



TEXTILE CLOTHING & FOOTWEAR  
UNION OF AUSTRALIA VIC. BRANCH

# Union Journal

**SUMMER 2010**

## Strength through unity



**NEW  
DISCOUNTS  
FOR WORKERS**

See Union Shopper  
> page 9

**Heroes of Holeproof Art Project  
> see page 14**

**Unions win \$26 per week rise in  
the minimum wage > see page 8**

## Contents

• SUMMER 2010/2011	
• WORKER RIGHTS HERE AND AROUND THE WORLD	2
• THE FIGHT FOR A FAIR DEAL AT GODFREY HIRST	3
• BLUNDSTONE WORKERS WIN PARENTAL LEAVE PROVISIONS	3
• THE KENNON AUTO DISPUTE – WHEN YOU'RE UNITED, YOU CAN WIN	4
• UNIONS ACHIEVE \$26 PER WEEK RISE IN THE MINIMUM WAGE	6
• STUDENTS DEMAND ETHICAL SCHOOL UNIFORMS	7
• WORKERS CELEBRATE THIS YEAR'S MOON LANTERN FESTIVAL	8
• PAID PARENTAL LEAVE – HERE AT LAST!	8
• GEELONG WOMEN'S UNION NETWORK EVENTS	8
• TCFUA MEMBERS GET ACCESS TO NEW MULTILINGUAL LEGAL SERVICE	9
• TCFUA FREE ENGLISH CLASSES IN 2011 FOR TCF HOME-BASED AND FACTORY WORKERS	9
• MAKING IT IN AUSTRALIA ISN'T JUST FEEL-GOOD	11
• SUPER ANNUATION: JUST LIKE WAGES	11
• NEWLY ELECTED STATE BRANCH COMMITTEE BEGINS ITS TERM	12
• A BETTER DEAL FOR WORKERS MADE REDUNDANT	13
• HEROES OF HOLEPROOF	14
• THE SUN SHINES ON BBQ FOR FORMER KAYSER WORKERS	15
• CONSULTATION IN THE WORKPLACE	16
• 2010 ANNUAL HEALTH & SAFETY REPRESENTATIVES CONFERENCE	17
• SEVEN REASONS TO BE A MEMBER OF THE TCFUA	18
• WORKERS WIN FIGHT FOR A SAFE AND HEALTHY WORKPLACE ... AGAIN	19
• GOT SOMETHING TO SAY?	19

## Worker rights here and around the world



**Dear members, I recently had the opportunity to represent our union in a meeting of the Textile Workers Asian Regional**

**Organisation (TWARO) in Cambodia. This meeting involved more than 60 delegates from 18 different countries in the Asia Pacific from textile, clothing and footwear unions.**

It coincided with strikes being held by thousands of garment workers in Cambodia over the minimum wage. Workers in our industry in Cambodia were outraged that after 3 years of no minimum wage increase it had only been lifted from US\$55 per month to US\$61 per month. Their fight continues to try and lift minimum wages in Cambodia to more like a living wage of US\$93 per month.

Living wage campaigns are part of our global union's federation push for workers around the world to receive enough pay to cover life's basics such as food, shelter and health care.

On the last day of our meeting we visited a large jeans manufacturing factory in Phnom Penh. Four thousand workers work on the one site making jeans for Levis and GAP. During this visit we saw workers using a process called sandblasting to fade and soften the jeans being made.

The process is a known cause of silicosis, an incurable but preventable lung disease that has killed 40 workers in Turkey in the past few years alone. Sandblasting literally involves blasting stones with compressed air which produces a very fine sand that then softens and fades the denim. It is the inhalation of these fine particles of sand that causes silicosis.

The technique was banned by some

European countries more than 40 years ago because of the link between its use and silicosis, however, many manufacturers simply moved their production to unregulated countries such as Syria, Bangladesh, Mexico, India, Indonesia and Cambodia. It has been banned by Turkey and recently by multinational jeans brand Levis.

The tragedy of sandblasting is that the process is completely unnecessary – the same result can be achieved using a different process that doesn't kill workers.

Our TWARO meeting had just finished discussing a world wide campaign to ban sandblasting and here was a current example of workers lives and health being at risk in the pursuit of fashion. Ironically, Levis Strauss announced in September of this year, a global ban on sandblasting in all of their product lines by 31 December 2010. They have a few short months to make good on that promise in the factory I visited in Cambodia.

Since returning to Australia we have discussed and endorsed at the TCFUA National Executive our participation in the global campaign to ban sandblasting. The first step is to check that this process is not being used in Australia. We will be providing our members and Australian consumers with more information about this important campaign in coming months. Fighting for the rights and safety of workers in Australia and around the world not only improves the lives of workers here and in developing countries, but ultimately, also improves the prospects of our own Australian industry being sustainable and ethical.

In unity,

Michele O'Neil  
National & Victorian  
State Secretary

## The fight for a fair deal at Godfrey Hirst

**Workers at Godfrey Hirst are continuing their fight for better wages and conditions. The company distributed an agreement to workers in September which had not been endorsed by the union. After a strong “vote no” campaign was run, the overwhelming majority of workers rejected the company proposal.**

The 300 workers, spread across three different sites, want a higher wage offer than that proposed by the company, a second paid meal break as per the new industry standard and future award improvements. They're also seeking increased skill-level recognition for mechanics after two years of service, higher allowances, no reduction in limits on casuals or their pay and paid union meetings.

Godfrey Hirst union delegate Warren Smith says workers are unhappy about how they've been treated and are determined to fight on.

“It just shows that if you stick together you'll get a better agreement. The company is just testing the waters—if you don't stick together you'll just end up with less money in your pocket.”



**Godfrey Hirst union delegate Warren Smith.**

“This is one of the biggest carpet companies in Australia with record profits. Workers are the backbone of that, we produce all their products, yet they're saying they can't afford to pay their workers properly”.

Warren's fighting words are echoed by TCFUA Assistant Secretary, Jenny Kruschel, who says that the union will

also keep up the fight on behalf of workers.

“Collective strength is what delivers good wage outcomes and protects and improves workers conditions. It's important that workers stick together if they want to improve both their conditions as well as industry standards,” she says.

## Blundstone warehouse workers win parental leave provisions

**Workers at Blundstone warehouse in Laverton have secured a significant breakthrough by having paid parental leave included in their latest agreement.**

The agreement was recently negotiated by the TCFUA and is significant because it will add to

the Government Paid Parental Leave Scheme which starts on 1 January 2011.

Under the agreement, workers are entitled to:

- pay for the first 14 weeks of parental leave where there is no government scheme
- where there is a government scheme

in place, an extra 12 weeks pay beyond the period of entitlement under the government scheme

- all periods of paid and unpaid parental leave are counted as time worked for the accrual of long service leave and redundancy
- Unions and workers have been fighting for paid parental leave for many years.

## The Kennon Auto dispute—when you're united, you can win

**After a three-week strike in July this year, workers at Kennon Auto claimed a hard-fought win when important conditions and protections were returned to their union agreement. The industrial action was widely supported by the broader community and other unions and followed months of trying to reach an agreement.**

After 20 days of industrial action the TCFUA was able to negotiate an agreement that gave workers \$1,000 in back pay with minimum wage increases of 4%, 3%, 3% per year and additional increases to adjust workers to common rates.

The TCFUA began negotiations on a new agreement in October 2009 but in April this year, workers were invited into the boss' office, one by one, to sign a document that hadn't been agreed on. With only management present, the agreement only gave workers the option of voting "yes"—there was no way to vote "no".

When the TCFUA started legal action, the company withdrew the agreement but the fight was not over yet. When the company proposed another agreement that would strip workers of many important conditions and protections, the workers decided to go on strike.

Kennon Auto union delegate Zarko Spasovsk says that the agreement proposed by the company was insulting, especially because it would have created two classes of workers by paying new workers nearly \$4 an hour less than existing workers.

"The idea that two workers would be doing exactly the same job but one of those workers would be paid less was just not acceptable. We were also worried that this would lead to the company pushing out experienced, more expensive workers in favour of cheaper, casual workers", he says.



**Workers and their supporters try to keep warm at the community protest that ran 24 hours a day, for three weeks.**

Among other things, Kennon Auto's proposed agreement attempted to remove all limits on the number of casuals and how long they could work; change the ordinary hours workers work to meet the "requirements of the client"; let the company decide if a worker is genuinely sick—if Kennon Auto decided a worker wasn't "genuinely"

sick, they wouldn't get paid for their absence.

"It was just totally unacceptable" says Zarko. "They were saying that they could decide whether we were really sick or not and they tried to bring in an unlimited number of casuals. In the long run the whole factory could've been casual, on less pay and worse conditions".

## Did you know 'good faith bargaining' is protected under the Fair Work Act?

The fight for fair conditions and real workplace protections at Kennon Auto is a good example of how unions are using new provisions in the *Fair Work Act* to get a better deal. The *Fair Work Act* replaced the Howard Government's Workchoices in July 2009, with some aspects of the new scheme coming into effect in January 2010.

This includes new rules about 'bargaining in good faith', something the TCFUA relied on in the case of Kennon Auto. When the union first wrote to the company to start negotiations, the company gave workers a 'resignation' letter that looked like it came from the TCFUA and encouraged workers to resign from the union. The TCFUA got the company to start the bargaining process by making an application to Fair Work Australia who determined that the company must negotiate with the workers collectively and the union—that is, all together, not one by one.

If your employer starts to negotiate an agreement or workers want to negotiate an agreement, you should contact the union—you have a legal right to be represented as part of Good Faith Bargaining!

In addition to the wage rises, the agreement also provides for:

- Removal of two rates of pay and conditions on the site and two classes of workers
- Limits on the number of casual workers and the length of casual employment
- Protection of the TCF Award conditions
- No capacity for the company to consider whether workers are "genuinely" sick



**Spirits were high throughout the strike despite the freezing Melbourne winter.**

- No capacity for the company to change hours without workers agreement to "meet the needs of the client"
- Improvements in the Redundancy package proposal put by the company
- A fair process for voting on the agreement (no more voting in the bosses office by signing the agreement)

Zarko says that the dispute demonstrates how important it is for

workers to stick together.

"It made it a lot easier rather than just being on your own. Always, if you don't agree with something you have to fight for it. That's why it's always better to be in the union. If it's just you as one person it's harder to fight, but when you're united, you can win".

"We got so much support from the community and from other workers as well. We're all thankful especially for everyone who came down in the middle of winter when it was so cold".

# Unions achieve \$26 per week rise in the minimum wage

When you received your last edition of the TCFUA Journal, unions were in the midst of a campaign to secure a \$27 per week increase in the minimum wage.

Well, Fair Work Australia handed down its decision to increase the minimum wage by \$26 per week in June. It's a great result for our lowest paid workers who haven't had a pay rise for two years and have faced a rising cost of living.

The decision brings the TCF Award rates to:

Classification/ Skill Level	Hourly	Minimum Weekly Wage Rate
Trainee	\$15.00	\$569.90
1	\$15.43	\$586.50
2	\$16.03	\$609.00
3	\$16.58	\$629.90
4	\$17.46	\$663.60
Wage Band 5	\$18.56	\$705.30

## STORE WORKER

Classification/ Skill Level	Hourly	Minimum Weekly Wage Rate
Storeworker Grade 1 On commencement	\$16.03	\$609.00
After 3 months	\$16.22	\$616.40
After 12 months	\$16.42	\$624.00
Storeworker Grade 2	\$16.57	\$629.80
Storeworker Grade 3	\$17.07	\$648.50
Storeworker Grade 4	\$17.56	\$667.10

Note: The above rates are the minimum for permanent workers. Under the Award casual workers receive a loading of between 21% and 33.3% per hour—please contact the union for more information.

> ARE YOU CURRENTLY ON AN ENTERPRISE BARGAINING AGREEMENT (EBA)?  
IF YES, PLEASE CONTACT YOUR UNION ORGANISER AS THESE AWARD RATES DO NOT APPLY TO YOU.

## RATES FOR ALLOWANCES

(From first full pay period on or after 1st July 2010)

GENERAL	
Allowance	Rate
Meal allowance	\$10.64
First Aid allowance	
1 to 50 employees:	\$11.81
51 employees or more:	\$14.86
Leading Hand allowance	
3 to 10 employees:	\$26.27
11 to 20 employees:	\$39.81
21 or more employees:	\$50.43

## CLOTHING INDUSTRY ALLOWANCES

Allowance	Rate
Head of Table allowance In charge of: If working in connection with order tailoring or order dress making:	\$17.91
For all others:	\$12.90
Dining Room allowance	\$4.31
Rest Room allowance	\$4.31

## TEXTILE INDUSTRY ALLOWANCES

Allowance	Rate
Instructor allowance	\$17.58
Blending allowance	\$19.24
Cards allowance	\$1.28
Change of Shift allowance	\$18.58
Dust allowance	\$9.75
Soda-ash allowance	\$1.32
Unwashed rags allowance	\$2.91
Waste Room-willey hands allowance	\$8.75
Wool waste and rags— picking over allowance	\$1.06
Flax Scutcher allowance	\$8.02
Dye house—bleach house allowance for 1.21%	\$8.02
for additional work	\$4.18
Shoddy-shaking machines allowance	\$14.59
Size troughs-sewing threads allowance	\$9.62

## FELT AND WADDING INDUSTRY ALLOWANCES

Allowance	Rate
Wet or steamy conditions per day	\$0.39
with maximum per week of	\$1.65
Having to wear masks or goggles	
Maximum per day	\$1.06
Per hour or part thereof	\$0.13



## Students demand ethical school uniforms

**Brunswick South West Primary School students recently gave school uniform manufacturer BuxWear an “F” for ethics.**

The company received the “fail” grade for not complying with labour laws that cover the TCF industry and are designed to protect clothing workers.

The students, accompanied by their parents and representatives from the TCFUA and Fairwear, travelled to the BuxWear Superstore in Thomastown to present the report card.

TCFUA National and Victorian Secretary Michele O’Neil says the makers of BuxWear are not registered for their supply chain—a transparency issue designed to allow unions to check the pay and conditions of workers who make the garments.

“BuxWear has breached a number of these provisions around the transparency

of their supply chain,” she says.

“There are widespread problems in the industry and that is why we’ve won these really important protections through the award process—they help us stamp out unethical and exploitative behaviour.”

It’s an issue that has made an impact in the Grade 6 class at Brunswick South West—the students are wearing ethical hoodies as their commemorative final year jumpers.

The hoodies carry the Ethical Clothing Australia logo, which assures consumers that the garment is made in Australia under ethical conditions.

Fairwear Education Officer Mark Riley says it’s an issue for parents as well.

“No parent would knowingly choose to dress their kids for school each day in clothes made under sweatshop conditions.”

**(Top) Students from Brunswick South West Primary School outside the BuxWear superstore in Thomastown**



**The ethically made commemorative hoodies**

*This is an edited version of an article that first appeared in The AEU News.*



## Workers celebrate this year's Moon Lantern Festival

**The TCFUA was a proud sponsor of this year's Moon Lantern festivities held by Brimbank City Council.**

The Moon Lantern Festival is a popular event celebrated in many Asian communities across the world and dates back more than 3,000 years. Traditionally on this day, family members and friends gather to admire the bright mid-autumn

harvest moon and eat moon cakes under the moonlight together. It is held on the 15th day of the eighth month in the Lunar calendar, when the moon is supposedly at its fullest and roundest.

Workers from different factories, outworkers and their families filled the Polish Community Centre in Ardeer to enjoy performances, moon cakes, lantern-making and socialising.

Much of the festivities were conducted in Vietnamese and everyone was able to participate through translations.

It was a fantastic opportunity for workers to maintain their cultural identity through celebration and also have a chat about work. The kids loved the Lion Dance and everyone was happy to take home a moon cake and a lantern!

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## Paid parental leave—here at last!

**Australia will get its first paid parental leave scheme in January 2011 that will give workers 18 weeks paid leave.**

The scheme will finally bring Australia into line with most other countries in the world and comes after many years of struggle by workers and unions.

Under the scheme, the primary care

giver will receive 18 weeks of payments via their employer at the Federal Minimum wage (currently \$543.78 a week). An income test of \$150,000 will apply based on the primary carer's adjusted taxable income in the previous financial year.

To be eligible for the government's paid parental leave the primary carer must be in paid work and have been

engaged in work continuously for at least 10 of the 13 months prior to the expected birth or adoption of a child

Unions have hailed the scheme as a landmark win for workers and parents, but they will continue to campaign for improvements including extending the length of leave from 18 weeks to six months with extra leave for fathers.

## TCFUA members get access to new multilingual legal service

**Union members from non-English speaking backgrounds will have an easier time accessing legal help thanks to a new service launched by law firm Slater & Gordon.**

The firm now has a free hotline where non-English speaking workers can access legal information in any language.

Slater & Gordon's leading industrial lawyer Marcus Clayton said workers from non-English speaking backgrounds could call the firm's hotline, for free and without obligation, and get help straight away in Greek, Italian, Mandarin, Cantonese, Arabic or Vietnamese.

"If we don't have anyone who can speak in a certain language immediately, we'll find someone who does, and give them a call back."

He says union members can utilise the new hotline and other services to seek legal advice on all of the areas of law covered by Slater & Gordon such as workers compensation, family law, medical law, personal injuries and wills and estate planning.

Mr Clayton says the firm recognises that people from non-English speaking backgrounds often struggle to access legal help.

Slater & Gordon is also offering a cultural matching service, which is a unique approach of selecting lawyers to match their clients. It works by matching lawyers and clients based on the similarity of their language, background and ethnicity.

The firm is committed to cultural awareness and is providing all staff with multicultural training.

To access the free Multilingual Legal Help Line, simply phone 1800 659 905.

## TCFUA free English Classes in 2011 for home-based and factory workers

**Would you like to:**

- **Fell more confident understanding, speaking, reading and writing English?**
- **Meet other workers and make new friends?**
- **Learn more English to use in your work and life?**
- **Learn more English to help your children with their school?**
- **Get part of an English Certificate and the Clothing or Textile Production Certificate?**
- **And have some fun?**

**Then come to a FREE English class every week.**

**If you want more information call 03 9639 2955**

## Save with Union Shopper!

**Save yourself time and money with Union Shopper.**

TCFUA members now have free access to Union Shopper, a union-owned discount shopping service. Union Shopper is a not-for-profit organisation that provides Union members with huge savings across a range of items.

Union Shopper can help you to save up to 13% off your best price for a large range of electrical, travel, and new and used car purchases. Simply decide what it is you wish to purchase, call Union Shopper and let us do the rest!

Union Shopper also offers great savings on a range of dining and entertainment options. These school holidays, book your activities through Union Shopper Leisure Bookings and save on entry fees to zoos, theme parks and more.

For the full range of Union Shopper services and suppliers, login to [www.unionshopper.com.au](http://www.unionshopper.com.au) and start saving!

**Using Union Shopper is an easy 3-step process**

- 1. Shop around for the product you wish to purchase and be ready to buy.**
- 2. Simply call us on 1300 368 117 or login to [www.unionshopper.com.au](http://www.unionshopper.com.au) and provide your union membership details, the product brand and model of the item you wish to purchase along with your best price.**
- 3. Let us shop for you! Your Union Shopper price will be available in approximately 2-3 business hours. Once you place your order, our preferred supplier will contact you directly to organise payment and pick up or delivery.**

# Run only to benefit members

Super is about saving. So it makes sense to be with a fund like AustralianSuper that is run only to benefit members, doesn't pay dividends or commissions to financial advisers, and has low fees.

As one of the largest industry super funds, AustralianSuper looks after the retirement savings for over 1.4 million Australians.

Put us to work for you. Call 1300 300 273 or go to [www.australiansuper.com](http://www.australiansuper.com)



*'All profits to member, it works for me.'*

Jessica Russo,  
AustralianSuper member.

- ➡ Low fees
- ➡ Run only to benefit members
- ➡ Strong long-term investment performance\*

**AustralianSuper**



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## Superannuation: just like wages

### Not really sure how much super you should be getting? When was the last time you checked?

The TCFUA is preparing to run a campaign focussing on superannuation to help members better understand super and make sure their payments are being paid by their employer on time.

TCFUA Industrial Officer Karen Douglas says that while superannuation can sometimes seem overwhelming, it's important to understand that super payments are just like wages.

"We know that some employers don't pay superannuation contributions when they should, so we're encouraging workers to check their superannuation statement regularly", she says.

In particular, workers should check that

- payments are being sent to your superannuation account regularly by your employer

- the same superannuation amounts that are on your pay slips are being sent to your superannuation fund. You can do this by calling your super fund to ask. If you are a member of Australian Super, our industry fund, you can check your account online at [www.australiansuper.com](http://www.australiansuper.com) or ring 1300 300 273.

The Fair Work Regulations require employers to put superannuation contributions on your payslip. For Award covered employees it is a breach of your Award for the employer to not make the payments to your super funds by every month.

Compulsory superannuation has a significant history in Australia. Many years ago it was identified that there would not be enough government money to support workers in their retirement and unions fought for the introduction of compulsory retirement savings.

In 1986 workers who were covered by an award received 3% of their wages to be paid as superannuation. This assisted some workers but not all.

Following union campaigns to win superannuation, in 1992 the Hawke/Keating government introduced the Superannuation Guarantee Act which required all employers to pay 3% of workers wages into a superannuation account if they earned over \$450/month. This legislation also gradually increased superannuation contributions from 3% to 9% between 1992 and 2002.

Today, superannuation is a well-established right and when workers bargain for wage increases, the superannuation payment is also considered in wage outcomes.

Superannuation is your hard-earned money. If you think you're not being paid properly, please contact the TCFUA on 9639 2955.

## Making it in Australia isn't just feel-good

**If you passed by the Myer store in the Bourke Street Mall any time this August you would have seen a window display showcasing the Cue fashion label as an ethical Australian manufacturer.**

The display was designed to bring attention to the company's commitment to fair wages and conditions for workers making their products and to working with the union. It also highlighted the advantages of keeping manufacturing in Australia. It featured text on the window that read, "Making it in Australia isn't just feel-good: it keeps jobs onshore and ensures new labels arrive here every week. Working together with the TCFUA to keep fashion **ethically made in Australia**".

Cue is one of the labels accredited with Ethical Clothing Australia. Check the ECA website [www.ethicalclothingaustralia.org.au](http://www.ethicalclothingaustralia.org.au) for more accredited companies.



**The Myer store in Bourke St Mall gets an ethical makeover.**



## Newly elected State Branch Committee begins its term

**A new TCFUA Victorian Branch State Branch Committee was elected along with honorary and full time officials by TCFUA members unopposed in May this year and began their four-year term in July. The committee acts as a management committee and is responsible for the overall operation of the TCFUA Victorian Branch.**

Your new committee is made up of the following workers:

- Zarko Spasovsk—Kennon Auto Committee Member
- Nguyet Nguyen—Outworker Committee Member
- Androulla Demetriou—Dempsey Group Warehouse Committee Member
- Allen Spencer—Tuftmaster Committee Member
- Yu Wang—Shiny Embroidery Committee Member

**From left to right: Zarko Spasovsk, Jenny Kruschel, Michele O'Neil, Elizabeth Macpherson, Nguyet Nguyen, Androulla Demetriou, Dorothy Peterson, Maurie Mahoney, Allen Spencer, Warren Smith, Yu Wang.**

- Maurie Mahoney—Bruck Textiles Vice President
- Warren Smith—Godfrey Hirst Trustee
- Dorothy Peterson—TCFUA Trustee
- Beth Macpherson—TCFUA President
- Jenny Kruschel—TCFUA Assistant Secretary
- Michele O'Neil—TCFUA Secretary

### What members and delegates have to say ...

"It's always better to be in the union. If it's just you as one person it's harder to fight, but when you're united, you can win. Sometimes it's hard to understand all the legal stuff but the union can explain it and give you advice about what to do".

—TCFUA delegate  
**Zarko Spasovsk from Kennon Auto.**

"I never expected to be treated that way [by my employer]. They have all these lawyers but at least we have we have the union. It's wonderful to have someone on your side when you're down."

—TCFUA delegate **Kaly Sos who was made redundant from MP Textiles at the start of the year.**

"It was so good that the union told me about the TCFUA Mortality Fund. Thank God for the union and I wish good health to all in the union!"

— **Former Holeproof worker Elena Adami speaking about how the TCFUA's Mortality Fund helped when her husband passed away.**

"I wouldn't be where I am without the assistance of the TCFUA. You came in and made everything clear to us".

— **Former Hyuck worker Beth.**

# Improved protection for workers entitlements

## **The TCFUA welcomes an announcement by the Gillard Government introducing a new scheme to protect the entitlements of workers who are made redundant when their employer becomes insolvent.**

The scheme will come into place in January 2011 and will remove the existing 16-week cap on payments under the current GEERS scheme, replacing it with an uncapped scheme.

The new scheme, known as the Fair Entitlements Guarantee, means that workers who are made redundant will be able to claim up to four weeks severance pay for every year of service based on what is contained in their redundancy agreement.

It will also protect entitlements including unpaid wages, annual leave, long service leave and up to five weeks pay owed in lieu of notice.

TCFUA National and Victorian Secretary Michele O'Neil says the announcement is long overdue but very welcome.

"Workers in our industry have suffered the terrible shock and loss of their company collapsing and losing all their entitlements", she says.

"The TCFUA has campaigned hard over many years to have a comprehensive scheme where workers would receive

## **How the Fair Entitlements Guarantee will work**

Trevor has worked at the same factory for 20 years; his annual income is \$65,000.

His award says that if he is made redundant he is entitled to three weeks of redundancy pay for each year of service, a total redundancy benefit of \$75,000.

Trevor is made redundant when his company enters liquidation. The directors of the company announce that there are no funds available to pay employee entitlements.

Under the former Coalition Government's GEERS policy Trevor would only be guaranteed a maximum of 16 weeks, or \$20,000 of the \$75,000 redundancy pay owed to him.

Under the Gillard Labor Government's Fair Entitlements Guarantee, Trevor would receive his entire redundancy payment of \$75,000.

100% of their entitlements if their company collapses."

The new scheme will make a big difference for workers who face redundancy when their employer becomes insolvent.

The previous GEERS scheme only paid workers a minimum of their Award redundancy pay along with long service and annual leave owing.

But from January 2011 workers who have an enterprise agreement will also receive their redundancy benefits.

This means that if you have a redundancy package of four weeks per year of service and have worked for

20 years you will receive 80 weeks pay instead of 16 weeks.

Workers without an agreement will still receive the Award redundancy.

"Nothing prepares you for losing your job and entitlements but this new scheme will make an enormous difference to the hardships faced by some workers. Congratulations to all our members who have been a part of the union's campaign to win these improvements".

"The next step is to get the government to also include unpaid superannuation".

## **Casual workers are entitled to compassionate leave**

New leave entitlements came into place this year with the National Employment Standards (NES) and they could affect you.

All employees, including casuals, are entitled to two days of compassionate leave (on each occasion) to spend time with a member of the employee's immediate family or household who has sustained a life-threatening illness or injury. Compassionate leave may also be taken after the death of a member of the employee's immediate family or household.

Under the old scheme, the Australian Fair Pay and Conditions Standard, there was no provision for casuals to take compassionate leave at all. But now, under the NES, casuals are entitled to unpaid leave.

Permanent workers are entitled to be paid the base rate of pay for the ordinary hours they would have worked during the period of leave.

## Heroes of Holeproof

### How do you capture the feel, the look, the sound of a lifetime of factory work?

In February 2009, Pacific Brands announced that it was closing seven of its factories across Australia, resulting in the loss of 1850 jobs. One of those factories was the Holeproof factory in Nunawading where 300 workers suddenly found themselves out of a job.

Some of these workers had spent their whole working life at this factory, sometimes on the same machine. Their workmates became their friends. They shared their stories, their cultures and the ups and downs of life. Some learnt the language there.

The TCFUA and its members at Holeproof wanted to recognise the loss of this community and the courage and strength of those embarking on a new future.

And so the Heroes of Holeproof art project was born. Using film stories and photographs it was designed to both document and bring to life the story of these workers.

The exhibition opened in July this year and here we bring you some photos from the launch and the exhibition itself. It was an extraordinary afternoon, attended by 150 people—workers, their families and the broader community of Box Hill.



Above: Photos from the exhibition.



TCFUA Holeproof delegates Chris Lemm and Don Pisani and TCFUA advocate Trish Reid join workers at the launch.



## The sun shines on BBQ for former Kayser workers

**Over 100 people attended a BBQ held for ex-Kayser workers on 3 October at Brimbank Park, Keilor East.**

With the sun shining and the sausages sizzling, the day was filled with hugs, kisses, handshakes and a lot of laughter.

For many of those present, unable to make the weekday morning tea get-togethers because of work or other commitments, it was the first time they'd had the chance to catch up with former workmates and friends since the factory closed in December 2009.

It was an opportunity to catch up and share a joke, and at the same time talk about any training needs, new employment, holiday's that have been taken, and any other concerns workers had that the TCFUA could help with.

It was also a chance to survey workers regarding the art project, and seek their future involvement—there are many workers who have a rich history at Kayser and are happy to share their stories.



**Former Kayser workers soak up the sun at the BBQ.**



# OHS Consultation in the workplace

**The Occupational Health and Safety Act 2004 requires employers to consult with you and other workers about health and safety. Many organisational decisions or actions have health and safety consequences for workers. For example, introducing new equipment into the workplace may affect the tasks that workers undertake, the steps involved in doing the work, the timeframes for doing work, how workers interact with each other and the environment in which they work. Workers may also be exposed to new or different health and safety hazards or risks, such as manual handling or fatigue.**



**HSR Support Officer,  
Katie Morgan.**

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## When do workers need to be consulted?

Employers must consult with workers who are, or are likely to be, directly affected in the following situations:

- identifying or assessing hazards or risks
- making decisions on how to control risks
- making decisions about the adequacy of facilities for workers welfare (such as dining facilities)
- making decisions about procedures to:
  - resolve health and safety issues
  - consult with workers on health and safety
  - monitor workers' health and workplace conditions
  - provide information and training
- determining the membership of any health and safety committee in the workplace
- proposing changes that may affect workers' health and safety, such as changes to:
  - the workplace
  - plant, substances or other things used in the workplace
  - the work performed at the workplace
- doing any other thing prescribed by the Regulations.

The Act says that the employers approach to consultation must be 'reasonably practicable'. For example; it may not be reasonably practicable to consult with workers who are on extended leave, however, it would be appropriate to ensure that these workers are kept informed about any matters that will directly affect or are likely to directly affect their health and safety when they return to work.

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## Who must be consulted?

Anyone whose health or safety will be affected by the change; such as HSRs, workers, labor-hire employees, independent contractors and volunteers. Consultation must involve Health and Safety Representatives (HSRs). If you do not have a HSR in your workplace please contact the union and we can assist your workplace in electing HSRs.

**Consultation does not mean telling workers about a decision or action on a health and safety matter after it has been taken. Consultation means giving workers an opportunity to shape that decision or action.**

Therefore consultation must involve:

- sharing information with workers about the matter
- giving workers a reasonable opportunity to express views about the matter, and
- taking those views into account.

If you feel you have not been consulted on things that affect your health or safety please notify your HSR and they can follow the grievance procedure. You can also ask your Union Organiser for assistance or speak to the HSR Support Officer, Katie Morgan on (03) 9639 2955 (country members 1800 800 135) or email [kmorgan@tcfvic.org.au](mailto:kmorgan@tcfvic.org.au)



## 2010 Annual Health & Safety Representatives Conference

**This year marks the 25th anniversary of the introduction of the Victorian Occupational Health and Safety Act and the right of workers to elect Health and Safety Representatives, an occasion that was celebrated at this years Health & Safety Representatives Conference.**

The conference held on 27 October, acknowledged the work of thousands of Health and Safety Representatives (HSRs) who have contributed to safe and healthy working conditions for Victorians over the past 25 years and also looked forward to the challenges of the next 25 years.

Topics covered at the conference included asbestos, manual handling

risks and the national harmonisation of Occupational Health and Safety laws.

HSRs from the textile industry also got together in an afternoon workshop to discuss matters that they deal with on a daily basis. This workshop focused on consultation in the workplace and how to negotiate changes.

The conference is a great opportunity for HSRs to meet other HSRs, not only in their industry, but throughout Victoria. They also get to meet WorkSafe Victoria & Victorian Trades Hall Council officials and enjoy the free lunch provided.

Vera Lloyd, Health and Safety Rep at Godfrey Hirst in Geelong said that HSRs always take away useful information from the conference but next year was one not to be missed.

“If you are a HSR for your workplace

**Health and safety representatives (from left to right) Tanya Mammone, Maurie Mahoney, Vera Lloyd, Aida Abifaraj, Pam Todd and Mary McGuirk get together for their annual conference.**

and missed this years conference, make sure you don't miss out next year—it will be focusing on the new work health and safety laws coming into place in 2012,” she says.

Since the conference is Worksafe approved, all HSRs have the right to attend. It's a chance to learn new information, get advice and ask questions of OHS experts.

If your workplace does not have a HSR & you would like further information on how to elect a HSR please contact your HSR Support Officer Katie Morgan on (03) 96392955, 1800 800 135, 0409 940 346 or email [kmorgan@tcfvic.org.au](mailto:kmorgan@tcfvic.org.au) and she will be happy to help.

# Seven reasons to be a member of the TCFUA

**There are many reasons why you should be a member of the union. Most importantly, you know you'll never have to deal with problems at work by yourself and you can feel confident that you've got the best deal possible. Encourage your co-workers to sign up! Here's a list of seven more reasons.**

## 1

### You'll earn more money

Union members earn on average \$125 more per week than non-union members and have better employment conditions and rights at work. TCFUA Enterprise Bargaining Agreements deliver higher wages for our members. The TCFUA has a demonstrated record in achieving better recognition for our members' skills.

## 2

### Your workplace will be safer

The TCFUA stands for safer workplaces and work practices and we will make sure your employer does too. If you are injured at work we'll be there to help you and represent you.

## 3

### You'll never stand alone

A great advantage of union membership is the support and benefits that come from acting collectively with your co-workers as well as workers throughout the TCF Industry. The more people who join together in a union, the greater the bargaining power. We are much stronger when we work together.

## 4

### We'll fight for your rights

The TCFUA promotes improved rights and fairness at work. Higher wages, redundancy pay, protection of your entitlements, better working hours, job security, having a say in the workplace, long service leave, unfair dismissal rights, recognition and development of skills – these are just some of the rights we have fought for and won on behalf of our members.

## 5

### You'll get respect

No workers deserve to be harassed, bullied or discriminated against. You deserve respect, and we will make sure you get it.

## 6

### Now is the time

With all the changes affecting workers rights in Australia, now is the time for all workers to stick together and become union members.

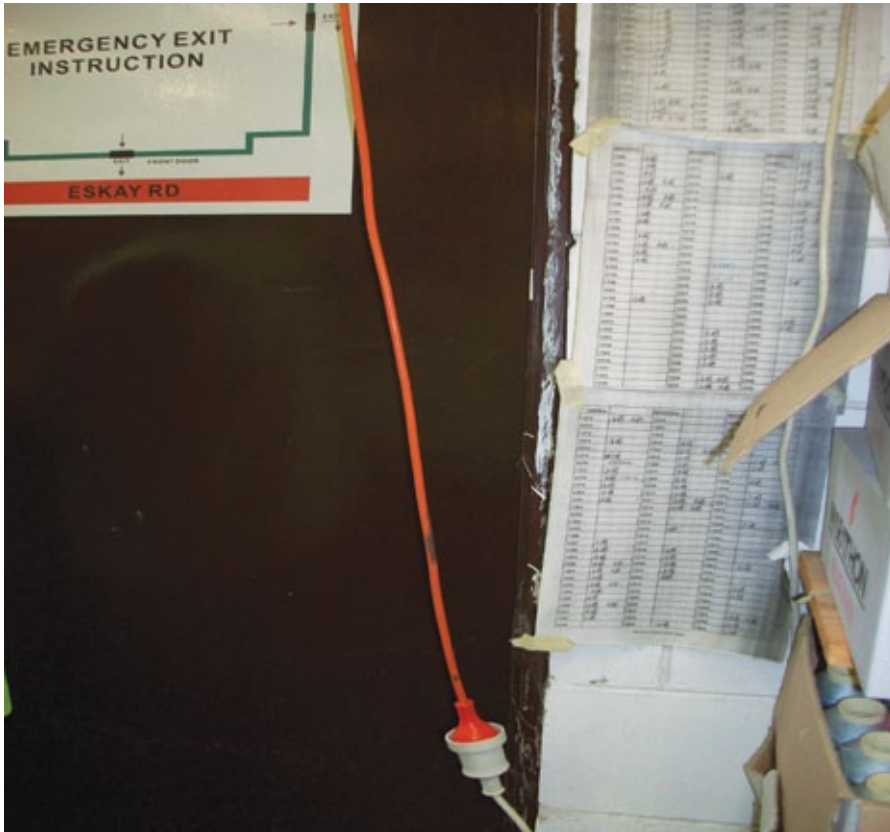
## 7

### Other Benefits of being a union member

- Regular updates on your rights at work, industrial information, advice, and support
- Industrial Representation:
  - if you are unfairly dismissed, or discriminated against
  - to ensure you receive fair wages and conditions at work
  - for the negotiation of agreements to improve conditions
- Union workplaces are safer workplaces
- Full tax deduction on union fees
- Free English classes
- Mortality Fund – financial assistance when a member or their partner dies
- Free Wills
- You may be eligible for free or discounted legal advice
- Union training for union delegates and health and safety representatives
- Discounts on goods and services

**Any worker in the Textile, Clothing & Footwear industry is eligible to join the TCFUA. This includes warehouse workers who store textiles, clothing & footwear. To join the union please visit our website at [www.tcfua.org.au](http://www.tcfua.org.au) or contact the union office on 03 9639 2955 or 1800 800 135 for country members**

## Workers win fight for a safe and healthy workplace ... again



**You might remember a story from last time about the right to safe and healthy amenities, in particular the shocking state of the toilets at a Coburg-based laundry.**

In response to that story, the union was contacted by a worker in another workplace who sent through photographs of the terrible storage conditions at his factory.

The TCFUA advised him to report the issue to his Health & Safety Rep (HSR), who could also contact the union for more support if they needed it.

The HSR reported that they'd previously tried to address the issue but nothing had been done. With the assistance of the union they were advised to address it again, keep a record of it, and inform the OHS Manager so the issue could be taken further if necessary.

Once the HSR did this, the company

created a new storage area and ordered proper shelves. They also apologized for any strain the issue may have caused workers.

The TCFUA takes OHS seriously and we're always looking for ways to improve conditions in your workplaces, so let us know about any issues that are affecting you.

Feel free to contact Katie Morgan, the TCFUA HSR Support Officer, or your organiser on (03) 9639 2955 (country members 1800 800 135) or email [kmorgan@tcfvic.org.au](mailto:kmorgan@tcfvic.org.au)

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• **Assistant Secretary:** *Jenny Kruschel*

• **Organisers/Officers:** *Beth Macpherson, Katie Morgan, Ly Nguyen, Nguyet Nguyen, Bi Yi Fang*

• **Industrial Officer:** *Karen Douglas*

• **National Industrial Officer:** *Vivienne Wiles*

• **Vocational Education & Training Officers:** *Ian Ferguson, Michele Bisping, Janet Lucas*

• **Project Manager:** *Helena Spyrou*

• **Industry Advisory Board Officer:** *Jen Wild*

• **Retraining & Support Officer:** *Dot Peterson*

## Got something to say?

**Do you have a comment or suggestion for the TCFUA Journal?**

**We'd like to hear what you think! Drop us a line at [info@tcfvic.org.au](mailto:info@tcfvic.org.au) or PO Box 441 Carlton South, VIC, 3053. Or give us a call on (03) 9639 2955 (country members 1800 800 135)**

# The TCFUA has a new website—and you can get involved!

Our new website was launched in June 2010 to provide our members and the general public with up-to-date information on all the latest news and campaigns. But it's more than just a website—at [www.tcfua.org.au](http://www.tcfua.org.au) you can now get involved and participate by joining our members only online forum. It's a place where members, delegates and Health and Safety Reps can all talk to each other.

You can also:

- Find information for home based workers
- Join the union online
- Report a problem or ask a question anonymously
- Get information about training, education and health & safety
- Find ethical Australian companies
- Send us feedback so the TCFUA can improve the work it does for members
- Watch videos from the campaign front

So go to [www.tcfua.org.au](http://www.tcfua.org.au) and join in!



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