibility of the customer.

Residents and businesses, NBN Co advises, who have special equipment should “contact the supplier of the device or monitoring service for advice on what needs to be done for it to work on services run over the NBN.” Upgrades may be required.

A degree of confusion – even resentment – can reasonably be anticipated.

Despite popular enthusiasm for the promise of faster wireline services that the NBN holds out, it is not clear that the community has fully understood the practical implications of the monopoly wholesale model on which the project is based.

Nor is it certain that the technical and logistical challenges of the mass cut-overs, including workforce availability, have been mastered.

What is clear, though, is that the impending Disconnection Day will provide some valuable “learnings” – if it proceeds on schedule. Watch this space.

6. Warning bells as Productivity Commission reviews workplace laws

The draft terms of reference for the Abbott government’s review of the *Fair Work Act* have heightened fears that the review will be used to attack the wage levels and employment conditions of Australian workers.

The review is to be undertaken by the Productivity Commission which will be given a very broad brief to look at the impact of current workplace laws on employment, unemployment, productivity and labour market “flexibility”.

Responding to the draft terms, which were leaked to the Fairfax press, ACTU president Ged Kearney said the government appeared to be “putting the entire workplace relations system on trial”.

“Everything is up for grabs: awards, penalty rates, enterprise bargaining and protection from unfair dismissal.”

The Abbott government has not yet signed off on these terms of reference. But if it does it will amount to a blank cheque to the Productivity Commission to propose radical changes to the current system.

And there will be no prizes for guessing whether those changes will most benefit employees or employers.

7. Coalition moves to water down compensation protections

A bill being introduced into parliament by the Abbott government will reduce workers’ ability to seek compensation for injuries received during the working day.

Under the current Commonwealth laws, workers are entitled to claim compensation for injuries incurred off-site during a work “recess” i.e. during a lunch or other work break.



Access to recess cover has changed over the years depending on which party was in government. The entitlement existed prior to 2004 when a Productivity Commission inquiry found that injuries sustained during “an ordinary recess” in employment should only be compensable if they

occurred at the workplace or during employer-sanctioned events.

Recess coverage was subsequently removed by the Howard Government, but restored by Labor in 2011.

The Coalition now argues that employers should not be liable for injuries sustained in an environment or through an activity over which they have no control.

"The effect of this [current] provision is that workers' compensation could be payable, for example, where an employee sustains an injury while shopping or playing sport during a lunch break," the explanation of the bill states.

It remains to be seen of course whether the bill will pass the Senate.

8. Big data and the surveillance state

The US National Security Agency has created a surveillance system capable of recording "100%" of a nation's phone calls according to documents provided by NSA whistle-blower Edward Snowden to the US *Washington Post*.

The phone call recordings are collected under a programme called MYSTIC, which started in 2009. In 2011, the programme added a tool, called RETRO, (short for "retrospective retrieval") that allows the NSA to record "every single" telephone call in a targeted country and retrieve them for up to 30 days,

This allows NASA to have access to data on the person's conversations and movements at a time before they may have been identified as a target for surveillance.

The system was developed for use in one particular country which the *Washington Post* agreed not to name at the request of US officials. But a further five countries have reportedly been targeted by the programme.

In the wake of Snowden's revelations last year about the vast scale of US electronic spying, the US administration tried to deflect criticism by claiming it only collected "metadata" on its own citizens and those of other countries i.e. information about phone calls but not the content of the call itself.

President Obama claimed on January 17 that the "bulk collection of telephone records ... does not involve the content of phone calls."

These latest reports give the lie to that claim.



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