

E-BULLETIN Telecommunications

#7 Friday, 3 May 2013

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1. Telstra Network Construction grading issue

The CWU Divisional Office has initiated national level discussions with Telstra about grading practices in Network Construction.



This follows complaints by members that the company appears to have frozen any upwards movements by employees in the current Workstream structure. Members are not being upgraded despite the fact that they are being required to perform higher functions.

At the same time the union understands these employees are not being paid higher duties.

The two CWU branches in NSW have already made representations to Telstra on this issue.

Telstra has told the CWU that it is currently undertaking a review of functions in Network Construction under a project called Project Rubiks. This, in Telstra’s words, is designed to ensure that employees in both the Job Family and Workstream systems are “aligned” to their correct level.

Telstra has indicated it will be in a better position to consult with the union over related grading issues when this process is complete. We anticipate that this will be within the next two to three weeks.

2. 14 Day Calling Card

Telstra’s 14 Day Calling Card (14DCC) system continues to raise concerns among CWU members.

The system, which Telstra says is voluntary, involves a Communications Technician (CT) who performs work at a customer’s premises leaving a personalised card with contact numbers that the customer can use in the event of a follow-up or call-back being needed.

Because the card provides the CT’s individual mobile number, the system obviously raises issues in relation both to privacy and to the CT’s being contacted outside working hours. Members also report being interrupted during normal working hours about jobs they may have worked on up to 14 days previously.

Following recent complaints by members, the CWU has made new representations to Telstra on the use of the 14DCCs.

Telstra has agreed to respond to the CWU's concerns within the next 2 weeks.

3. BA agreement update

The CWU met with Broadcast Australia (BA) on Wednesday 1 May for enterprise agreement negotiations.

The union was represented by Divisional Secretary, Dan Dwyer, Divisional Assistant Secretary, Ken Hardisty and union members from various states where BA has a presence.

The CWU has now formally tabled the issues which we want to see resolved during these talks (as outlined in E-bulletin #6) and BA has undertaken to get back to us within the next two to three weeks when another meeting will be held.

The CWU believes that the spirit of the discussions to date has been constructive, with both parties looking to achieve back-to-back agreements

4. CWU pursues penalty payments for ESTA workers

The CWU is pursuing payments for members undertaking training who would normally be paid penalty rates.

The members are employed by the Victorian emergency services operator, ESTA. Their current Enterprise Agreement provides for them to be paid their usual rates during the course of training, including any shift rates and penalties their set hours would normally attract.

But what exactly does "during the course of training" mean? In the case being pursued by the CWU, the employer is arguing that because the training is not being delivered on a public holiday an employee must return to work on that day if he/she wants to receive the extra payment which he/she would normally receive.

The case is the second that the CWU is pursuing that involves arguments with employers about the correct payment of employees who are undertaking training. The other concerns Excelior trainees and has been reported on in several past E-bulletins.

The CWU regards both cases as symptomatic of the penny-pinching attitude that Australian employers tend to take to training. Australia will never be truly the "clever country" while this mentality – which views training as a cost rather than an investment – prevails.

5. CWU to be represented on Services Leaders Group

The CWU has been appointed to the newly formed Services Leaders Group (SLG) which will advise the government on matters relating to the future development of the services sector in Australia.

The group's work will focus on the challenges and opportunities facing the Australian services sector in what is an increasingly globalised environment, with a particular emphasis on the role the sector may play in the overall economy of the Asia-Pacific region.

It is intended that the group will develop advice on issues including productivity, skills, innovation, international engagement and regulatory reform. In these respects its work will represent a continuation of the role previously played by the government's Information Technology Industry Innovation Council (ITIIC) and other Innovation Councils in the services sector.

For the CWU and other services unions represented on the Group the creation and retention of jobs opportunities in Australia – and related skilling issues – will obviously be high on the agenda.

The CWU will be represented on the SLG by Senior National Industrial Research Officer Ros Eason who also represented the union on the ITIC.

6. Coalition adds some detail to NBN proposal – but raises further questions

The Coalition has spelt out some further details about its proposed Fibre-to-the-Node (FTTN) network in a Question and Answer sheet on the blog of Shadow Minister Malcolm Turnbull.

It is clear from the Q and A that there are as yet no concrete proposals as to the precise architecture of the network. This, the blog suggest, would be a matter for NBN Co.

But based on earlier FTTN proposals, such as those put forward during the original Labor tender process in 2007-08, Turnbull suggests that the network could have some 50,000 nodes (many of them in the basement of apartment blocks) with maximum loop lengths of between 750m and 800m.

The last publicly available FTTN proposal was Telstra's November 2005 ADSL2+ plan. This involved creating 20,000 nodes to service 4 million addresses in 5 major cities – a ratio of 200 premises per node – with maximum copper lengths of 1.5kms. Turnbull's figures appear to preserve these ratios (roughly) with the 50,000 nodes intended to serve just under 9 million premises or 180 per node.

Yet Turnbull anticipates copper loops around half the length of those proposed by Telstra in 2005, implying a much higher ratio of nodes per premises than in the earlier model.



BT FTTN node. How many will be needed for and Australian VDSL2 roll-out?

Meanwhile in the UK British Telecom is rolling out an FTTN network with maximum loop lengths of 1 km which will serve some 19 million premises with 50,000 cabinets –twice the proposed Australian ratio. Such figures reflect the UK's higher population densities – densities that are also allowing BT to roll-out its network at the rate of 100,000 homes "passed" a week or some 5.2 million a year.

In comparison, the Coalition proposes to complete the first 65% of its FTTN roll-out within the 4 years to 2016-17 implying a run rate of around 1.5 million premises a year – a modest target on the face of it but in fact a little higher than that implied in Telstra's 2005 ADSL2+ model, despite the shorter line lengths and hence greater number of nodes needed for the Coalition's VDSL network.

Questions, questions. With detailed modelling of the proposed network unlikely to occur this side of the federal election it will be at least several more months until the Coalition's costings and timetable can be tested more thoroughly.

In the meantime, however, the BT roll-out, which the Coalition likes to cite, carries mixed messages for Australia. According to the UK regulator, Ofcom, BT customers are regularly getting download speeds of 35Mbps and above even at peak periods – a figure well above the threshold 25Mbps guaranteed by the Coalition.

On the other hand, the BT roll-out figures are a reminder of the advantages of high population densities in both the economics and logistics of such network roll-outs, especially as regards labour efficiencies. And they thus also contain a warning that modelling based on overseas experience can lead to serious underestimation of costs in the Australian context.

7. Are NBN workers being “gagged” about pay rates?

Following a series of media reports about low rates for small contractors working on the NBN, there are now claims that some prime contractors are actually forcing their subbies to sign “gag” orders as a condition of engagement.

According to *The Australian*, Service Stream, the construction arm of the Syntheo consortium, has issued contracts which “expressly prevent subcontractors from discussing the NBN” and which require them “to obtain similar “confidentiality undertakings” from any party they deal with in relation to the NBN”.



Prime contractors are reportedly trying to “gag” subbies over low contract rates.

“The contractor must not, and must ensure that the other members of the contractor group do not, make any press release or public announcement about this contract or relating to the work,” the Syntheo contract is said to state.

In recent weeks both *The Australian* and the *Australian Financial Review* have quoted NBN sub-contractors as saying that the prices on offer from prime contractors such as Syntheo were anything between 30% and 75% below usual market rates.

These figures are striking although the existence of the problem is not exactly news. Both the CWU, through the E-bulletin, and industry newsletter *Communications Day* have been reporting on the issue and its relationship to the slow progress of the roll-out since last year.

It would appear, however, that the emergence of such information in the mainstream press has sent the prime contractors into damage control mode.

It is not unusual for contracts to include confidentiality clauses about a range of commercial matters, including rates schedules. In the CWU’s experience, however, it is unusual to have such broad prohibitions written into contracts or for them to explicitly refer to public comments and press releases.

Both NBN Co and the federal government have denied having any hand in the “gag”. But the fact remains that the highly politicised nature of this project has proven to be a barrier to open discussion about its implementation.

It is in the public interest that the real-world cost structures of the NBN be fully transparent. And it is in the interests of the NBN labour force that the project is funded at a level that supports, at a minimum, market rates for both contractors and direct employees.

8. Insecure work still a major problem say unions

The findings of a Productivity Commission report into employment patterns have been hailed by some commentators as showing that unions’ concerns about insecure employment are just part of a “scare campaign”.

But unions say the report confirms the continuing high level of casual employment across the Australia workforce.

The different responses to the Forms of Work Report can be explained partly in terms of the timelines involved. The report confirms that the percentage of Australian workers in casual employment doubled during the last two decades of the last century, giving us one of the world's highest casualisation growth rates.

But since 2001, that growth has flattened out and is now being exceeded by the growth in permanent employment, both full-time and part-time.

So is that good news? Unions say that the report show that a full 40% of the workforce is still made up of non-permanent workers – casuals, labour hire workers or “independent” contractors.

“We’re talking about a situation where more than two million Australians, often those in low-paid work, have no access to sick leave, carers leave or annual leave,” says ACTU President Ged Kearney.



ACTU President Ged Kearney: insecure work remains a systemic problem.

Union concerns are supported by the report's findings that the growth in permanent jobs occurred

disproportionately in part-time positions and in jobs held by older workers. That's no comfort to younger workers still trying to establish themselves on a secure footing.

“The lack of job and income security experienced by millions of Australians is a long-term, systemic problem,” says Kearney. “It affects their ability to take out a mortgage and plan for the future.”

“It is pushing us closer to a US-style working poor and the growth of a class of workers who are under-skilled and on the periphery of the economy.”

9. National Workers Memorial inaugurated in Canberra

This year Workers Memorial Day, 28 April, has been marked in Australia by the inauguration of a new national memorial to those who have died of work-related illnesses or injuries.

The creation of the memorial was an initiative of the federal Labor Government which committed \$3 million to the project in 2011.

The [National Workers' Memorial](#), located on the shores of Lake Burley Griffin in Canberra, is a long-overdue formal recognition of the costly toll that work-related accidents, incidents and disease have had over the years, said ACTU President Ged Kearney.

She said it was fitting that the permanent tribute was being inaugurated today, which is International Workers' Memorial Day. Workers' Memorial Day is a union initiative that originally started in Canada in the 1980s with the slogan “mourn the dead and fight for the living”.

There were 374 Australians killed in traumatic workplace incidents in 2010-11 (the most recent year that statistics are available) but it is estimated the death rate when work-related diseases are added is well over ten times that.

“The National Workers’ Memorial will be a place where family members and workmates can contemplate their loss, but it will also be a focus for us to redouble our efforts to make all workplaces safer,” Ms Kearney said.

10. International Workers Memorial Day remembers Dhaka victims

Unions around the world have used Workers Memorial Day, 28 April, to call for immediate action in response to the terrible loss of life in the collapse of a garment factory in Dhaka, Bangladesh.

At the time of writing the official death toll from the collapse of the 8 storey building was 384, but with over 900 still missing the toll could rise well over 1,000.



It is possible that as many as a thousand workers may have died in the building collapse in Dhaka.

The incident has shone a harsh light on the conditions of garment workers in one of the world’s main centres of cheap manufacturing. Like others in Bangladesh, the factory supplied goods chiefly for western multinationals.

The industry has been widely criticised for its rock bottom wages, lack of workers’ rights and dangerous working conditions. There are reports that extra floors are routinely added to buildings illegally to increase capacity. The workers in the factories are mainly women who are contracted to work eight hours a day but forced to work 18 hours a day, even on their day off, to complete orders.

Philip Jennings, the General Secretary of the international union for communications workers (UNI Global Union) said, “It is tragic and unacceptable that the number of victims we are remembering on Workers Memorial Day has been greatly added to by the hundreds who have lost their lives in the Dhaka building collapse.”

“The building was by all accounts a death trap. Bangladesh’s press has called what happened at the factory “mass-murder by the rich” and they are not wrong. “

“But the real winners are the multinationals who are able to sell their goods to consumers at rock bottom prices.”

Jennings called for action to ensure that not only the local owners but also their multinational clients took responsibility for ensuring safe working conditions for garment workers.

“What is needed is more regulation to force these giant Western companies as well as the suppliers to fall in line and protect workers’ rights,” he said. “It is time to clean up the supply chain.”



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