



PUBLIC PERSPECTIVE

A Publication of the Community & Public Sector Union / Victorian Branch www.cpsuvic.org

HUMAN VALUES

David Ferraro is somewhat of a rarity among child protection workers. The trained clinical psychologist began work in child protection in 2001, and although he's held different roles in various offices since, he's still there. "Many workers begin in child protection in their early 20s, only to be burnt out and discarded within a few months," he says. "Workers of my experience are veritable dinosaurs in many offices."

Extreme workloads, staff exploitation and enormous personnel turnover will test any worker, but when coupled with the often traumatic demands of child protection work, the result is intense disarray and disillusionment among staff throughout Victoria's child protection system.

For this reason, in 2002, desperate to provide a better environment for himself and his co-workers, David took on the role of health and safety representative – a position he's held on and off since.

David rates stress as the biggest health and safety issue facing child protection workers. "The stress is primarily a function of unmanageable workloads, but also a result of the nature of the work, and tough deadlines," he says. "Stress hits workers in every area of their lives, from work, to sleep, and personal relationships. I've had colleagues with stomach ulcers, and I've seen any number of workers collapse in tears after trying too long to hold together unmanageable situations."

Being a shift worker with After Hours, David says fatigue is another big problem. "We work 10-hour shifts, but these can blow out significantly when overtime is required, leaving exhausted workers to drive around when they may not have slept for 24 hours."

Issues of fatigue and the culture of overloading staff is an area David is continually campaigning to change, and he's pleased to note progress is starting to be seen within his workplace. "Managers appear more willing to consult with HSRs than elsewhere. Some modest steps have been undertaken to address the issue of dangerous shift extensions. Issues of fatigue and workloads are things that I continue to work on. They won't be solved overnight, but progress is slowly being made."

Still, his work is far from done. "The global financial crisis will bring widespread joblessness, and a range of



David Ferraro, Child Protection, After Hours Child Protection Emergency Service

An average working day for someone in the department of human services can involve intense conflict, long hours and enormous stress. While campaigning for the right to a healthy and safe workplace is constant, the battle is far from won. Here, four Health and Safety Representative s share the challenges of their role.

attendant social problems, so we can reasonably expect the demand for child protection services to worsen.

On the other hand, the drying up of government revenue may make it unlikely that increased demand will be matched with the necessary resources. Stress is likely to be an ongoing issue. So is fatigue, and burn-out. We reps will need to be more strident and vigilant than we have been hitherto."

Continued Pages 2 & 3

Don't risk 2nd rate safety!

A healthy and safe workplace is a right that we can't take for granted.

The shocking truth is that:

- Almost 500,000 work-related accidents each year.
- More than 7,000 Australians die annually from work-related accidents. That is 4 times the annual road toll.
- Cost to the Australian economy is a staggering \$57 billion.

At present there are 9 different OHS Laws operating in Australia.

All governments want to replace these with a model OHS law as part of the COAG process which is due to be completed by the end of 2009.

To do this, the Government appointed a Panel to make recommendations about the Model Law. Its final report was released in February.

Instead of raising the Federal standards to the highest levels from each State's existing laws, the Report's recommendations, if adopted, could strike down standards built up over 30 years of progress.

Unions are very concerned that if the governments accept all the recommendations – ALL Australian workers will be worse off.

With the States and Territories still negotiating with the Commonwealth over the new Model Law, we need your help to make sure we get the best model OHS law.

<http://www.rightsatwork.com.au/campaigns>

**Sign the
online petition
today!**



Union Awards

CPSU's State Government Division across 3 states scooped the pool of Union Awards at the recent ACTU presentations.

The awards have been running for more than 10 years and the ceremony provides the opportunity to showcase the amazing work, dedication and expertise of union delegates, organisers, industrial officers, staff and supporters of our broad movement.

Winners of the 2008 ACTU National Union Awards:

Delegate(s) of the Year

Catherine Davies, CPSU/SPSF VIC Branch,

Organiser of the Year

Sue Pethic, CPSU/CSA WA Branch

Workplace Campaign of the Year

CPSU-SPSFT & HACSU (No. 1 Branch

Tasmania)



Catherine Davies, VicPol Forensic Services – ACTU Delegate of the Year



Tom Lynch Tasmanian Secretary – Workplace Campaign of the Year

A New National Scheme of Paid Maternity Leave for Working Mothers



The historic introduction a universal, government-funded paid maternity leave scheme covering the majority of Australian women and their families should see improved PML across the Victorian public sector workforce.

The federally funded scheme will cover hundreds of thousands of women in lower paid jobs with poor job security, especially in

hospitality and retail where there's been very limited access to paid maternity leave.

The recent Victorian Public Service Heads of Agreement provides for a review of parental leave entitlements to align public sector entitlements with the federal scheme.

Currently 14 weeks paid leave is provided, while the federally funded scheme is set to provide 18 weeks at the minimum wage from 2011.

This paves the way for an entitlement extension as CPSU seeks to enhance our current provisions.

The Federal Government has rightly concluded that this money will go directly into spending on the necessities that go with having a new baby at a time when most families are reduced to living on one wage.

The State Government has long been a leader itself in recognising the importance of the early mother child bond.

As an Employer of choice, and so closely following the ACT Governments move to extend its workforces PML entitlements, CPSU is confident the Victorian Government will also follow suit.

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HUMAN VALUES



Brennan O'Brien, Case Support Worker, Adolescent Protective Team – CP Bendigo

After 10 years working as a case support worker, Brennan O'Brien still enjoys both the challenge of assisting young people to make better choices in their life and the reward of seeing them develop into productive members of the community.

This is no mean feat given the youths he's working with must overcome traumatic circumstances resulting from various forms of abuse such as physical, emotional or sexual. "These situations occur for a variety of reasons including a combination of family dysfunction, intellectual disability, poor decision making ability and lack of impulse control," says Brennan.

While it's a joy to see kids succeed despite the rough road they've travelled, the demands of his job means he and his colleagues are regularly faced with a number of health and safety risks.

"(We experience issues such as) anger, abuse, threats, assaults, stress, work load, driver fatigue, to mention a few," explains Brennan.

Keen to take a hands on role in improving the safety of his work environment, Brennan became a health and safety representative eight years ago. "The role of HSR is an opportunity to reduce the risks from injury to members of your DWG by pointing out the gap between the rhetoric and the reality," explains Brennan. "The turnover of staff in child protection was and still is an ongoing issue. The stress from the work load, the abuse and threats results in members of your DWG changing often. Trying to get everyone on the same page and stand up for their rights is an ongoing challenge."

While he's been confronting many of the same health and safety concerns since starting his health and safety role, and the challenge continues, Brennan feels his vast experience is a valuable tool at the negotiating table. "With the experience comes better understanding of the issues and a network of services to discuss the issues with, not only inside the department but outside as well."



New Fair Work Laws

After four years of campaigning, and months of debate in the Federal Parliament, a new set of 'fair work' industrial relations laws to replace WorkChoices was signed into law on 7 April 2009.

The Fair Work laws will give workers stronger rights to negotiate their wages and conditions and to have a say in their workplace.

They will safeguard the rights of workers to be represented by a union and to bargain collectively for safe, secure and satisfying work.

And young people and other vulnerable workers will be protected by a strong safety net of national standards, awards and rights.

The passage of the laws is a victory we can all take pride in having achieved. A special thanks goes to all those who took part in union campaign activities in recent months.

But our work goes on.

The new Fair Work laws will begin to take effect from 1 July – just in time to give Australian workers added protection in these tough economic times.

Unions will be able to use the new laws to redress the damage caused by WorkChoices and to protect the jobs, wages and conditions of workers in the economic downturn.

There is also an opportunity now to focus on other important issues; a decent minimum wage increase, better health and safety laws, and an end to unfair laws in the construction industry.

Above all we want to make sure there are good jobs and strong local industries for when the economy recovers.

We need your help to do this, so please stay active in your union and in our campaign.



ACTU Secretary
Jeff Lawrence



ACTU President
Sharan Burrow

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CAMPAIGN UPDATE AUTUMN 2009

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Global Financial Crisis

The arrival of the new industrial relations laws is timely to provide crucial protections for Australian workers and their families when they need them most.



Already we are seeing thousands of Australians losing their jobs or having their hours of work cut back as a result of the global financial crisis.

The Rudd Government's two economic stimulus packages will provide a buffer against the downturn. Unions are calling for a \$21 a week increase to minimum award wages to maintain consumer spending and economic activity.

Unions have also proposed a set of National Interest Expenditure Principles to apply to all recipients of public funding of any kind.

These guidelines would seek to protect and create Australian jobs and local content, making public funding conditional on maximizing employment opportunities for Australian workers.

Those who received public money must commit to respect the rights of workers to union representation, collective bargaining and consultation.

Public funding must not be used to finance decisions that sacrifice jobs or damage the future growth of Australian industry, or to contribute to excessive executive salaries, bonuses or incentives.

And companies that breach these commitments must pay the money back.

This must include the banking industry, which has been underwritten by government guarantees on deposits and wholesale funding, yet continues to send jobs offshore.

Other responses to the GFC must include effective assistance to avoid redundancies where companies are viable but suffering a temporary downturn, including government support towards the cost of training and wages on stand-down days.

The national employee entitlements scheme must be improved to protect 100% of workers' entitlements, and to put workers ahead of other creditors in cases of insolvency.

Above all, there has to be a major shift of thinking away from the damaging ideology of free markets, deregulation and greed that has caused economic havoc and put at risk the jobs and incomes of working people.

Our campaign goals

Here is a summary of what the Your Rights at Work Campaign has achieved so far:



1. No AWA individual contracts

AWAs were the centrepiece of the Howard Government’s WorkChoices. They were used to break down collective strength in the workplace, and to drive down wages and conditions. They were an anathema to the spirit of a fair go.

The Rudd Government banned the making of new AWAs a year ago. While it is disappointing workers can remain on these contracts, the new laws will allow workers on expired AWAs to access collective bargaining. Other AWAs will also have to comply with the new National Employment Standards.

2. A strong safety net

The safety net of awards and National Employment Standards will be expanded far beyond the minimum five basic conditions under WorkChoices. Under the new laws, entitlements that will be protected include maximum weekly hours of work, overtime pay, penalty rates, public holidays, redundancy, annual leave and rest breaks. Employers will not be able to strip them away.

A streamlined system of new, modern awards are also being created that will safeguard minimum wages, types of employment, superannuation, and procedures for dispute settlement. WorkChoices left awards to waste away, but under the new laws they will be reviewed every four years.

Unions will also be able to regularly run “test cases” which in the past delivered such important conditions as carers leave, maternity leave and the 38 hour week across the community.

The process for determining minimum rates of pay will also be fairer and a lot more transparent under Labor’s new laws. Under WorkChoices, the wages of more than one million award-reliant workers declined in real terms. Minimum wage workers can now look forward to a much fairer and more transparent system of setting their pay.

3. Collective bargaining rights

Collective bargaining will be the centrepiece of the new IR system. Bargaining will be required to be conducted “in good faith” meaning that employers must be fair dinkum about trying to get a result.

Workers will be able to insist on bargaining for a collective agreement and your union will also have a guaranteed right to represent you — both things which were denied under WorkChoices. The agreement must be genuinely reached and it must leave workers better off overall.

In addition, the new industrial umpire will be able to settle an agreement when there have been serious and persistent breaches of good faith bargaining, as we have seen in cases like Telstra and Cochlear.

Importantly, the umpire will also be able to help groups of workers like cleaners, childcare workers, hospital workers and community workers to bargain collectively in ways not previously possible and to settle an agreement where necessary.

4. Right to union membership and representation

One of the basic tenets of democracy is the choice to belong to a union. WorkChoices encouraged a pattern of intimidation by threats of dismissal, pressure, discrimination and victimisation that eroded this basic right. The right to be in a union will be enshrined by the new laws and there will be greater protections for delegates during collective bargaining.

It will be unlawful to take action against someone simply because they exercise a workplace right, or to discriminate against someone because they are a union member or involved in union activities.

In addition, there will be a guaranteed right of union representation in those situations where you need your union involved, including in consultation and dispute settlement processes. The ability of unions to enter workplaces to hold discussions with members or potential

IMPLEMENTING THE NEW LAWS & UNFINISHED BUSINESS



Unions will never stop campaigning for a better deal for Australian workers and their families. We will help workers use the new laws to secure better wages, conditions and rights in their workplace. And, while these laws are a major step forward, there is still unfinished business that must be sorted out, including:

members and to check workers are not being ripped off will no longer be displaced by non-union agreements.

5. Protection from unfair dismissal

All workers will once again have protection from unfair dismissal after a six month qualifying period (if you work in a small business of 15 or less, you will have to be employed for a year). This will include high earners covered by awards.

The exemption from unfair dismissal when sackings occur for “operational reasons” will be removed.

This is a major improvement on WorkChoices which slashed unfair dismissal rights and left many young and vulnerable workers with no protections at all, a situation that many employers exploited.

6. An independent umpire

The role of the independent umpire is vital to making sure the system works properly. It needs to be easy to use, affordable, timely and have the teeth to do the job properly.

WorkChoices rendered the industrial umpire powerless, but the new laws will deliver an umpire with the powers to get the job done. Fair Work Australia will be able to conciliate, mediate, call compulsory conferences and make recommendations.

One of Fair Work Australia’s main roles will be to assist with bargaining, including supervising industrial action, and facilitating bargaining for low paid workers. And the umpire will have real teeth, with new grounds for arbitration when bargaining fails.

The courts will also be given a new role in overseeing the application of awards and the National Employment Standards. This will provide a strong deterrent against the infringement of workers’ rights and entitlements, with employers facing court-imposed orders, injunctions, and penalties.

- **The need for a range of improvements to the transitional Bill, including stronger rights for workers stuck on WorkChoices AWAs to return to collective bargaining.**
- **Removing the restrictions on the content of bargaining and collective agreements.**
- **Improving workers’ rights to take industrial action and an end to the docking of a minimum of four hours pay for taking unprotected industrial action.**
- **Strengthening workers access to cheap and effective dispute procedures when they have a grievance at work.**
- **Ensuring no workers are disadvantaged by the proposed modern awards and that the rights of contractors are protected.**
- **An end to the discriminatory laws for workers in the construction industry. The Australian Building and Construction Commission is an affront to our values and must not be replaced by a new entity with a different name but the same oppressive powers.**



Construction Workers

The campaign to ensure that construction workers have equal rights to the rest of the workforce is continuing following the release of a report into the new building industry watchdog.

Despite a lack of evidence that the Australian Building and Construction Commission has led to improved productivity or industrial harmony, former judge Murray Wilcox QC has recommended the retention of coercive powers that breach building workers' human rights. If his recommendations are adopted, building workers will

continue to face the risk of jail for refusing to give evidence to the watchdog which will operate as a division of the Fair Work Ombudsman.

The recommended safeguards do not go far enough, and unions have vowed to continue campaigning to abolish these discriminatory laws which are a hangover from the Howard Government.

For more information
www.rightsonsite.org.au

Paid Maternity Leave

We fought for Paid Parental Leave and we won!

The Rudd Government has introduced Australia's first paid parental leave scheme following more than 30 years of campaigning by unions and working people.

Australia's Paid Parental Leave scheme:

- starts in 2011
- guarantees a minimum 18 weeks leave
- is paid at the minimum wage
- can be taken by either parent
- is available to everyone earning under \$150 000
- is also paid to part-time and casual employees in full

What's next?

Family is an important part of our lives and mums and

dads should be able to take time off work to be with their baby without financial strain.

To keep raising the standard and help families at work, the union campaign will continue.

1. Employers should top up the minimum rate now being paid by the government, so you get your full rate of pay, including superannuation.

2. The government and employers should build on the 18 week scheme to bring it into line with the more substantial standards of other OECD countries.

For more information
www.actu.asn.au/pml

Minimum Wages

More than 1.3 million Australian workers depend on the annual minimum wage case to maintain their standard of living.

This year, unions are seeking a \$21 a week wage rise for the low-paid, to maintain their spending power and stimulate the economy.

The \$21 per week pay rise is a modest claim that would

lift the federal minimum wage to \$564.78 a week, or \$14.86 an hour.

Over the past three decisions of the Fair Pay Commission, more than a million award dependent workers have seen their real wages go backwards.

For more information
www.actu.asn.au/campaigns/

Health and Safety

Recommendations to harmonise Australia's OHS laws are being currently considered by Federal and State Governments. Unions are concerned that if some of the recommendations are accepted, workers in a wide range of workplaces across Australia will lose important protections.

A new report from the Australian Safety and Compensation Council shows that the cost of work-

related injury and illness to the Australian economy has jumped by 68% to over \$57 billion, and that employers only bear a fraction of this cost.

With the economic difficulties bearing down on workplaces it is even more important that employers don't cut corners when it comes to health and safety.

For more information visit
www.actu.asn.au/campaigns/

HUMAN VALUES



Dawn Casse, Administration Officer, Child Protection

After 10 years as an administration officer in child protection, Dawn Casse has a solid understanding of the difficulties faced by case workers and she appreciates the sensitivities of their role.

Still, when she was approached by her colleagues to become a health and safety representative three years ago, she was initially hesitant. "I'm very busy with my normal duties, but there is such a high turnover of staff in child protection, and being admin I'm always here. But [they] felt they had respect for my opinion and I would be able to represent them properly," she says.

Dawn represents workers regularly facing

health and safety risks such as excessive workload, stress, physical violence and mental trauma. "The impact of that is you don't have staff retention; you have burnout among professionals who wish to remain in their roles, but they're not being supported," explains Dawn.

In an effort to combat the toxic work environment faced by child protection workers, Dawn helped develop a Provisional Improvement Notice last September, which has brought about a plan for management to recognise the stressors faced by staff. "Ongoing stress levels and how that affects the health of the staff has never really been recognised," says Dawn. "There still isn't any discernable improvement, but now we have this recognition it assists staff down the line and in other areas. Stress and how it affects mental wellbeing has never been demonstrated; with this plan management are able to see what the impact has been and recognise it, and in future, we should be able to resolve it."

In addition, Dawn is involved in talks to develop better support measures for staff such as bringing in trained workers to assist with workload, improving hiring strategies to attract people who can adequately handle the demands of the job, and supporting existing staff with better mentoring, supervision and management of leave and time-in-lieu entitlements.

While these steps are significant, Dawn says there is still much to do to bring about real change. "Government need to recognise what's occurring in child protection, and organise the funding to manage it," she says.

when they're not part of the solution, like they're being dictated to. People feel safer when they have a say in their own workplace environment," he says.

During his 10 years as a health and safety rep, William has contributed to a number of committees and sub-committees to achieve maximum safety on all manner of health and safety issues, including slips, trips and falls, occupational violence, and infectious disease. However, he's noticed one issue in particular impacting on health and safety and that's the increasing incidence of work-related stress, and it's apparent toll on staff turnover.

"Stress is not something that happens after one incident, but over a period of time, as a result of a variety of conditions. When I first started the staff turnover was there, but now it's quite massive, it's hard to keep up with staff. They're leaving every few months."

William has attempted to tackle the impact of stress assisted in the promotion of measures such as quiet rooms for staff to retreat when they're feeling under pressure.

While steps are being made in the right direction, William says it's important for him to continue championing the health and safety message as there are always ongoing issues, such as ensuring enough staff members are rostered at lock up time to minimize risks to health and safety in the workplace environment as much as practicable for staff and client. "We need constant vigilance, raising awareness, and much more increased consultation and participation regarding changes."



William Thomson, Child & Youth Justice, Melbourne Youth Justice Centre

When William Thomson was awarded joint winner of the WorkSafe Victoria Health and Safety Representative of the Year he was suitably chuffed, if a little surprised. "I'm not really a person who's caused any stop works. My idea of someone who got an award like that was someone who did a lot of moving and shaking," says the 27-year-serving Melbourne Youth Justice Centre worker. William's 'moving and shaking' has taken the form of a consultative approach to his role as a health and safety representative. "People feel disempowered

"Slap" Suburbia Portrayal Wins Writer's Prize



Former ACMI mover and CPSU shaker Christos Tsiolkas has won the 2009 Commonwealth Writers' Prize for his gritty portrayal of Melbourne suburbia, The Slap.

At a suburban barbecue, a man slaps a child who is not his own. The Slap is told from the points of view of eight people who were present at the barbecue.

What unfolds is a powerful, haunting novel about love, sex and marriage, parenting and children, and the fury and intensity - all the passions and conflicting beliefs - that family can arouse.

Christos has written three previous novels, has won the 2006 Age Fiction Prize, and the 2006 Melbourne Best Writing Award.

The Slap has been short-listed for this year's Australian Literature Society Gold Medal, and for the Miles Franklin.

Former Ag Rep Awarded Life Membership



Karen Batt presents a commemorative engraved glass plate to welcome Ian Thomas as a Life member of the Community and Public Sector Union.

Pictured from left - Karen, Ian and VBC Retired Officers rep Stan Cox.

Koorie Educators Achieve Higher Development



From left Richard Fry, Marjory Pickford, Ros Pevitt, Judy Thorne, Wayne Harradine

Our Koorie home/school liaison officers work with schools to improve the attendance and literacy levels of Koorie students.

Recently our Koorie Educators all graduated in the Grad Certificate of Education Professional Learning Styles.

Judy Thorne said the course ran over two years which we all completed while working fulltime for DEECD.

It was hard going and very demanding but we made the commitment to achieve what we did, the five of us supported each other, and encouraged ourselves to do the best that we could.

By working as a group we found that we all

had strengths in different areas which helped, Judy said.

Schools with a significant number of Koorie students employ Koorie educators to liaise between families and schools.

Judy said, "we all work in Koorie Education so it made all of us passionate with what we were doing and we each understood the other."

"Now we will see if we will do the research project that we had designed during the course"

There are 16 regionally based Koorie education development officers who act in a support role and help to provide an indigenous perspective across the curriculum.

Union membership up



The release of ABS stats recently showed a 3% lift in union membership in the last year although overall membership remained at 19% with 42% of public sector employees being union members compared with 14% of those in the private sector.

Employee Earnings, benefits and Trade Union Membership shows 1.8 million employees were union members in conjunction with their main job, up from 1.7 million in the 12-month period covered by the survey.

Some 21% of full-time workers and 15% of part-timers were union members.

In terms of occupation groups, the highest proportion of membership was for machinery operators and drivers at 28%, followed by professionals at 25%, and community & personal service workers at 23%. The lowest proportion was among managers.

The education & training industry group had



the highest proportion of membership with 40%, followed by public administration and safety with 34%.

The industry group with the lowest proportion was the professional, scientific and technical services with 4%.

Tasmania had the highest proportion of union membership at 25%, while the lowest was in WA at 14%.

The ACTU said the figures showed that, excluding casuals, 24% of Australian employees were in a union and the lift in membership was welcome "considering many union members are excluded from the results because they are deemed to be contractors rather than employees.

Sharan Burrow said the data showed the average earnings of a union member was \$1,026 a week - \$96 a week more than for non-union members.

"This data shows unions are still relevant and strong," she said.

The Community and Public Sector Union nationally has 182,000 members.

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