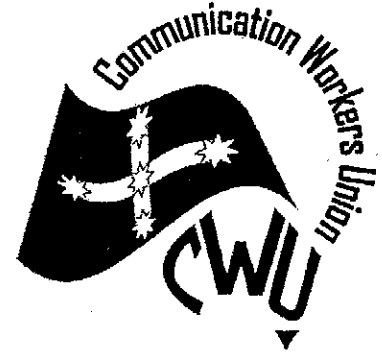


Submission to INQUIRY INTO INSECURE WORK



Postal & Telecommunications
Branch of Victoria
Division of the CEPU

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Branch Secretary

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1. The Communication Workers Union Postal & Telecommunications Branch Victoria is the union for postal and telecommunication workers in Victoria.
2. This is our submission in relation to the postal industry.
3. Firstly, we need to say that many Australia Post workers (those with longer periods of service and full-time positions) have more secure jobs than many other Australian workers. For many decades, we have had a good Redeployment, Redundancy, and Retraining Agreement that follows the principle of seniority when jobs are declared surplus. The Agreement requires consultation with the union before redundancies can occur. This means that management cannot 'pick heads' when down-sizing occurs, and that it can cost them up to 84 weeks pay to abolish a full-time job. This has discouraged management from arbitrary redundancies, kept our union delegate structure intact and in practice there have not been compulsory redundancies in Australia Post.
4. This is as it should be. Australia Post is a profitable Government Business Enterprise. Australia Post should be an exemplary employer.
5. This situation is being undermined in recent years with the rapid growth of part-time jobs and casual and contract labour.
6. This is our experience of insecure work in Australia Post.
7. Despite clauses in the successive Australia Post EBAs to maximize full-time employment, this has not happened.

8. Attachment 1 shows the numbers of full-time to part-time employees by State and by type of job.
9. There are only a handful of Executives, Facility Managers and Postal Managers who are part-time. In Victoria, 28.4% of all Australia Post staff are part-time. This is affected by the fact that Australia Post Headquarters is located in Melbourne and very few of the staff working there are part-time. Across the whole country, 29.8% of Australia Post staff are part-time employees.
10. In Victoria, 36.3% of delivery staff are part-time, 61.2% of retail staff are part-time, 45.3% of transport staff are part-time and 29.1% of mail and parcel processing staff are part-time. These percentages vary by State. The fact that some States have better ratios of full-time workers indicate that it is feasible to organize the work in a full-time manner.
11. Given that the hourly wage varies between \$18.78 - \$22.40 per hour for a base level employee (depending on their length of service), many of these part-time workers are living in poverty. While it is common for part-time staff to work 25 hours per week, there are many employees who are only rostered for 15 hours per week. We have even found employees who have been rostered for only one or two hours a shift.
12. These part-time employees are particularly vulnerable if they become injured at work or outside of work. They have not accrued much sick-leave and find it hard to survive the Australia Post compensation regime and are often forced out of their jobs.
13. Yet at the same time, the additional hours worked by part-time employees is excessive on average. Page 11 of Attachment 1 indicates that in the 3 months period between 1/7/11 – 30/9/11 part-time Australia Post staff across the country worked an additional 16.7% hours above their rostered hours.
14. Despite clauses in the Australia Post EBA s regulating the use of casual, agency and fixed-term employment, there is considerable non-compliance with these clauses, and many people remain on an insecure engagement for far longer than they wish to be.
15. Basically, the EBA clauses allow for temporary staff for periods of up to 12 weeks for work that are of a casual, irregular or intermittent nature or of a short term duration. They can be employed for longer periods to 'back-fill' permanent employees who are on leave of various types. The union has discovered agency staff who have been engaged for periods of 5 years in contravention to the EBA. The union has also known of cases where Australia Post having run out of work for 'junior Christmas casuals' have dismissed them for the last period of their expected engagement on night-shift. The

young people have had to ring their Mums up to come and take them home at 4am in the morning!

16. Near the bottom of the heap are the contractors engaged by Australia Post particularly the posties and parcel contractors. These people are supposed to be self-employed independent contractors but in fact are totally dependent on Australia Post which has developed a system where most of the contractors have contracts based on the bare reimbursement of transport and administrative costs and remuneration based on the minimum wage rates in the Road Transport and Distribution Award.
17. The 'subbies' employed by these contractors are even worse off. Every abuse that can occur does – 'cash in hand', non-payment of wages & superannuation, employees without workers compensation cover, unsafe equipment, false 'trainee' arrangements. Australia Post management maintain that the wages and conditions of 'subbies' are nothing to do with them, even though it is quite clear that many contractors have 'unconscionable contracts' if they cannot afford to pay minimum award wages and conditions to their employees. The growth in these contractors has been significant and there are now almost 5,000 primary contractors working for Australia Post through-out the country.
18. The many thousands of workers working in the privatized Licensed Post Offices also need to be mentioned. These are also on minimum rates of pay under the Postal Services Industry Award.
19. It should be remembered that this insecure work is happening in a Government Business Enterprise which made \$332.3 million profit before tax last financial year and which pays its CEO \$2.9 million per year. There are several other executives on remuneration over the \$million mark.
20. Insecure work in the postal industry is on the rise while full-time permanent jobs are under constant attack.
21. In relation to our recommendations for tackling insecure work which is a blight on the lives of individual workers and their families, the postal industry and our community, the union supports the recommendations developed by the Victorian Trades Hall Council. See Attachment 2.
22. The union and our members would welcome the opportunity to make further submissions at the public hearings being scheduled.

Joan Doyle
Secretary
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19 December 2011

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Mr Martin O'Nea
Divisional Assistant Secretary - Postal
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Dear Martin

EMPLOYMENT CATEGORIES – STATISTICAL INFORMATION FOR THE QUARTER ENDED 30 SEPTEMBER 2011

Please see attached, statistical information on staff, mail contractors and agency staff as at 30 September 2011. This report also includes the additional hours and rostered hours for the quarter ended 30 September 2011.

The report covers:

- **Australia Post employees** (full time, part-time, permanent, fixed-term and casuals on Australia Post's payroll);
- **Staff supplied by approved recruitment agencies.** These figures show the number of agency staff working in Australia Post on 30 September 2011;
- **The total number of mail contracts** divided into States; and
- **Additional hours and rostered hours** worked in the quarter ended 30 September 2011.

If you wish to discuss the report, please contact Claire McCuskey on 03 9106 7477.

Yours sincerely

Catherine Walsh
General Manager, Human Resources

Australia Post
Employee Report as at: 30/09/2011

Headcount by State as at: 30/09/2011

	Full Time			Part Time			TOTAL		
	Permanent	Fixed Term	Casual	Permanent	Fixed Term	Casual	Full-Time	Part-Time	TOTAL
NSW	7,978	57	27	2,758	156	81	8,062	2,995	11,057
ACT	467	13	1	163	12	7	481	182	663
Vic	7,213	45	4	2,774	67	40	7,262	2,881	10,143
QLD	3,377	21	11	1,547	219	47	3,409	1,813	5,222
WA	1,996	37	3	947	62	17	2,036	1,026	3,062
SA	1,252	11	0	578	51	4	1,263	633	1,896
NT	120	3	0	39	21	1	123	61	184
TAS	405	2	0	159	9	0	407	168	575
TOTAL	22,808	189	46	8,965	597	197	23,043	9,759	32,802

Headcount by SBU/FBU as at: 30/09/2011

SBU/FBU Name	Headcount
Mail Services	20,753
Parcel Services	2,659
Retail Services	6,515
e-Services	698
Total SBU	30,625
Finance & Business Services	1,225
Sales & Marketing	371
Corporate Affairs	572
Office of the CEO	9
Total FBU	2,177
Enterprise Total	32,802

Headcount by Occupational Function for NSW / ACT as at: 30/09/2011

	Full Time			Part Time			Total
	Permanent	Fixed Term	Casual	Permanent	Fixed Term	Casual	
Administration	666	4	1	25	4	0	700
Call Centre	6	0	0	3	0	0	9
Delivery	3,661	42	12	1,802	103	51	5,671
Engineer	1	0	0	0	0	0	1
Executive	17	0	0	0	0	0	17
Facility Manager	48	0	0	0	0	0	48
IT	1	0	0	0	0	0	1
Mail Processing	1,521	3	1	240	5	8	1,778
Miscellaneous	10	0	3	2	0	4	19
Parcels	333	0	0	32	1	0	366
Postal Manager	333	0	0	0	0	0	333
Retail	664	4	11	662	12	24	1,377
Sprintpak / PL	68	0	0	2	0	0	70
Support Services	11	0	0	5	3	0	19
Technical	128	0	0	0	0	0	128
Transport	977	17	0	148	40	1	1,183
Total	8,445	70	28	2,921	168	88	11,720

Headcount by Occupational Function for VIC as at: 30/09/2011

	Full Time			Part Time			Total
	Permanent	Fixed Term	Casual	Permanent	Fixed Term	Casual	
Administration	1,874	28	0	71	0	0	1,973
Call Centre	281	3	0	38	0	0	322
Delivery	2,239	2	2	1,235	22	20	3,520
Engineer	2	0	0	0	0	0	2
Executive	283	4	0	9	2	0	298
Facility Manager	34	0	0	1	0	0	35
IT	129	1	0	2	0	0	132
Mail Processing	1,052	4	0	425	8	0	1,489
Miscellaneous	4	0	2	0	0	4	10
Parcels	6	0	0	1	0	0	7
Postal Manager	240	0	0	0	0	0	240
Retail	440	2	0	672	8	16	1,138
Sprintpak / PL	87	0	0	2	1	0	90
Support Services	2	0	0	2	0	0	4
Technical	128	1	0	1	0	0	130
Transport	412	0	0	315	26	0	753
Total	7,213	45	4	2,774	67	40	10,143

Headcount by Occupational Function for QLD as at: 30/09/2011

	Full Time			Part Time			Total
	Permanent	Fixed Term	Casual	Permanent	Fixed Term	Casual	
Administration	260	0	0	13	0	0	273
Call Centre	131	0	0	11	0	0	142
Delivery	1,338	13	7	916	168	15	2,457
Engineer	6	0	0	0	0	0	6
Executive	3	0	0	0	0	0	3
Facility Manager	24	0	0	0	0	0	24
IT	0	0	0	0	0	0	0
Mail Processing	810	3	0	254	25	1	1,093
Miscellaneous	13	0	0	1	0	0	14
Parcels	0	0	0	0	0	0	0
Postal Manager	202	0	0	1	0	0	203
Retail	290	5	4	324	21	31	675
Sprintpak / PL	4	0	0	0	0	0	4
Support Services	1	0	0	0	0	0	1
Technical	79	0	0	0	0	0	79
Transport	216	0	0	27	5	0	248
Total	3,377	21	11	1,547	219	47	5,222

Headcount by Occupational Function for WA as at: 30/09/2011

	Full Time			Part Time			Total
	Permanent	Fixed Term	Casual	Permanent	Fixed Term	Casual	
Administration	181	0	0	12	0	0	193
Call Centre	2	0	0	1	0	0	3
Delivery	952	29	1	422	31	9	1,444
Engineer	0	0	0	0	0	0	0
Executive	1	0	0	0	0	0	1
Facility Manager	7	0	0	0	0	0	7
IT	1	0	0	0	0	0	1
Mail Processing	251	0	0	189	12	0	452
Miscellaneous	6	1	1	1	0	6	15
Parcels	97	0	0	76	5	0	178
Postal Manager	121	1	0	1	0	0	123
Retail	242	5	1	220	10	2	480
Sprintpak / PL	0	0	0	0	0	0	0
Support Services	4	0	0	2	0	0	6
Technical	28	0	0	3	0	0	31
Transport	103	1	0	20	4	0	128
Total	1,996	37	3	947	62	17	3,062

Headcount by Occupational Function for SA/NT as at: 30/09/2011

	Full Time			Part Time			Total
	Permanent	Fixed Term	Casual	Permanent	Fixed Term	Casual	
Administration	137	1	0	5	0	0	143
Call Centre	0	0	0	0	0	0	0
Delivery	636	3	0	252	49	2	942
Engineer	0	0	0	0	0	0	0
Executive	1	0	0	0	0	0	1
Facility Manager	9	0	0	0	0	0	9
IT	1	0	0	0	0	0	1
Mail Processing	239	1	0	109	12	0	361
Miscellaneous	4	0	0	0	0	2	6
Parcels	34	3	0	15	3	0	55
Postal Manager	97	0	0	3	0	0	100
Retail	108	6	0	213	5	1	333
Sprintpak / PL	4	0	0	0	0	0	4
Support Services	4	0	0	0	0	0	4
Technical	31	0	0	0	0	0	31
Transport	67	0	0	20	3	0	90
Total	1,372	14	0	617	72	5	2,080

Headcount by Occupational Function for TAS as at: 30/09/2011

	Full Time			Part Time			Total
	Permanent	Fixed Term	Casual	Permanent	Fixed Term	Casual	
Administration	31	0	0	2	0	0	33
Call Centre	0	0	0	6	0	0	6
Delivery	180	1	0	68	6	0	255
Engineer	0	0	0	0	0	0	0
Executive	0	0	0	0	0	0	0
Facility Manager	2	0	0	0	0	0	2
IT	0	0	0	0	0	0	0
Mail Processing	58	0	0	26	0	0	84
Miscellaneous	2	0	0	0	0	0	2
Parcels	0	0	0	0	0	0	0
Postal Manager	33	0	0	0	0	0	33
Retail	44	1	0	41	2	0	88
Sprintpak / PL	0	0	0	0	0	0	0
Support Services	1	0	0	1	0	0	2
Technical	7	0	0	0	0	0	7
Transport	47	0	0	15	1	0	63
Total	405	2	0	159	9	0	575

**AGENCY RECONCILIATION
30-Sep-11**

	FT	PT	Total
HQ incl. Fin, Corp Serv. SSD and IT	21		21
Mail Serv & Parcel Services NSW	14	84	98
Mail Serv & Parcel Services Vic	1	195	196
Mail Serv & Parcel Services Tas	5	21	26
Mail Serv & Parcel Services Qld	7	5	12
Mail Serv & Parcel Services WA	14	28	42
Mail Serv & Parcel Services SA/NT	23	82	105
Retail NSW			
Retail Vic - Sprintpak at Knox	85		85
Retail Vic		10	10
Retail TAS	4	20	24
Retail Qld			
Retail WA		5	5
Retail SA	0		
eServices incl eLetters, FDS & Call	47		47
TOTAL	221	450	671

HQ incl. Fin, Corp Serv. SSD and IT
Mail Serv & Parcel Services NSW
Mail Serv & Parcel Services Vic
Mail Serv & Parcel Services Tas
Mail Serv & Parcel Services Qld
Mail Serv & Parcel Services WA
Mail Serv & Parcel Services SA/NT
Retail NSW
Retail Vic - Sprintpak at Knox
Retail Vic
Retail TAS
Retail Qld
Retail WA
Retail SA
eServices incl eLetters, FDS & Call
TOTAL

Current Number of Contracts by Mail Service Type as at 30 September 2011

	ACT/NSW	VIC	TAS	QLD	SA	NT	WA	TOTAL
Roadside Mail Delivery	707	537	105	688	86	1	154	2,278
Intrastate Transport	85	62	17	145	65	11	32	417
Interstate Transport	4	-	-	3	-	-	-	7
Street Mail Delivery	244	267	43	437	66	-	142	1,199
Miscellaneous Delivery	6	6	3	25	1	-	-	41
Parcel Delivery	192	235	27	200	63	10	100	827
SPB Clearance	3	2	1	21	1	-	2	30
Depot/Dump Bags	4	106	-	53	7	1	8	179
Combination Service	-	-	1	0	2	1	-	4
Total	1245	1,215	197	1,572	291	24	438	4,982

Additional Hours & Rostered Hours

1/7/11 -

30/9/11

	NSW/ACT		VIC		QLD		WA		SA/NT		TAS		TOTAL	
	Additional Hrs	Rostered Hrs	Additional Hrs	Rostered Hrs	Additional Hrs	Rostered Hrs	Additional Hrs	Rostered Hrs	Additional Hrs	Rostered Hrs	Additional Hrs	Rostered Hrs	Additional Hrs Total	Rostered Hrs Total
Call Centre	0	282	11	13,030	0	3,647	0	294	0	0	246	1,513	257	18,765
Delivery	93,080	599,562	73,652	372,479	94,571	302,276	29,672	128,810	24,667	96,021	4,120	22,455	319,762	1,521,603
Mail & Parcels	6,241	122,380	15,488	154,804	12,356	88,186	4,083	62,394	4,473	41,023	902	8,376	43,543	477,163
Retail	38,844	221,274	23,448	218,440	24,554	121,844	8,287	79,015	10,086	71,846	1,638	14,541	106,856	726,961
Supt Servs	0	2,094	0	206			0	1,007	0	0	35	138	35	3,445
Transport	3,026	72,556	14,561	112,004	1,705	11,779	1,244	9,719	4,479	5,379	695	6,536	25,710	217,972
Grand Total	141,191	1,018,148	127,161	870,962	133,186	527,732	43,285	281,239	43,704	214,268	7,637	53,559	496,164	2,966,909

ATTACHMENT 2

Motion:

VTHC Executive Council, hearing reports from the ACTU Roundtable re Insecure Jobs on Monday, 7 November 2011, notes the:

- *rapid growth of precarious and insecure employment in Australia,*
- *the financial strain and stress caused to workers and their families,*
- *the apprehension and intimidation suffered by some workers in this sector, and*
- *the challenge in organizing casual workers, in part because of a false 'disconnect' or misperception which sometimes grows up between the interests of permanent employees and workers in insecure jobs.*

The VTHC therefore recommends to the ACTU the following urgent actions:

1. *co-ordination of recruitment strategies by unions to make union membership easier for workers in insecure jobs to both initiate and maintain – including the use of social media, internet applications etc., and the possible provision of recruitment tools such as insurance, bookkeeping and other professional services*
2. *discussion with labor law firms on the most effective ways of preparing & promoting standard or model employment contracts, including through EBAs, Fair Work Australia and even the ACCC – including making it easier for workers to prosecute employers for breach of contract (tort law)*
3. *co-ordination of individual union efforts to prepare test case applications to Fair Work Australia, to establish national standards of employment for workers in insecure jobs*
4. *representation to the Federal Government for amendments to the Fair Work Act to allow FWA to arbitrate on the fairness of employment contracts prevalent in insecure jobs*
5. *representation to the Federal Government and the Australian Tax Office about the predicament of the working poor dependent on a mix of insecure jobs, debt and Centrelink payments – noting that some employers deliberately set out to cheat the Australian taxpayer by setting employees to manipulate Centrelink*

6. *representation to the Federal Government about employment law, and the definition of employment shielding sham contracting arrangements – noting the shift in emphasis in employment law over the past 20 or so years away from the formerly prevalent community expectation that employment should be permanent*
7. *representation to authorities at all three levels of government that insecure jobs should be phased out of public sector employment, where possible, and only retained on a temporary basis under strict public scrutiny*
8. *a public awareness campaign that the growth of insecure jobs threatens to undermine professional standards, quality of service & workplace safety across a vast range of private & public sector activities, including but not limited to education at the tertiary & TAFE levels, and disability services (potentially magnified if the NDIS is implemented)*
9. *consideration of a 'name and shame' public register of bad employers – companies and individuals – who have been successfully prosecuted for sub-standard treatment of workers in insecure jobs*
10. *consideration of mobile education displays which can go to regional and rural Australia, to promote better community understanding of employee entitlements and what employer demands are acceptable or unacceptable in a legal and proper employment relationship*
11. *representation to the Federal Government for legislation to provide better organizing rights, including rights of entry into workplaces where insecure jobs are prevalent,*
12. *representation to the Federal Government for legislation to permit unions to negotiate into awards & agreements express limitations on the extent and duration of forms of insecure employment, and*
13. *representation to the Federal Government for legislation to meet Australia's ILO obligations to protect and enhance every worker's right to withdraw labor, collectively bargain & strike.*

Moved: Brian Boyd **Seconded:** David Cragg
Motion put and carried.