

**DON'T RISK  
2<sup>ND</sup> RATE  
SAFETY**



**Banks attack NSW  
bank holiday**



# FSU Bites

**FSU**  
AUSTRALIA  
August

Newsletter of the Finance Sector Union of Australia, NSW/ACT Branch

## \$380K WON FOR BOQ MEMBERS

In June this year staff in 10 Bank of Queensland (BoQ) branches in NSW were told that their branches would close, their jobs had been made redundant and they would not receive any redundancy pay, even though many had a number of years service with the Bank.

Following extensive lobbying and representations from FSU, BoQ have agreed to pay staff redundancy entitlements which total \$380,599.36.

The situation was causing BoQ staff great concern as the uncertainty left them wondering what the future holds as Samantha Zale from Kellyville branch explains, "It would be bad enough losing your job but to not have access to redundancy payments to get you through until you find another job is really rough".

"While the prospect of losing your job is far from ideal, at least we now have the same entitlements as others in our industry which is a step in the right direction", said Samantha.

BoQ branches are owner managed under a franchise arrangement. The owner managers run the business as their own under the BoQ umbrella.

However, many owner managers who bought branches soon realised that under the franchise agreement after paying the start up and ongoing costs of running the business, they weren't going to get their money back. Some owner managers are now handing back the keys to BoQ Corporate and walking away wearing the loss.

If BoQ Corporate decide the branch is not viable, they close the branch.

BoQ Corporate argued that because staff went onto new fixed term BoQ Corporate contracts when the owner manager left, they are not entitled to redundancy payments.

"We always believed BoQ staff in this situation were entitled to redundancy payments based on all of their service with the Owner Managed Branch and BoQ Corporate", said FSU National Industrial Officer Jim Piotrowski.

"We are now working with BoQ to ensure a fair go for all BoQ staff, whether they work for an Owner Managed Branch or Corporate", said Jim.

"This case highlights the need for a BoQ Collective Agreement with the same standards for all BoQ staff", he said.



Bank of Queensland Kellyville staff Samantha Zale, Nancy Hanna and Louise Fisher

If you work for BoQ or are an owner manager – call FSU today on 1300 366 378 to discuss your situation and lend your support. FSU organisers are also visiting BoQ sites in the coming weeks so call to find out when a visit is planned to your workplace, or call to request one.

### Offshoring Scoreboard

Players	Score
ANZ	2303
NAB	1342
Westpac	437
AXA	400
St George	291
Suncorp	250
CitiGroup / Diners	232
Macquarie	100

**TOTAL**

up by 55 to...

**5355**

Jobs to date offshored  
from the Australian  
Finance Industry



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# A culture of bullying at CBA

Startling evidence from inside CBA confirms a culture of bullying in many parts of the bank.

The number of cases FSU advocates are taking up on behalf of CBA staff continues to grow as more and more people challenge bullying and harassment.

A glaring piece of bullying evidence comes in the form of an internal email from an area manager to a group of local managers. The email actually asks them to become "more unreasonable" with their own staff. The email goes on to say if the local managers were not prepared to become more unreasonable, they should ask whether they really belong in the "team". The email even asked for evidence of how they had increased their "unreasonableness".

Most recently an internal email from another area of the bank calls on staff to come to work when they are sick – in the middle of a swine flu epidemic. The email says if staff are too sick to be on the phones, they can at least help with other duties. In light of the flu epidemic sweeping through the community this is extremely irresponsible behaviour from a major Australian employer and flies in the face of Government health initiatives to control the spread of infection.

Individual cases of bullying indicate some extreme examples coming to light. One staff member had multiple coin bags thrown past her face into the wall by a manager in a fit of rage. When the staff member asked senior management to step in and stop the bullying, the staff member was told 'not to worry, that's just the manager letting off a little steam'.

Another case involved a group of members asking collectively for their targets to be looked at as they believed they were too high. Shortly after, a large number of these people were transferred out of their branches to other locations some distance away. FSU successfully challenged those actions and staff were able to return to their former locations if they wished.

## RESPECT AT WORK

FSU NSW/ACT Branch Secretary Geoff Derrick says its about time CBA took steps to ensure staff were treated with respect...

"I've seen the internal emails from CBA and they certainly suggest the bank needs to avoid a culture of bullying as part of its business model", said Geoff.

"The instances of bullying talked about here are totally unacceptable but to have senior managers directing line managers to bully and harass their staff is not on", he said.

"We are determined to challenge and fix this culture of bullying in CBA. Its about time CBA changed its practices and started treating staff with the dignity and respect they deserve", said Geoff.

"We will continue to defend staff who are the victims of bullying and harassment within CBA but will also challenge the culture of bullying at the highest levels to stamp it out".

"Make no mistake, we are determined to fix it", said Geoff.

Support the work of FSU supporting CBA staff. If you're not already a member join online today at [www.fsunion.org.au](http://www.fsunion.org.au) or talk to your workplace rep.

If you require advice, assistance or representation make sure you're an FSU member and contact the Member Rights Centre on 1300 366 378.

## FSU Contact Details

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## NSW/ACT Executive

The NSW/ACT Executive is made up of finance industry workers and is the governing body of FSU in NSW & the ACT.



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# Banks attack NSW bank holiday

The NSW Government has set about reviewing the legislation that provides for the August Bank Holiday each year. The banks argue that the holiday should be abolished because it gives competitors who are not compelled to close an unfair competitive advantage for that day. FSU believes this argument is weak at best.

FSU in its submission to the review, put together by FSU National Industrial Officer Tamara Talmacs, strongly argues for the retention of bank holiday. Simply put, FSU believes that to unilaterally take a holiday entitlement from the staff who are employed by some of the richest and most powerful institutions in this country is just not fair.

The banking industry, especially the retail environment, is staffed largely by women with pressing work and family obligations. Recent FSU audits indicate that unpaid overtime and stress related to the pressure to meet sales targets is a huge problem for this group. Disputes about hours of work are consistently among the top ten industrial problems. The existence of the August Bank Holiday is a brief but important reprieve from the pressures of work in retail banking.

The August Bank holiday has existed for the past 100 years. In that time, the major banks have always had the lion's share of the market and this has only increased with the onset of the global financial crisis as competitors fall away. The big four's share of the home mortgage market is now 92 per cent.

Banks who close the doors on the August Bank Holiday still provide customer service via many other channels including phone banking, EFTPOS, ATM's and the internet. If the holiday were abolished it would not only lead to a loss of entitlements for everyone who currently enjoys the holiday, but also lead to a loss of entitlements for people who choose to work it in call centres and internet banking on the day.

All states have local and state specific holidays and NSW has no more and usually less holidays than any other jurisdiction. The existence of state wide or regional holidays is not a significant burden and in some cases actually adds to local economic activity e.g. tourist industry, hospitality, racing and gaming with special events.

For these reasons, the FSU argues that there should be no downgrade of bank staff entitlements to a public holiday on the first Monday in August each year.

## Weekend Trading

The questions of weekend trading for banks also falls under the State Government's review. Currently, banks must apply for a license to open on weekends. The granting of that license is subject to a "public interest test". The welfare and entitlements of bank staff who work weekends form part of that public interest test so in applying for the license the needs of staff who will work weekends must be taken into account.

The banks have argued that they should not be required to pass any test and should be able to instruct staff to work weekends regardless of their wishes.

If the need for a license to open on weekends was abolished, the needs of staff would not be central to the decision making process.

The Government's discussion paper states that many bank branch staff are women with families. This is a very important point when considering the public interest and community standards and this group should not lose control over their working hours.



FSU National Industrial Officer Tamara Talmacs who put together FSU's submission strongly arguing for the retention of bank holiday.

FSU believes the license arrangement for banks to open on weekends must be retained as it achieves the socially and economically desirable balance between bank opening hours and employee protections that reflect community standards.

## More info?

Follow this link to the NSW Government's Office of Industrial Relations website. The discussion paper and all submission made to the review will be available here:

[http://www.industrialrelations.nsw.gov.au/About\\_OIR/Review\\_of\\_the\\_Banks\\_and\\_Bank\\_Holidays\\_Act\\_1912.html](http://www.industrialrelations.nsw.gov.au/About_OIR/Review_of_the_Banks_and_Bank_Holidays_Act_1912.html)

## Stop Press

### Westpac staff win on bank holiday entitlements

Westpac has been forced to retract directives to staff around this year's August bank holiday after FSU intervention.

In a directive from senior management, particular staff within the Concord Service Centre were told they would be required to work on the holiday and that only time in lieu would be offered.

This was in breach of the Award as proper notice periods were not given and the employer does not have the right to direct staff to take time in lieu. Staff have the right to request overtime or time in lieu, its their choice.

FSU will continue to monitor entitlements around the August bank holiday to ensure staff are not losing out.

## DON'T RISK 2<sup>ND</sup> RATE SAFETY

New laws are currently being proposed to 'harmonise' state and territory health and safety laws. That will mean that the nine different sets of laws that currently exist will be made into one set of new laws governing health and safety across the country.

In NSW, we have the best laws in the country but the proposed laws don't offer the same protections. An important aspect missing is the right to take an employer to court for failing to provide a safe place of work.

FSU has successfully taken a number of big banks to court and prosecuted them over unsafe workplaces following robberies. Thanks to those actions, employers have been forced to provide safer places of work for staff and armed robberies have fallen dramatically. Safety standards as a result have improved not only in the big banks, but across the industry.

When court action began in 2002 there were 106 armed hold ups in banks across NSW. By 2008, there were 20. Proof says NSW/ACT Branch Secretary Geoff Derrick that legal action holding employers accountable actually works to improve safety.

"If we lose the right to take employers to court for failing to provide a safe place of work, we could well see a return to 2002 figures and workers safety will be put at risk", he said.

"UnionsNSW have put together a video with former bank teller Dawn Chamberlain who has been involved in a violent armed robbery and I urge you, your family and friends to watch the video, sign the petition and forward both to everyone you know asking them to do the same", said Geoff.

Sign the petition here: [www.dontriskoursafety.com.au](http://www.dontriskoursafety.com.au)

View the video here: <http://www.youtube.com/watch?v=sNLassKykSU>



## FSU Bites August

Authorised by Geoff Derrick, Secretary, NSW/ACT Branch



## Gossip!

### In the Zone!

An FSU Member with a pre-teen child was finding it difficult to get to work on Saturdays.

She was told by her manager that they had a good relationship with the TimeZone next door and was sure they wouldn't mind her son spending the day there while she was doing her Saturday shift!

### It's in writing

A senior manager decided the best way to manage sick leave was to email all staff demanding they call him directly to report in sick.

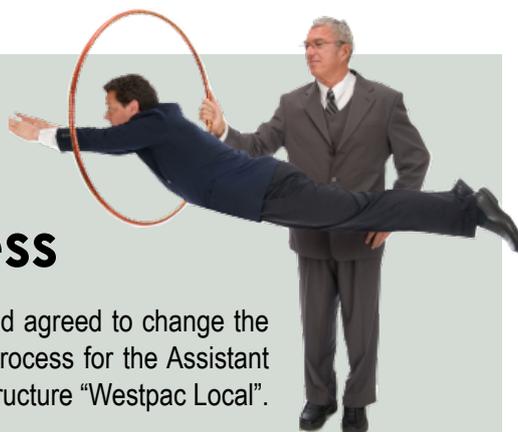
When FSU approached him to explain that was in breach of the Award, he initially denied the directive... until FSU explained we had a copy of his email.

### Saw it here first

Kevin Rudd's recent Labor Party Annual Conference in Sydney was conducted under the banner "Investing in Australia's Future".

Six months earlier FSU launched our jobs policy as "Invest in Australia". Maybe Kevin is listening!

## Westpac drops 'over the top' selection process



Westpac has bowed to FSU pressure and agreed to change the stressful and 'over the top' recruitment process for the Assistant Bank Manager role under its new retail structure "Westpac Local".

Previously staff would have to undergo psychometric testings, role plays and long interviews in what was a very arduous selection process for a group of people already employed by the bank.

Staff wishing to apply can now do so online via [careers@westpac](mailto:careers@westpac) and be involved in a more standard, less stressful selection process.

In the meantime, you should contact the FSU Member Rights Centre on 1300 366 378 with any questions or concerns about the recruitment process or Westpac Local as a whole.