

Workers Rally Against IR Laws



Over 2,000 concerned union and community members rallied at the Fannie Bay Turf Club in Darwin to show their opposition to the federal government's IR laws

Thousands of Northern Territory union and community members rallied together on 30 November 2006 to support the Australian Council of Trade Unions (ACTU) National Day of Action and protest against the Howard government's anti-worker IR laws.

At the Fannie Bay Turf Club in Darwin over 2000 workers rallied while hundreds attended rallies at the Katherine Country Club, the Alice Springs RSL Club and the Tennant Creek Hotel. In Nhulunbuy, a workers' march was led from Endeavour Square to the Walkabout Hotel.

Almost 300,000 union members and community groups packed 300 venues across Australia to support the ACTU Sky Channel broadcast from the Melbourne Cricket Ground (MCG) despite intimidation from the federal government and strong pressure to stay at work from many employers.

During the live broadcast from the MCG ACTU President Sharan Burrow told of the unfair and unjust aspects of the laws.

"The Howard government wants Australians to "sit down and shut up" and take what the employer offers... You can be sacked without rhyme or reason and you have no right to defend yourself," Ms Burrow said.

IEUA and other education workers recognise the urgent need to increase community awareness about the unfairness of the IR laws and the need to vote for a government that will bring back a balanced, equitable and fair IR system.

As the campaign continues there are three things all union members can do to ensure the fundamental working rights and conditions of all Australian workers are restored and those responsible for the laws are held accountable:

- Recruit at least one new member and encourage your colleagues to join NT-IEU to ensure a stronger voice in the fight to protect working rights and conditions;
- Keep up-to-date on the latest campaign news and actions via NT-IEU publications, briefings and fact sheets (also available at www.qieua.asn.au) and share what you learn with your colleagues, family and friends; and
- Support your colleagues in the workplace and help build a collective culture where issues of common concern as well as bigger challenges can be responded to as a collective group.

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- Member Profile: Cheryl Salter, The Essington School (Darwin)

Federal IR laws pose a real threat to NT-IEU members

Have they the resources to deal with it?

Recognising the threat posed by the federal government's IR laws to members, the NT-IEU Branch Executive met a number of times late last year to consider how to responsibly protect the working rights and conditions of members in the face of such an attack.

As a small branch, the Branch Executive recognised the limited resources available to it

in order to take on such a fight and as a result has looked to the support of another IEUA Branch.

Discussions have therefore commenced with the Queensland Branch (IEU-Q) to look at the possibility of long-term relationship which would enable NT-IEU to gain further support and resources in the fight to protect working rights and condition of members in the Territory.

THE REALITY OF THE HOWARD GOVERNMENT'S IR LAWS

The Howard government's industrial relations legislation has some harsh realities for NT-IEU members. Already many employers across the country, including those in the non-government education sector, have sought to implement these anti-worker laws in their workplace – stripping employees of fundamental working rights and conditions.

The following are just some of many ways in which your working rights and conditions, as an education worker in the Northern Territory, can be stripped from you as a result of these laws.

1. No award safety net, 5 minimum conditions apply and AWAs at anytime

You can no longer rely on the safety net of awards to ensure your rights to annual leave loading, classification based pay structures, redundancy provisions and protection from unfair dismissal. Instead your employer can legally offer just the following conditions: a minimum wage of \$511.86 per week; a 38 hour week; 4 weeks annual leave; 52 weeks unpaid parental leave; and personal leave of a maximum of 10 days per year including sick leave.

You can also be offered an individual AWA contract at anytime even if a collective agreement is in place and it only has to include the five minimum conditions. An AWA is a secret document with penalties for even discussing it with anyone. Already workers in one indigenous school in Queensland have been faced with such individual contracts despite their desire for a collective agreement. These individual contracts included loss of public holidays and required teachers to work additional hours.

Such individual contracts also provide little job security as they have an end date after which your employer can bargain solely with you on the basis of the above five minimum conditions and offer a "take it or leave it" replacement agreement.

2. No one protected from unfair dismissal

No matter the size of your workplace, under the federal legislation all employees can now face unfair dismissal. If you work in a workplace of fewer than 100 staff you can be dismissed with no reason and cannot lodge an unfair dismissal claim.

If you work in a workplace of over 100 staff you can still be dismissed at anytime due to "operational reasons" – any economic, technological, structural or similar reason relating to the employer's business. You cannot claim unfair dismissal if dismissed for any "operational reason". Again workers' job security is further threaten by these laws and already workers across Australia have been dismissed on this basis with no explanation given other than "operational reason". While you can still claim for unlawful dismissal on

the basis of race, religion, gender, pregnancy and union or political affiliation; the onus is on you to prove such a case and you would now have to fight this in the civil courts and face fees of up to \$30,000.

3. You will be fined just for asking

Under the legislation fines of up to \$33,000 can be levied for even asking for the following to be included in an agreement:

- Trade union training leave (including workplace health and safety training);
- Any remedy for unfair dismissal;
- Any provision for future agreements to be union collective agreements;
- Mandatory union involvement in dispute resolution procedures; and
- Restrictions on/or the prohibition of individual contracts (AWAs).

There are also many more prohibitions and the federal minister can add to the list at any time without any reference to parliament.

4. Limiting the protection of your union in your workplace

The legislation further threatens your workplace rights and conditions by restricting your access to union advice and assistance. Where you can meet with your union organiser is restricted with your employer able to dictate where your union organiser can and cannot go in your workplace.

The right of your union organiser to visit workplaces where employees are covered by AWAs is removed and they are now required to notify your employer of any alleged breaches of your rights and the name and details of those involved before they can visit your school.

The insertion of union access provisions in a collective agreement is also prohibited making it nearly impossible for you to have the appropriate assistance and support of your union organiser in your workplace when you need it.

These are just some of the ways your fundamental working rights and conditions are stripped under the federal government's IR laws. For more information on the reality of the laws for non-government education workers, other workers and our communities visit the IEU-Q's website at www.qieu.asn.au or the Australian Council of Trade Unions (ACTU) campaign website at www.yourrightsatwork.com.au



Working together

NT-IEU members have support in protecting working rights and conditions

The NT-IEU Branch Executive is responding to the challenges of the federal government's industrial relations legislation and has welcomed the Queensland IEU Branch's long-term commitment of support and resources in helping protect members' working rights and conditions.

With over 14,000 members, IEU-Q welcomes the opportunity to use its collective strength to ensure the majority of members across the non-government sector can deal with the impact of this anti-worker legislation.

IEU-Q members understand that an attack on one union member's working rights and conditions is an attack on all union members' working rights and conditions.

IEU-Q members also know that only through high member density, member education and collective culture that these insidious laws can be opposed.

As a result of the NT-IEU Branch Executive's recognition of the need for additional resources in the fight to protect members' working rights and conditions, the Branch Executive has turned to IEU-Q to help provide the additional support and resources needed in a possible amalgamated Branch.

Following on from the decision to seek additional support from another IEUA Branch, NT-IEU Branch Executive adopted the following resolution late last year:

That the NT-IEU Branch, having given consideration to its future as a Branch of the IEUA and in particular its commitment to building strength as a collective for its members, gives in-principle endorsement to further consideration of an amalgamation of the IEUA-Q and NT-IEU Branches with an amalgamation subject to the establishment of satisfactory operational structures and a plebiscite of its members.

Both the NT-IEU and IEU-Q Branch Executives will ensure that the further consideration of such an amalgamation is in the interests of members and the protection of their working rights and conditions while also maintaining the identity of the Northern Territory Branch.

It is essential that NT-IEU members have input into the future of their Branch and the Branch Executive will now initiate a further process of discussion with members regarding the future of the Branch including the possibility of amalgamating with IEU-Q.

Northern Territory members will receive further correspondence regarding the proposed amalgamation shortly.

Through IEU-Q members working in solidarity with NT-IEU members, Northern Territory members can gain the collective strength, resources and support necessary to protect our working rights and conditions.

IEU-Q will be providing NT-IEU members with a range of resources and support in order to assist in the protection of their working rights and conditions.

Organiser support

With NT-IEU Organiser Tabatha Dellar on Maternity Leave after the birth of her daughter Grace earlier this month, five organisers from IEU-Q will visit schools within the Darwin and Alice Spring regions throughout February. The purpose of these visits is to meet with delegates and union members and assist in building member density. Further IEU-Q organiser support and concentrated school visits are structured to continue whilst Tabatha is on leave.

Member education

During March, IEU-Q will provide union training for delegates to equip them with the knowledge and skills necessary to protect their working rights and conditions. In addition, several after school functions will be organised with a view to building and strengthening links between school chapters and allowing workers from different school systems to come together and discuss their concerns and find ways of supporting each other. Your designated IEU-Q organisers will advise you of these dates shortly.

Individual member support

An essential element of our unions work is the protection of members' rights where they are challenged on an individual basis. IEU-Q has allocated resources to NT-IEU members in the form of an Industrial Services Officer to provide further quality advice and support at all times. To contact your Industrial Services Officer please call the IEU-Q office on 1800 351 996.

Communications

NT-IEU members will be provided with a range of communication materials including further editions of *The Northern Voice*, briefings and access to IEU-Q's website at www.qieu.asn.au containing up-to-date information about member campaigns including the "Your Rights at Work - Worth Fighting For" campaign.



IEU-Q Officers (L-R) Michael Beckett, Michael Hayworth, Nick Holliday, Nick Sahlqvist, Paul Giles and Laura Wise will be providing NT-IEU members with additional support and resources



Member Profile

Name: Cheryl Salter

School: The Essington School

Position: ICT Coordinator

NT-IEU Member: 15 years

NT-IEU Branch Secretary: 2 years

How long have you worked as a teacher in the Northern Territory and what has the experience been like?

I have worked in the Territory for nearly 25 years after coming here as a graduate teacher. My first job was at a school on Bathurst Island. Since then I have worked at a number of schools and the experience of working in a place like the Territory has been both challenging and rewarding. It's been amazing.

What do you see as the specific challenges of non-government education workers in the Northern Territory?

The isolation and remoteness many education workers feel is a challenge, especially for those who may be new to the sector. There is definitely a lack of communication channels for workers in the sector and for communities more broadly.

When and why did you join the NT-IEU?

After moving from Bathurst Island to a school in Darwin, I noticed the significant differences in working conditions at my new school and realised I needed to help do something about it. At the time NTISSA (Northern Territory Independent Schools Staff Association) was forming and I knew that the only way to achieve better working conditions was through being part of the collective so I joined NTISSA which eventually became NT-IEU.

Why do you think it is important for your fellow Northern Territory colleagues to join with you in NT-IEU?

I think the remoteness of the Territory makes it even more important for education workers to come together collectively through their union as it links us together and helps us realise we are not alone in the issues we face.

Overall as Branch Secretary, why do you think union membership is so important?

Only through coming together as a collective and having the strength that this provides can education workers achieve and maintain their working rights and conditions. By coming together in the collective we gain a united voice on the issues we face making it harder for our employer not to listen to us.

Have you been involved in the "Your Rights at Work - Worth Fighting For" campaign and why is the campaign so important?

There have been rallies and events for the "Your Rights at Work - Worth Fighting For" campaign in different parts of the Territory but again there seems to be a lack in the spread of information about what other workers are doing.

This is a very important campaign and it shows why being part of your union is more important than ever. Our working rights and conditions are at risk from the federal government's IR laws and only through our union membership can we use our collective strength to continue to protect them.

Why has the NT-IEU Branch Executive sought support from another IEUA Branch?

Given the small size of our Branch, we have always had the support of the Federal IEUA office as well as support from the other Branches. For example, the Victorian Branch (VIEU) has assisted us with our several administrative tasks.

However, given the significant threats posed by the federal government's IR legislation, we are in need of more support than ever before and as a result IEU-Q has offered to assist us in continuing to protect NT-IEU members' working rights and conditions.

What do you think the future holds for non-government education workers in the Territory now that they have the further support and strength of IEU-Q and why do you think this support is so necessary?

Having the support of IEU-Q will provide NT-IEU members with many more opportunities and will be vital in helping us to protect our working rights and conditions. The size of the IEU-Q membership provides us with greater strength and a greater voice. I think the experience and knowledge that QIEU has will help to enhance the work of members throughout the Territory.

Through the resources IEU-Q will be providing to NT-IEU members through additional organisers, communications and support I feel members will more than ever have the opportunity to be more connected as a collective and a stronger union as a result.

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