

# Electrical & Plumbing **United**

Electrical and Plumbing Division of the CEPU, South Australian Branch

January 2011





Bob Donnelly  
State Secretary

## State Secretary Report

Welcome to the CEPU Electrical & Plumbing 2011 Newsletter. This is a new look Newsletter and will be produced every six months with additional Newsletters being produced if events warrant it.

We have been through some restructuring due to the very sad passing of the previous Secretary Bob Geraghty on the 31<sup>st</sup> of May 2010. Bob had been the SA Secretary since 1987 and was instrumental in changing the direction of this Union. In recognition of his commitment and work the CEPU Office has been named Bob Geraghty House. An official opening will be held this year. Bob is sadly missed and will never be forgotten by the Officers and Staff of the Union and we will build on his excellent work and achievements.

I am now the State Secretary and Jason Wilder is the Assistant Secretary. Derek Thomas has joined us as a new Organiser and his responsibilities are the Power Industry and WorkCover. Derek had previously worked as an Organiser with the AMWU Metals Division and we welcome him in his new role with the CEPU.

In March 2011 we will be employing an additional Organiser to concentrate on Plumbing and Electrical Contracting; it is also planned in 2011 to employ another additional organiser to concentrate on OH&S and apprentices

Our administration team is dedicated to assisting members and is comprised of Karen Huet, Shauna Mills-Swart and Jess Rogers. Jess completed a 12 month Traineeship in April 2010 and has commenced full time employment with us. I thank the administration team for their incredibly hard work and commitment to the CEPU which is essential for our success.

One of the most important elements of a successful Union is Workplace Delegates and we arrange training for all Delegates so they can carry out their duties in an efficient manner. If there is not a Workplace Delegate at your work place, elect one. (Your Organiser will be able to supply you with information on the process to follow.) I thank all of the CEPU Workplace Delegates for being the face of the CEPU at worksites.

If you have any questions on Union matters please contact the Union Office (82342130) or contact the Organiser for your area.

Jason Wilder (0403 927456) - Contracting/Construction  
Doug Buchanan (0418 815 880) - Contracting/Construction  
Simon Pisoni (0416 106 476) - State Government, Automotive and Rail  
John Adley (0447 803 299) - Manufacturing, Defence and Mining  
Derek Thomas (0419 629 108) - Power Industry

I thank all CEPU Workplace Delegates, the President Jason Harrison, the Assistant Secretary Jason Wilder the Organisers Doug Buchanan, Simon Pisoni, John Adley and Derek Thomas, the Executive and the State Councillors for their commitment and their hard work . I look forward to working with them and all CEPU Members in 2011.

# Vale

## A Workers' Champion

Bob Geraghty is widely known as a trade union stalwart who began as a shop steward, his concern for workers' rights taking him to senior union positions. Yet he also was a loyal and supportive family man and held a passion for the environment, including his extensive tree planting. A life member of the Electrical Trade Union, he was State Secretary of the CEPU (Communications Electrical Plumbing Union) for 20 years and served as a workers' representative on many state and national boards.

In his younger days Bob loved his cars, including a drag race car named Atrocious—a little Ford Prefect

with a large car's engine transplanted into it. He married Robyn (currently Government Whip in State Parliament) and had two boys who happily recall the family camping holidays that introduced them to Australia's wonder, and in which Bob showed his practical skills.

Song Anthony says Bob was an industrious man who came from humble beginnings: "He was a strong man, a tough man. But underneath he had his soft spots, like a fondness for nature and the environment."

Bob was a union member and active shop steward long before he became a full-time union official through the electrical trades.

He was elected State Secretary in 1987. His efforts for workers were reflected in their vote for him at his last election, in 2007—1067 votes to 133. Current CEPU State Secretary Bob Donnelly says Bob Geraghty was "a champion for workers' rights" but "Bob was not after the limelight, he had no ego."

Bob Geraghty became CEPU divisional councillor and national councillor. He sat on the Building Industry Redundancy Scheme Trust, the Electrical Industry Superannuation Scheme, the Construction Industry

Long Service Leave Board, Construction Industry Training Board, Electrotechnology & Water Skills Board, the Manufacturing Industry Skills Advisory Council and the Plumbing, Electrical, Electronic & Refrigeration Group Training Scheme.

He sat on other union-industry committees and even had time to be a JP.

He took his union from a small, strata-title office in the then—Trades Hall to a larger property on South Rd, Richmond, which has been renamed Bob Geraghty House. He was a driving force of its training centre and group apprenticeship scheme which prospers today thanks to his vision. And he embraced the amalgamation of the plumbing division with his electrical trades.

He is known among union officials for commitment to the organisation and a capacity to work long and hard hours as "a person who liked to right wrongs".

His other son, Jason says Bob was "fairly quiet and introvert; he tended towards doing rather than talking".

"Dad had a passion for the environment and in particular he was a lover of native plants in the Australian bush," he said.

His wife Robyn says Bob held strong views and was hard, if not impossible, to budge when he truly be-

lieved. But he was "incredibly loyal."

"He was not just the union man, or the family man; he had so many interesting and fun traits," she says.

Bob Geraghty lived for less than three months after being told he had terminal cancer. He is survived by wife Robyn, sons Anthony and Jason and four grandchildren.





Jason Wilder  
Assistant Secretary

# Electrical Contracting

The 2009 campaign for the contracting industry turned into a race against Workchoices and was largely influenced by the 'Global Financial Crisis'.

Initially the 3 major companies did meet with the CEPU in late 2008 in an effort to reach consensus on several issues so that there could be a smooth transition without the need to take any industrial action.

Unfortunately an old school adversarial approach influenced negotiations, along with the lack of work in the industry and the fear of unemployment amongst CEPU members.

Nilsen were the first company off the rank and initially tabled an offer of 12% over 3 years. This offer was rejected by CEPU members who were unwilling to accept an offer of any less than 15% over 3 years. The negotiation process became a farce after Nilsen removed their offer from the table and replaced it with an offer of 13.5% over 4 years. This offer was even more unpalatable to the members and left the CEPU with 2 options. Either hold the line for 3 months until Workchoices was replaced by the Fair Work Act or take protected industrial action.

Under the air of industrial and financial uncertainty, the members of both Boffa & Russo and O'Donnell Griffin elected to

hold the line and wait for a fairer industrial relations system.

Nilsen however did have plenty of work albeit for a short period and unlike their counterparts, the members of Nilsen elected to follow a path of protected Industrial action.

This decision ultimately backfired, when Nilsen systematically commenced making long term employees redundant as the jobs began coming to an end. Pressure was then applied to those remaining employees who, after previously rejecting the offer, narrowly voted up the agreement. The current Nilsen agreement is covered by 'Workchoices' legislation until 31 December 2012.

The hourly pay rates for a Grade 5 Electrical worker are May 2010 - \$31.65; May 2011 - \$32.82; May 2012 - \$34.34

**On a lighter note, members should always remember that even under the Nilsen agreement the CEPU has managed to grow wages from \$16.90/hr in 1999 to \$34.34/hr in 2012 an increase of almost 104% in 13 years (average 8% per annum) not including funded severance, income protection insurance and the 36 hour week.**

## THE 'INDUSTRY' AGREEMENT

The Nilsen agreement had a huge influence on the negotiations with the other major contracting companies. ODG attempted to run a similar line to Nilsen (SA) and also to lock their workers into a 4 year 'Workchoices' agreement but unlike Nilsen, ODG were unsuccessful. CEPU members at ODG successfully held the line against the efforts of ODG.

At the same time, Boffa & Russo had a dire lack of work and members were using up their leave entitlements in lieu of redundancy. Even so, negotiations at Boffa & Russo were rather more congenial compared to those at Nilsen or ODG and Boffa & Russo tabled an early offer of 18% ramped up slowly over 3 ½ years or \$36 per hour by November 2011.

However, B&R could not commit to the offer unless the competing companies agreed to similar arrangements. When the offer was made, all negotiating parties knew that the offer was achievable and affordable within the industry.

Boffa & Russo did not push for a 4 year term like their

competitors did but due to the Nilsen agreement B&R was unable to offer much more than the Nilsen wage rates or otherwise become uncompetitive. Eventually the 'Industry deal' was made.

**Pay hourly pay rates for PSG Boffa Russo & ODG are July 2010 - \$31.50; July 2011 - \$33.00; July 2012 - \$34.50**

The agreements fall under the Fair Work Act and expire August & September 2012 with an enforceable commitment to commence negotiations for a new agreement 3 Months prior to the expiry date.

The industry agreement has also been signed by:

**Downer EDI Engineering  
Corke Instrument Engineering  
Leonard Electrics  
In Front Electrical**

# Watters

## The Watters Adelaide

agreement has effectively set a new benchmark. Watters, who are part of the Hasties Group did have a non-Union agreement which was forced through by the previous management during the Workchoices era resulting in an expiry date which was out of kilter with the 'industry agreements'. For the current agreement Watters would not agree to a 2 year term to fall back in line with 'industry' expectations. Watters did however use the 'industry' agreement and applied 6 monthly increments instead of annual.



This results in Watters employees earning substantially more in wages than other companies over the duration of the agreement. The expiry date became a major issue when Watters insisted on a date somewhere in 2014. This date was pulled back to September 2013 with the benchmark base wage rate of \$36 per hour in May 2013.

### The hourly pay rates for Watters are

November 2010	– \$32.25
May 2011	-- \$33.00
November 2011	– \$33.75
May 2012	-- \$34.50
November 2012	– \$35.25
May 2013	-- \$36.00

## ADELAIDE AQUA DESALINATION PLANT

The CEPU along with the AWU, AMWU, CFMEU and the MUA were involved in negotiating a "Greenfields" agreement with Adelaide Aqua for the Adelaide Desalination Project. The negotiating process was very protracted, with Adelaide Aqua changing its mind at every meeting. Base wage rates for Electricians fluctuated from \$33.80 per hour to \$34.65 per hour and then to \$33.07 per hour. The CEPU was able to negotiate a decent wage rate for electricians of \$33.07 per hour plus \$3.00 site allowance plus \$50 per week 'all purpose' electrical licence allowance. However, the reality is, the Adelaide Aqua 'Workchoices' agreement applies only to Adelaide Aqua and not to the Electrical contractors who fall under their own agreements.

The CEPU position was that any agreement covering the project should cover all workers on that project. Unfortunately the other Unions signed the Agreement with Adelaide Aqua prior to the 1<sup>st</sup> of July and the commencement of the Fair Work Act.

The CEPU refused to sign the agreement and lock into three years of Work Choices one week before the Fair Work Act came into effect. Electrical work conducted at the Adelaide Desalination Project falls under the

individual company agreements. CEPU agreements deliver a \$5 per hour site allowance on this project. O'Donnell Griffin has the lion's share of this project and on-going work will be available. The project has been mired by safety issues and Adelaide Aqua's management has been questionable at times. However ODG have trained elected Health and Safety representatives and have an efficient safety committee. ODG have taken the appropriate steps and are trying their hardest, sometimes under difficult circumstances to ensure the safety of their employees. Similarly, PSG Boffa Russo is also working on this project and has also trained elected Health & Safety Representatives.



## Leighton Contractors

An agreement was struck in 2010 with Leighton Contractors (previously Mayfield and AMEC). Leighton Contractors in SA is unique in that it's the only division of the National company which is predominantly electrical contracting and it was extremely difficult to get the company to understand the electrical contracting industry. Leighton took a hard-line approach during negotiations with all decisions being made from Sydney.

Negotiations were extremely frustrating with agreements reached in Adelaide being vetoed by the Sydney office.

For the first time ever the CEPU members at Leighton took protected industrial action. 4 hour stop work meetings were slowly ramped up, culminating in a complete ban on overtime and a 48 hour stoppage. These efforts were successful in ultimately achieving an acceptable agreement and a true sense of pride amongst the workers.

## FIRE PROTECTION INDUSTRY

Agreements have also been negotiated within the Fire Protection Industry with both Chubb Fire Safety and Spectrum Fire (now part of the Hasties Group).

**The base hourly pay rates for Chubb Fire Safety are:** April 2010 - \$32.45  
April 2011 - \$33.75

**For Spectrum Fire: September 2010 - \$34.00**

## WHY USE THE CEPU TO NEGOTIATE YOUR ENTERPRISE AGREEMENT?

Under the Fair Work Act, any company with a Union member must negotiate with the Union if requested. Your employer must issue a form asking you who you would like to nominate to bargain on your behalf (a Representational Rights Form). If you are a Union member, the Union becomes your default bargaining representative and you should not request anyone else, including a consultative committee, just return your form blank. It is not the end of the world if you have inadvertently filled out a form nominating a person or persons other than the Union. Your initial decision can be rescinded.

If your agreement is up for renegotiation, you should inform the CEPU as soon as possible.

### **CEPU Electrical Contracting Agreements deliver:**

**A 2012 base wage rate of \$34.50 - \$35.25 per hour**

**A 36 Hour week**

**Income Protection**

**Funded Severance/Redundancy payments of \$60 per week**

**Up to \$29 per day travel**

**Up to \$4.00 per hour Leading Hand Allowance**

**\$150 per night LAFHA**

**Site Allowances based on project values**

### **Other Union Agreements Negotiated during 2010 are:**

Nilsen Engineering Services Division

O'Donnell Griffin Wyatt St, Maintenance Division

O'Donnell Griffin Data and Communication Division

Ativo Maintenance Services (KCA Tantanoola & Millicent Mill)

Control Corp Core Crew

Tenix Australia Power Industry & Substation

Suzlon Energy Australia



Doug Buchanan  
Contracting

# Plumbing Contracting

## Apprentices

Apprentices are a vital part in our industry, the CEPU recognises that apprentices are the future of our union and needs the apprentices to get more involved in the union movement.

The CEPU is a trade union and the first and upper most important thing for the CEPU is to protect the 4 year apprenticeship and licence system.

Many apprentices have asked why it is necessary to be in the Union as they're receiving all the benefits now.

Without the Union being involved in the industry, apprentices would not enjoy the benefits and conditions that are currently there and in the future.

Furthermore, some employers will try to under pay entitlements and remove conditions that apprentices

may not be aware of.

Some companies think that an apprentice is used for cheap labour to do all the jobs that tradesman don't want to do. The employer has an obligation to train the apprentice in all aspects of the trade. If you think that you are not getting trained properly or are harassed or bullied at work you should contact the CEPU.

## National Licensing

The Council of Australia Governments (COAG) agreed in 2008 to establish a National Occupational Licensing System (NOLS). NOLS will result in a single national regime for granting and maintenance of licences for selected occupations. The purpose of NOLS is to improve overlapping and inconsistent regulation between jurisdictions and support increased workforce mobility for occupations that form a large sector of the economy. Under NOLS, an eligible licensee will need only obtain and pay once for a licence to work anywhere in Australia.

A National Licensing Authority (NOLA) will set policy on licence categories, scope and eligibility criteria (including training) and State and Territory regulators will continue to issue and administer licences for NOLA under a service agreement. There will be a separate set of regulations for each occupation group, which will set out all the specifics (e.g. licence categories, scopes of work and eligibility criteria).

The Nation licensing system for plumbing trades through the COAG initiative is currently underway with an introduction date nationally set for July 2012.

While the CEPU (Plumbing Division) supports a national licensing system that allows plumbers to work in all national jurisdictions it is important that all current registrations and license type be retained.

The CEPU (Plumbing Division) through its representative on the COAG committee continues to argue strongly on behalf of its members and indeed all plumbing practitioners that no "Dumbing Down" of our trade takes place in the national licensing model.

Plumbing and Gas Fitting licensing under the national occupational licensing system is designed to be flexible and reflect the training competencies achieved in the national Cert 111 plumbing course. And your license will authorize you to perform prescribed, plumbing and gas fitting work in the category or categories that you hold a license in.

There will be 3 categories of licensing.

1. Contractor Level.
2. A level that authorizes you to sign off or take technical responsibility.
3. An entry level license which authorizes you to perform Plumbing and Gas fitting work.

# Enterprise Bargaining Agreements

Most companies are currently more than half way through their enterprise agreements and it won't be long before the next enterprise agreement will be ready to negotiate. This means that it's time to think about who will be on the consultative committee for your next enterprise agreement. The CEPU holds shop stewards courses through out the year to help union members understand the process of enterprise agreements and what the role of being a consultative committee member consists of.

If you are employed by a company and do not have a current enterprise agreement and you are a member of the CEPU, contact us so we can assist you by getting an enterprise agreement in place. Under the FWA (Fair Work Act) the employer must negotiate with the union if there is at least one member in the Union with that company. The more companies that we can get onto the enterprise agreements the stronger that the industry will be.

There are many companies with Union enterprise agreements, along with employees that enjoy the benefits that the Union has won over the years but some employees are not in the Union. If you are working along side a non Union member try to encourage them to join the Union and will make this Union/industry a lot stronger. If you are not comfortable approaching this with non-members, please contact me so I can talk to them about the benefits of joining the Union.

## Rank and File Profile



**Name** – Corey Mutton

**Occupation** – Sprinkler Fitter  
(Chubb fire Consultative Committee)

**Employer** – Chubb Fire

**How long have you been a member of CEPU?** – 14 years

**How did you get into the trade?** – Did a Plumbing prevocational course in 1995

**What changes have you seen in the industry?** – Time schedules on jobs have decreased safety and increased paper work

**Best job that you have worked on** – Cowell Hospital because I took my boat with me so after work we could go fishing every day.



*John Adley*  
**Manufacturing, Defence  
and Mining**

# Industry Updates

The South Australian manufacturing sector was dealt yet another blow in 2010 with the closure of the Bridgestone Salisbury plant on the 30<sup>th</sup> of April 2010. The CEPU were instrumental in negotiating improved redundancy provisions and government funding for training on behalf of our affected members.

The Global Financial Crisis impacted our members at many workplaces. OneSteel production was temporarily reduced resulting in reduced hours and a call for voluntary redundancies. We have also seen some redundancies at Otis Elevators and OI Glass.

The defence industry continues to grow in S.A. with the ASC Air Warfare Destroyer project progressing to the manufacturing stage. We are currently negotiating an enterprise agreement with ASC Shipbuilding to replace the current "greenfields" EA and are seeking substantial increases to rates of pay.

A difficult round of Enterprise Agreement negotiations took place in the lift industry during 2010 with

all the major companies holding a tough line on wage increases nationally. Members at Otis and Kone have had to resort to taking protected industrial action during negotiations.

Our comrades in the South East region have been facing difficulties. The Kimberly Clark plant has been under competitive pressure from cheap overseas imports and there is uncertainty in the forestry sector because of the planned sell of State Government timber plantation resources. The CEPU will continue to try and influence State and Federal ALP policy to protect our members' job security.

The mining sector continues to grow with new mines due to open in many areas including the South Middle Back Ranges near Whyalla. The much anticipated Roxby Downs expansion project promises to create huge numbers of jobs and provide great economic benefits for South Australia.

#### **Enterprise Agreements under negotiation or awaiting approval:**

Carter Holt Harvey South East  
Carter Holt Harvey Panels  
Otis Elevators  
Mayne Pharma International  
Philmac  
Adelaide Brighton Cement Angaston  
Cheetham Salt  
ASC Shipbuilding  
Intercontinental Adelaide Hotel

#### **Enterprise Agreements finalised in 2010:**

Smiths Snack Foods  
United Group Services  
Terramin Mining  
Broadspectrum ASC  
Kraft Foods  
Kone Elevators

*Stay strong, stay Union and buy Australian made*



*SIMON PISONI*  
State Government,  
Automotive and Rail

## State Government

### SA Health

The CEPU continues to fight the State Government on behalf of its members in the State Hospital system who are employed under the Ancillary Award instead of the Trades Awards. This practice of incorrectly classifying tradespeople and trades assistances results in a wage shortfall of **\$120 to \$160 per week**. As a result of the 6 year battle Wilf Deakin encountered with the Metro Hospitals, all (but one) trades and trades assistants are now paid at their

correct classification level. The process undertaken by Wilf resulted in back pay claims to members that in some cases, are best described as massive.

It was anticipated the State Government would facilitate reclassifications throughout Country Hospitals. Unfortunately, this has not occurred. CEPU members in the Riverland Health system were forced to take the State Government to the Industrial Court to achieve correct Classification outcomes. It is disappointing the State

Government representatives have not displayed any moral quality in this process. The CEPU remains committed to ensuring it's Health Services members are recognised for their skills and paid their worth. The CEPU is grateful for the continued support provided by Wilf Deakin.

In retirement, the CEPU is being assisted by Wilf. On behalf of the CEPU and all it's members, we THANK YOU, Wilf.

## Public Transport

**TransAdelaide** State Government continues to progress down the path of reintegrating the Metro Passenger Rail System back into State Government Agencies. The responsibility of Public Transport in the Rail Sector is now the responsibility of the Rail Commissioner. Although this transfer of responsibility from the TransAdelaide Board to the Rail Commissioner brings all TransAdelaide employees under the umbrella of the Department of Transport, Energy and Infrastructure, the current wages and conditions of our members in TransAdelaide has been maintained due to the Rail Commissioner being the direct employer of this workgroup. The CEPU continues to ensure none of our members will be disadvantaged by this transfer of employment.

## Automotive Industry

**GM Holden** All indications are that Holden has turned the corner and heading toward a sustainable 2 shift production environment.

A new Commodore model has been released.

The Cruze production line installation and commissioning is progressing ahead of schedule.

Cruze sales of the current model are above forecasts.

This is good news for all our members at Holden and throughout the Australian Automotive Component Industry. Getting through the devastating market slump which resulted from the Global Financial Crisis was achieved through Federal and State Government Support, Holden Managements effective approach to Consultative Problem Solving in partnership with the Vehicle Building Industry Unions, and a dedicated workforce that continued to battle financial stress over a long period.

Without the total commitment and support from each and every stake holder, the South Australian Automotive Industry may well have been a casualty of the GFC.

# Water Utilities



**SA Water** EBA negotiations have now been continuing since April 2009. Early meetings were dominated by discussions relating to jurisdiction. The CEPU always maintained a new agreement would be a Federal Agreement due to SA Water being a Corporation even though employees are considered State Government workers. SA Water finally agreed that a new agreement would be a Federal Registered Agreement in November 2009. At the EBA meeting of 29 June 2009, the CEPU, with support of the AMWU made it known that one of the principle claims of its members is for a Separate Classification Structure that is structured on the Metal Trades Award and the same structure that has been adopted by all State Govern-

ment Agencies employing Tradespeople, including TransAdelaide. This Classification Structure is based on a number of fundamental principles. A trade specific, trained assessor undertaking a skills analysis of each workplace. This is followed by the assessor matching the established skill requirements to competency standards determined by the Australian Skills Standards board. Then, each individual has their skill level determined and Classified to the appropriate pay level. Skill determinations are carried out in a number of ways including post trade certificates, Maximo completed job details, and when necessary practical assessment. This process ensures each employee has a skills determination based on trade knowledge, not the personality of an

employee's manager.

**United Water** The CEPU continues to do all it can to ensure member's entitlements are protected. To date, we have had a number of meetings with SA Water Executives, along with follow up letters detailing assurances given. The CEPU has also met with the State Water Minister to discuss the issue of entitlements, also with follow up letters. The Minister has requested the CEPU contact him if we are made aware of any inconsistencies relating to members entitlements. The Union welcomes any feedback from members relating to the transition process from United Water to the new service provider, in particular, issues relating to entitlements.





Derek Thomas  
Power Industry

# Power Industry

## ETSA

Negotiations for the new ETSA Certified Agreement is about to begin. Over the last few months, meetings have been held at all depots to endorse the log of claims.

Many depots have taken the opportunity to put site specific items on to the log in an attempt to get these long standing issues resolved.

As well as seeking increases to a range of allowances, establishing new industrial standards, the log also contains some Occupational Health and Safety items.

They include the policy development for the newly implemented catastrophic fire classification as well as improvements in the hot weather provisions.

The catastrophic fire procedure development is seen as a priority to the CEPU and we engaged the company in an attempt to get a policy that is easily understood and policed before the most dangerous time of the year, December through to March.

Unfortunately, the company continues to develop a policy but progress is slow .

## Alinta

Negotiations continue for the Alinta Energy agreement and these negotiations have taken over 12 months so far.

It is disappointing that we are no

closer to reaching agreement due to the dogmatic negotiating style of this company.

They are attempting to reduce wages and conditions of all members via reductions in provisions that have been hard fought and won over many years.

The company have attempted to control the negotiations so far and due to the intransigence on a whole range of issues, they find themselves frustrated at the lack of progress.

The CEPU makes no apologies for defending the wages and conditions of it's members from the type of ideological positioning of companies such as Alinta Energy.

## AGL

Fruitful meetings have taken place to replace the current AGL (Torrens Island) agreement.

Negotiations are progressing quite well with some big ticket items being agreed to by the company.

There are still many outstanding items but the negotiations appear to be being undertaken in a respectful and co operative manner.

Once again, further meetings are scheduled, followed by membership meetings to provide feed back and gain direction.

## Electranet

The Electel agreement is also under renegotiation with two meetings

being undertaken. An in principle log of claims has been served on the company and further meetings scheduled.

## Electel

Member ship meetings have been organised to develop a log of claims then meetings with the company will be organised.

## Conneq

The first certified agreement negotiation meeting took place with the CEPU detailing specifics of our log of claims. Although the meeting was at times heated, some progress was made in relation to some big claims.

Further meetings are scheduled so hopefully, we will be in a position to conduct membership meetings to gain direction from the membership soon.

## CCP

This company have presented a NECA document as a starting point for the negotiations.

I have sought feedback from the membership, and made some changes to the original document to reflect the expectations of CEPU members.

This document has been forwarded to the members and once I receive feedback, I will forward it to the company so that we can proceed to negotiation stage.

I would like to take this opportunity to thank all the members that I have had the good fortune to meet over the last six months.

I have met a lot of you, and still have many more to go.

I have found your support to be invaluable.

Although I have been a full time union official for nearly ten years, there is always an opportunity to learn.

I appreciate your time and for those who have gone out of their way to make me comfortable, a huge thank you.

As I have said too many of you, I have a proud record of representing the interests of workers and do not recoil from my responsibilities in that respect. I take seriously any attempt to reduce the wages and conditions of the members that I am representing but without your support, it is a difficult task.

I am proud to work for such a strong union that defends its members with vigour, and must also pay particular attention to the hard work done over many years by State Secretary, Bob Geraghty. The attention to detail and the fundamental principles around the defence of the working class are a legacy that Brother Geraghty has ingrained into every CEPU organiser. He will be sadly missed by those who knew him, and those who didn't, need look no further than the standards that they enjoy as a reminder of his hard work.

In Solidarity,

Derek Thomas

## Exciting new opportunity for



The CEPU is proud to announce its new partnership with the Neil Sachse Foundation. This creates an exciting new opportunity for CEPU Members. Simply go to [www.nsf.org.au](http://www.nsf.org.au), click on membership card holders special page and activate your card membership number. It's free and easy to do.

You can now take advantage of the fabulous specials on offer from the Business Directory Partners. Choose from a large range of products and services, exclusive to Business Directory Membership Card Holders.

Each week there will be new and exciting business offers to enjoy.

Log on every week to see if your Membership Card number has won you a prize.

# What Do We Do?

It is widely known by our members that we work to improve wages and conditions in our industries by representing members in Enterprise Agreement negotiations with employers. It's also well known that we assist members by representing them if they have a grievance or dispute at the workplace. But there are many other ways that we represent our fellow members that you may not be aware of. The S.A. branch officials are members of various boards and bodies relating to our industries.

Where board fees are payable to board members those fees are paid into union funds.

## Bob Donnelly

**PEER VEET** - (Board/Executive Member) A Registered Training Organisation and Group Training scheme set up and run jointly by the CEPU and employer organisations as a not for profit organisation that provides employment, and training for apprentices in the plumbing, electrical, electronic and refrigeration trades as well as post trade training.

[www.peer.com.au](http://www.peer.com.au)

**EWSB** - (Board/Executive Member) Electrotechnology and Water Skills Board, a board consisting of the CEPU and employer organisations that provides advice to government and industry stake holders on training and skills development.

[www.ewsb.com.au](http://www.ewsb.com.au)

**EISS** - (Board Member) Electrical Industry Superannuation Scheme, a superannuation scheme exclusively for employees in the electricity supply industry and their spouses.

<https://www.superfacts.com/eiss/>

**SA Unions** – (Executive Member) Representing the CEPU Electrical and Plumbing Division on the South Australian branch of the Australian Council of Trade Unions.

[www.saunions.org.au](http://www.saunions.org.au)

**Work Cover Levy Review Panel** – (Employee Panel Member) A panel that reviews employer's levies charged by WorkCover.

[www.workcover.com](http://www.workcover.com)

**CBS** - (Board Member) Construction Industry Long Service Leave Board, providing a portable long service leave scheme for the construction industry.

[www.cbserv.com.au](http://www.cbserv.com.au)

**Electrical Licensing Committee** – (Committee Member) A forum for Electrical licensing issues comprising the CEPU NECA OCBA and the OTR

[www.ocba.sa.gov.au/licensing](http://www.ocba.sa.gov.au/licensing)

**CITB** - (Deputy Board Member), Construction Industry Training Board providing funding and support for training programs for the South Australian construction industry.

[www.citb.org.au](http://www.citb.org.au)

**CEPU National Councillor** – Representing S.A. branch members on the CEPU National Council.

[www.cepu.asn.au](http://www.cepu.asn.au)

**CEPU Divisional Councillor** – Representing S.A. branch members on the Electrical Division Council of the CEPU.

[www.etunational.asn.au](http://www.etunational.asn.au)

## Jason Wilder

**PEER VEET** -(Board Member)

**EWSB** - (Board/Executive Member) Electrotechnology and Water Skills Board

**CITB**- (Specialist Services Committee) Construction Industry Training Board

**CIOC** - (Committee Member) Construction Industry OHS&W Committee, Representing Construction industry members regarding OHS&W issues.

[www.safework.sa.gov.au](http://www.safework.sa.gov.au)



## Simon Pisoni

**EWSB** - (Board Member) Electrotechnology and Water Skills Board



# SA UNIONS

## Derek Thomas

**Power Industry Sub Committee** – (Committee Secretary) A committee of senior CEPU delegates from the power industry that works to improve member's wages and conditions of employment.

**SA Unions WorkCover Committee** – (Committee member) A Panel of South Australian Union representatives working to improve the WorkCover scheme.

**EISS**—(Alternate Board Member)



## Doug Buchanan

**PEER VEET** (Board/Executive Member)

**CITB** - (Board member) Construction Industry Training Board

**CIOC** - (Committee Member) Construction Industry OHS&W Committee

**CBS** - (Deputy Board Member) Construction Industry Long Service Leave Board.

**Gas Advisory Committee** - (Committee member) Comprising representatives of the licensed gas companies, gas contractors and unions involved in the gas supply industry, local government and the Office of the Technical Regulator. It provides advice to the Technical Regulator about safety and technical regulatory matters. [technicalregulator.sa.gov.au](http://technicalregulator.sa.gov.au)

**BIRST** - (Board Member) Building Industry Redundancy Scheme Trust, a redundancy fund that provides construction industry employees with a secure



## John Adley

**PEER VEET**—(Board Member)

**EWSB** - (Board Member) Electrotechnology and Water Skills Board

**MISAC** – (Board Member) Manufacturing Industry Skills Advisory Committee which represents the workforce development interests of South Australia's Manufacturing Industry.

[www.misac.com.au](http://www.misac.com.au)

## State Branch Services

### Emergency Transport -

The CEPU will cover the cost of emergency transport cover, on application, for financial members and their immediate family up to \$1000 (conditions apply).

**Andersons Solicitors** – Free 24 hour legal help line (1800 223 790) and free first interview for legal services for CEPU members.

[www.andersons.com.au](http://www.andersons.com.au)

**RT health** – Discounted health insurance for CEPU members.

[www.rthealthfund.com.au](http://www.rthealthfund.com.au)

**JLT** – Jardine Lloyd Thompson, 24/7 Income protection provider for S.A. CEPU members.

[www.jlta.com.au](http://www.jlta.com.au)

### Neil Sachse Foundation

This charitable organisation's raises funds for research toward curing spinal injury. The CEPU supports the foundation and it provides our members discounts on various goods and services. Check the website for details.

[www.nsf.org.au](http://www.nsf.org.au)

### Delegate training

We provide vital training for union workplace representatives through 'Electrojobs' a registered training organisation.

[www.electrojobs.com.au](http://www.electrojobs.com.au)

**Union Shopper** – Discounts on goods and services for union members.

[www.unionshopper.com.au](http://www.unionshopper.com.au)

**Members Equity**—Financial benefits for Members

[www.membersequity.com.au](http://www.membersequity.com.au)



## National Office Services



**MembersEquity  
Bank**

The Super Funds Bank

**Enterprise Agreements** – Negotiation on behalf of members on national EA's.

**Awards** – Representing our members' interests regarding award modernisation reviews and updates.

**National Licensing** – Protecting the integrity of our trade licences in the nationalisation process.

**OHS&W Harmonisation** – Protecting OHS&W standards in the nationalisation of legislation.

**Industrial Officer Support** – Industrial legal support for organisers and members.

**Cbus** – The Industry Superannuation fund for the Construction industry, National secretary Peter Tighe represents CEPU members on the board of trustees.

<http://cbussuper.com.au>

Visit the **CEPU** web site [www.cepusa.com.au](http://www.cepusa.com.au)

# ALP State Convention

The CEPU was active at the 2010 SA ALP State Convention, putting forward 4 motions, all of which were carried. All we need now is for the Government to listen and implement what the Convention agreed to

ALP Convention CEPU Delegates were Bob Donnelly, Jason Wilder, Simon Pisoni and Derek Thomas. (Proxy Doug Buchanan)

The following Industrial Relations motions were put on the agenda by the CEPU.

- “That State Convention condemns the Rann Labor Government for the anti-worker provisions of the 2010 budget. In particular the Rann Labor Government has attacked the rights of the public sector employees to collectively bargain for their wages and conditions by:
  1. Legislating to over-turn Enterprise Agreements and Awards so as to take away holiday leave loading entitlements, which are relied upon heavily by the lowest paid public sector employees. This condition of employment is common and prevails in private industry and is a corner stone of the Modern Awards System under the Commonwealth Fair Work Act.
  2. Legislating to over-turn Enterprise Agreements and Awards so as to strip away Long Service Leave entitlements.
  3. Refusing to commit to the ‘no forced redundancies’ agreement as negotiated and agreed to in the most recent public sector Enterprise Agreement.

The Rann Labor Government has also attempted to ensure that any future bargaining by Unions that may reinstate fairness in Long Service Leave will be barred by legislation.

The Unilateral approach taken by the Rann Labor Government completely contradicts core Labor values and principles, and the total disregard for fundamental workers rights can never be justified, particularly by a Labor Government. This 2010 State Budget is a direct attack on South Australians in the public sector and the Trade Union that represents them.

State Convention calls on and directs the Rann Labor Government to take immediate steps to rescind this anti-

worker legislation and to commit to the protection and promotion of workers rights

By respecting the Enterprise Bargaining process and the authority of the Industrial Commission.

Furthermore Convention resolves that the relevant Minister will report to the next meeting of ALP State Council on action taken to affect this resolution” - *Carried by Bob Donnelly*



CEPU Members Protesting the 2010 Budget

- “That Convention recognises the need for specific industrial manslaughter laws to protect workers and recognises the inadequacy of the existing manslaughter laws in providing this protection. Convention therefore calls on the Rann Labor Government to introduce industrial manslaughter laws during the current parliamentary term.” - *Carried*
- “This Convention recognises that the Australian Building and Construction Commission remains a hostile agency committed to the curtailment of industrial rights and the imposition of severe penalty for Union members who breach the onerous rules around industrial action. The Commission was devised by the Howard Government to block Unions in an industry where harsh working environments and large, anti-Union employers predominate. It’s continued existence is unacceptable.

This Convention notes the Federal Government’s stated intention to replace the Commission and to curtail some of the harsher aspects of the existing legislation.

This Convention recognises that, even should the Government manage to navigate these amendments through the Senate, the proposed powers of the Building Industry Inspectorate would still breach ILO Conventions and maintain a discriminatory regime for workers in the building and construction industry.

This Convention calls on the Federal Government to put an end to industrial legislation which discriminates against building and construction workers and abolish the Australian Building and Construction Commission." - Carried by Jason Wilder



- "Convention notes the 2008 changes made to the *Workers Rehabilitation and Compensation Act* continue to reduce the rights and entitlements of injured workers

Convention resolves that the current ALP leadership act on previous commitments by ensuring the following changes focused on restoring fairness and equity for workers in the WorkCover system be instituted as a matter of urgency wither through amendments to the Act, or through Ministerial directives to WorkCover so as to:

1. Restore full weekly payments whilst workers' claims are in dispute.
2. Prevent further cuts to employer levies whilst the scheme is carrying an unfunded liability or if such reductions would create an unfunded liability.
3. Include a safety net for low paid workers to ensure that no worker receives income maintenance payments less than the State minimum wage.
4. Ensure that retraining is incorporated as a core component of WorkCover's return to work strategy.
5. Ensure the provision of retraining and rehabilitation to injured workers before any work capacity review.
6. Establish a mechanism for additional compensation to be provided to workers injured through the conduct of their employer.
7. Enable workers with a serious incapacity to work to continue to receive weekly income maintenance payments after 130 weeks and not only workers with no capacity to work.
8.
  - a. Limit the scope of Medical Panels to a question, when a matter is the subject of a dispute, as to whether a disability is permanent and, if so, the level of impairment of a worker for the purposes of s. 43 and s. 43A.

- b. Ensure a worker may be represented at any Medical Panel Assessment by a Union, legal or other representative.
  - c. Ensure a worker may appeal a certificate of opinion issued by the Medical Panel to the Full Bench of the Workers Compensation Tribunal.
  - d. Ensure a worker has a right to submit medical and other evidence to the Medical Panel relevant to the assessment of any referred matter of any issue.
9. Allow workers who have sustained a more serious injury to pursue damages at common law against their negligent employer.

Further, State Convention calls on the Rann Labor Government to reinstate assessment of loss of function for lump sum payment payable for non-economical loss in accordance with a 'Table of Maims' which is no less beneficial than the *Workers Rehabilitation and Compensation Act 1986*.

Convention notes the unfairness of the two and half year reviews under section 35C of the South Australian *Workers Rehabilitation and Compensation Act 1986*, where there is the potential for an employee through no fault of his or her own to be dismissed from their employment and have no recourse. WorkCover SA and Employers need to be aware that an employers' obligations under section 58B of the *South Australian Workers Rehabilitation and Compensation Act 1986* to provide suitable work does not expire when the injured worker has reached 130 weeks of income maintenance. Convention calls on the Rann Labor Government to ensure that the legislation to be applied by WorkCover SA on all employers be amended to ensure that injured workers are not dismissed as a consequence of the duration of their incapacity." - Carried by Derek Thomas



On 27<sup>th</sup> November 2010, at the ALP State Conference, Jason Wilder seconded a motion by Jamie Newlyn of the MUA in favour of the abolition of the ABCC

“2 years ago I stood before you and moved a motion supporting the abolition of the ABCC. Well guess what? The bastards are still out there!

Prior to The Building and Construction Industry Improvement Act becoming law in 2005, organising in the construction industry was far simpler than it is today. It was not uncommon for a Union official to visit 3 or 4 sites in a day. Union officials had almost unimpeded access to building sites enabling us to speak freely to our members and be involved in their day to day work, thus ensuring that our members were safe, being treated fairly and receiving all their entitlements.

The Building and Construction Industry Improvement Act policed by the ABCC inspectorate and wielding extraordinary coercive powers without restraint changed all of this.

Since this repugnant legislation came to being, construction workers have been faced with ever increasing unsafe conditions, poor treatment at the hands of unscrupulous employers, a reduction in working conditions and an increase in death & injury on sites.

Workers are no longer able to down tools over safety issues for fear of reprisal by the ABCC in the form of massive fines and jail sentences imposed upon them unless they can prove that their immediate safety is being jeopardised. This fear restricts workers from acting to improve conditions prior to a serious incidence occurring.

Many employers take advantage of this situation. They cut corners on safety to save a buck, they avoid implementing proper hazard reductions and they ignore the concerns of workers.

This situation resulted in Ark Tribe having to face 6 months jail and having his life turned into a nightmare of trepidation over the last 2 years just for standing up to the employer

over safety concerns; safety concerns that were later vindicated by SafeWorkSA. As it transpired, Ark Tribe was found not guilty after evidence was given elucidating the ABCC as a rogue outfit of reprobates who have been acting as a law unto themselves. – Acting Unlawfully

In 2007 my Union - the CEPU - worked alongside many other Unions and concerned members of the public actively involved in the Your Rights At Work Campaign A campaign designed to bring down the Howard Government who created these dreadful laws. This campaign was instrumental in bringing the ALP to Federal Government. We all rejoiced believing that we would finally see an end to Workchoices and the discriminatory legislation imposed on construction workers.

But this did not occur. Instead we have Industrial Relations legislation which, although an improvement on Workchoices, has maintained many of the restrictions developed by the Ultra Conservative Howard Government. Construction workers remain discriminated against by draconian legislation and the incredible coercive powers wielded by the ABCC.

Unlike the 2007 Federal Election when the CEPU was inundated with volunteers from the construction industry to help at polling booths; is it any wonder that the CEPU could only muster 1 rank and file member for the 2010 Federal Election? Politically I know of many Union members who have opted to seek out ‘Greener’ pastures. These laws have no place in a free and democratic Country

I whole heartedly support the motion put to you by Comrade Newlyn and the MUA

And I encourage all delegates to support this motion.”

- Jason Wilder



## SA Union Award

SA Unions held their annual Awards night on Friday the 19<sup>th</sup> of November 2010. The CEPU Electrical & Plumbing Division nominated CEPU Delegate Gordon Penhall for a Certificate of Recognition of Contribution to the Union Movement and Gordon was successful in receiving the award. Gordon is a CEPU ETSA Utilities Workplace Delegate.

Gordon has been an ETU / CEPU Member since 1968 and a Workplace Delegate since 1975. He has been a member of the ETU/CEPU Consultative Bargaining Negotiation Team for every ETSA Collective Agreement. Gordon is also a founda-

tion member of the Power Industry Sub Committee and has been the editor of the Power Industry Newsletter since inception.

Congratulations Gordon an award well deserved.



## N.B.N Project

The National Broadband Network is about to roll out.

ETSA Utilities is involved in the first release sites and is currently working at Willunga. (Second release sites in SA are Prospect, Modbury, McLaren Vale and Seaford)

- This is the Australian Governments largest infrastructure project to date.
  - The Government say that this project will deliver
    - Benefits to all Australians
    - Telecommunications reform
    - Innovation, productivity and efficiency
    - New job opportunities
  - An average of 25,000 jobs a year will be created during the eight year rollout of NBN
- It is essential that NBN has access to an appropriately skilled and trained workforce, for the efficient rollout of the network and for its ongoing operation.

1. **The CEPU has set up a Steering Committee to oversee the individual industrial issues for this project and the State Secretary Bob Donnelly is the South Australian representative on that Steering Committee.**
2. **The CEPU is developing a National Collective Agreement to cover all aspects of this very important project.**

**The South Australian Branch of the CEPU will employ an additional Organiser in the second half of 2011 to be responsible for the South Australian NBN project.**

## Meet A CEPU Delegate...



CEPU members (from left): Ryan Perry, Michael Jones and Marcus Lock.

Hello my name is Michael Jones. I work for One Steel at the Iron Duke mine and I am a CEPU member because I believe in fairness at work.

In a previous job I was having difficulties with my employer, which I felt were unfair. The CEPU supported me and helped me achieve favourable outcomes on two occasions. I am now a delegate for the CEPU because I am grateful for the help I received and I like to return the favour by helping others.

I have been a CEPU delegate for about four years now. The best thing about being a delegate is the job satisfaction from achieving favourable outcomes for members and the ability to resolve issues.

The role played by the delegate is a voluntary one but it is rewarding when people thank you for standing up for them.

# You are the Union

For your information the structure of the Union is National Council, Divisional Council, State Executive, State Council and the Biennial Conference.

Both the CEPU National Council and the Divisional Council meet as required but at least once annually.

State Executive and State Council meet monthly.

The Biennial Conference meets at least every two years.

## **National Council**

Bob Donnelly

## **Divisional Council**

Bob Donnelly

Jason Harrison

Doug Buchanan

## **State Executive Members are;**

Jason Harrison (President)

Bob Donnelly (Secretary)

Rodney Mills (Supply)

Noel Aplin (Plumbing)

Charlie O'Neill (Contracting)

Geoff Birrell (Transport)

## **State Councillors are:**

Jason Harrison (President)

Bob Donnelly (Secretary)

Jason Wilder (Contracting)

Doug Buchannan (Plumbing)

Wilf Deakin (General Trade)

Stuart Manser (Supply)

Simon Pisoni (General Trade)

John Adley (Transport)

Rodney Mills (Supply)

Wayne Weekes (Supply)

Noel Aplin (Plumbing)

Charlie O'Neill (Contracting)

Geoff Birrell (Transport)

David Nicholls (Contracting)

Rob Burton (Plumbing)

Bill Mitropoulos (General Trade)

## **Biennial Conference Delegates are;**

Noel Aplin (Plumbing)

Heath Bache (General Trade)

Kym Baldock (Supply)

Dwayne Beyer (Contracting)

Michael Burke (Supply)

Charles Campbell (General Trade)

Glen Dighton (Supply)

Graham Hearnden (Supply)

Michael Jones (General Trade)

Chris Paproth (General Trade)

Gordon Penhall (Supply)

Lindsay Stevens (Supply)

Gary Stodden (Supply)

Darren Warmington (Supply)

Keith Waugh (General Trade)

Michael Williams (Contracting)

Wilf Deakin (General Trade)

Bob Donnelly (Secretary)

Jason Wilder (Contracting)

Doug Buchannan (Plumbing)

John Adley (General Trade)

Simon Pisoni (Transport)



## **130 Weeks or More on Income Maintenance Payments? Seek Immediate Legal Advice**

Article written by:

*David Fabbro  
Partner  
Andersons Solicitors*



Since significant changes introduced to the *WorkCover Act* in 2008, a worker's entitlement to weekly income maintenance payments ceases after a period of 130 weeks, unless the worker is totally incapacitated for any work, indefinitely.

Upon the expiration of the 130 week period, the worker will receive a Determination from the WorkCover Corporation or the self insured employer, advising the worker that his or her payments will be discontinued after 130 weeks on the basis that the worker is not totally incapacitated for work indefinitely.

Alternatively, the WorkCover Corporation or the self insured employer may determine that the worker is permanently incapacitated for work indefinitely and that his or her payments will continue.

If a worker receives a Determination advising him or her that payments will be discontinued after a 130 week period, he or she should immediately ring their Union and seek legal assistance.

A Notice of Dispute must be lodged against such a determination within 1 month of receiving it, unless the Tribunal allows an extension of time. Therefore, time is of the essence.

Andersons Solicitors provide a **First Free Interview** service for Partner Union members.

Most, if not all legal fees associated with a dispute in the Workers Compensation Tribunal will now not be paid by the worker.

Even if a worker is not totally incapacitated for work indefinitely, he or she may still be able to receive weekly income maintenance payments if the worker is in employment and, because of the compensable disability, the worker is, and is likely to continue indefinitely to be, incapable of undertaking further or additional employment or work which will increase the worker's current weekly earnings.

Formal application has to be made by the worker to the WorkCover Corporation or self insured employer for the worker's weekly income maintenance payments to be able to be continued in this way.

Therefore, any worker whose claim is nearing or has passed the expiration of the 130 week period, should immediately contact **their Union** so that Andersons Solicitors can provide assistance in the making of such an application.

**Andersons Solicitors**

**Your Union Solicitors**

Office across metropolitan Adelaide  
and regional South Australia.

[www.andersons.com.au](http://www.andersons.com.au)



**ANDERSONS**  
S O L I C I T O R S



## Financial Union Member-

Many Members become unfinancial simply because they forget to pay their dues.

The whole success of the union relies on us having a strong presence in the electrical and plumbing industry, which takes time and resources. This can only be achieved by members being financial.

Now is a good time to take a few minutes to check your financial status of your membership. All you have to do is to contact the CEPU Office and one of our administration team will happily assist you.

If you have financial hardship at the present time contact the Administration Team and they will happily arrange a suitable payment method to suit your needs.

There are several ways of paying and they are;

Statement

Direct debits

Payroll Deductions

Credit Card

or

Directly depositing into our account (If you wish to use this method of payment, please contact the office on 8234 2130)

**We welcome feedback and ideas for further newsletters, if you would like to share something with us, please send your responses to [jess.rogers@bigpond.com](mailto:jess.rogers@bigpond.com), or contact your organiser.**



**It is easy to forget but if you have changed your address or employer please notify the CEPU office so we can keep in contact with you**