

**FSU Active:**

For the period 1 April 2014 – 15 May 2014

**\$476,431** recovered on behalf of FSU members

**127** new cases opened on behalf of members

**338** cases resolved for FSU members

# FSU Bites

Newsletter of the Finance Sector Union  
NSW/ACT Branch  
Authorised by Angela Budai, Acting Local Executive Secretary

## Westpac workers win targets concessions

**A ballot on union-won concessions to FY14 targets for Westpac retail bankers has concluded and we are pleased to report that FSU members have overwhelmingly voted to accept the terms of the settlement proposal with a 97% "Yes" vote.**

The targets dispute all started when 527 Westpac workers from across the country agreed to stand together to campaign for fairer FY14 targets in the Westpac retail network. During the campaign workers signed collective letters raising concerns with FY14 targets, attended FSU meetings, told stories about the impact of the increased targets and wore red wristbands as a visible sign of support for the union campaign. This involvement gave the FSU delegation of members and officials who negotiated with the bank the material required to convince the bank to change.



*In a display of solidarity, members in the Illawarra region joined Westpac workers around the country who wore red wristbands during the targets campaign.*

The settlement package makes serious inroads into addressing the stress and pressure on Westpac workers from increased targets.

The concessions achieved include increases to notional revenue values for several products, improvements to target adjustments for approved absences and commitments around the health and wellbeing of employees.

We would not have been able to achieve any of this without the participation of FSU members at Westpac. Congratulations to everyone who got involved!

It is important to take the time to enjoy and celebrate this significant win before we move on to our next challenge of securing a new Westpac Group Enterprise Agreement that improves the living standards of all Westpac workers. A new collective agreement will need to address some big issues and provide certainty for Westpac workers on things such as pay, hours of work, job security and of course ensure this win on targets is maintained.

Get the most from your membership...

FSU Member Services  
1300 366 378





# Our Jobs, Our Future at stake with budget measures

## Secretary's Report

Angela Budai, Acting Secretary,  
NSW/ACT Branch

**This month the first budget of the Abbott government has been released and it's full of attacks on working people. There's much to be said about the many ways in which working people are going to be hit and I'd encourage you to read the many reports from the non government sector outlining the particular impacts on their areas of expertise.**

I'd like to think about what sort of future a budget like this leaves for our kids and grandkids. I've got 2 little kids at home and it's quite likely that they'll still be living with us well into their 20s or early 30s. If they are fortunate enough to enter into further education at university or an apprenticeship they'll be saddled with debts of up to \$250K before they begin their careers. Apprentices will need to pay for their own tools and will have a debt of up to \$50K before they are fully qualified. They'll think twice before going to the doctor and if they are unlucky enough to have a chronic illness will be saddled with bills for routine testing and might think twice before filling prescriptions at the pharmacy.

And what of the debt crisis? Australia has the 3rd lowest debt in the OECD. I don't call that a crisis. If there's a debt crisis why is the government abolishing taxes? The mining tax, the carbon tax and a reduction to company tax means that some of our largest most profitable companies will be paying less tax. This is hardly the action of a government with a revenue crisis.

Make no mistake, this is ideological warfare, we've got a government hell bent on making life miserable for those who can least afford it.

For finance workers, many of whom are already finding it difficult to make ends meet, it is critical that we intensify our campaign for secure jobs with secure pay. Our way of life, our jobs and our future are all at stake.

Angela Budai, Acting Secretary NSW/ACT

### Local Executive



*FSU National Secretary Leon Carter met with NSW/ACT Executive members Dale Mills, Julie Engel, Susanne Pearce, Marcia Byrnes and Mark Barratt in Sydney last week.*

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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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CBA members:

# Tell your side of the story



**ABC Four Corners recently aired a program about the pressure cooker working environment driven by the sales and targets-driven culture in the Australian finance sector. In this instance the program focused on the Commonwealth Bank.**

Our finance sector has the capacity and the profitability to pay decent wages and move away from pay models that don't benefit workers or the customers they serve. Employers can and should provide secure pay to all finance workers and recognise their professionalism and the value of the work they do.

Employers in our industry should also guarantee that frontline staff are never forced to choose between meeting a sales target and acting in a customer's best interests. The Four Corners program focused on CBA financial planners but there were references to other parts of the business, as well as a comment about bonus payments to tellers.

FSU National Secretary Leon Carter wrote to Four Corners to reject the notion that CBA front line workers are receiving cash bonuses for every referral. Leon's letter reads: *"The way most tellers would describe the "reward" system for achieving referral targets is that they get to keep their job if they satisfy the insatiable demands that the bank puts on them to make referrals, bring more business in and sell more of the bank's products."*

Leon's letter went on to say:

*"It is important that programs like yours continue to shine a light on shoddy and secretive corporate practices that can devastate individuals and their families. However it is equally important that there be no confusion about the root cause of these practices – the conflicted and insecure pay models imposed by finance sector employers."*

*Most CBA workers genuinely care about providing excellent and professional service to customers that is also in their best interests. I fear that customers who saw your program and are angry about the revelations contained in the report may be abusive to workers on CBA's front line and I request that you publish a statement on your website that clarifies the information that was broadcast about commissions paid to tellers and corrects any errors."*

A representative of the program has responded to Leon Carter's letter providing the clarification that *"the reference to the \$444 payment in our program was taken from the court judgement in the Noel Stevens' case."*

Four Corners' response ended with this statement *"It is important to note that this section of the program was only referring to the circumstances in Noel Stevens' case and not tellers generally."*

All CBA members are invited to tell their side of the story by getting involved in the FSU's inquiry into targets, workloads and staffing at the Commonwealth Bank by completing the online submission form at <http://svy.mk/RgtQQF> before 31<sup>st</sup> May. We want to hear from as many CBA workers as possible and we are particularly keen to hear about the lengths workers are going to in order to meet performance expectations.

FSUBites



*Vicki Flynn and Kym Dries are very happy that their hours won't be cut.*

## FSU Stops CBA Hours Grab

After informing two full time employees in the Foster branch that their hours were to be cut, members Vicki Flynn and Kym Dries stood up for their rights and appealed CBA's decision which turned into a time consuming and emotional process.

*"Standing together was our credit to success,"* Vicki told FSU.

*"Despite our first appeal being knocked back, with help from FSU we took the next step together, supporting each other when the other felt like giving up. We caught up in our personal time, wrote our appeal letters together and after two to three months of the appeals process it was clear that the support and encouragement we gave each other and received from FSU was important and made the difference."*

Please take a few minutes to share your story: <http://svy.mk/RgtQQF>

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## High Court decides no entitlements for workers to lump sum compensation

By Gerard McMahon, Partner, Turner Freeman Lawyers



The High Court of Australia gave its long awaited judgment in *Adco Constructions Pty Limited and Ronald Goudappel & Anor* [2014] HCA 18 on 16 May 2014.

The case decided whether changes to workers' compensation laws made by the O'Farrell Government on 19 June 2012 applied to claims for lump sum compensation for permanent impairment pursuant to Section 66 of the Workers Compensation Act, 1987 where the worker was injured prior to the introduction of those changes.

Mr Goudappel suffered a crush injury to his left foot and ankle at work on 17 April 2010. He made a claim for workers' compensation benefits within a few days of his injury and was paid for wage loss and reimbursed for medical expenses. However, it was not until 20 June 2012 (one day after the changes to the workers' compensation law were made) that he made a claim for lump sum compensation pursuant to Section 66 of the Act for a 6% whole person impairment ("WPI").

The changes made to the workers' compensation laws on 19 June 2012 prevented a worker claiming lump sum compensation pursuant to Section 66 unless the worker's WPI was 11% or more.

It also abolished compensation for pain and suffering to which a worker was only entitled if the WPI was 10% or more.

The High Court decided that unless a worker injured prior to 19 June 2012 made a specific claim for lump sum compensation pursuant to Section 66 prior to 19 June 2012, then that worker's entitlements are to be determined under the new workers' compensation laws. It upheld the employer's and WorkCover's appeal, dismissing Mr Goudappel's argument that because he made a claim for workers' compensation benefits prior to 19 June 2012 that the old laws should apply to him.

Mr Goudappel's case means that a worker who was injured prior to 19 June 2012 can only claim Section 66 compensation if the worker's WPI is 11% or more. Further, there is no separate claim for pain and suffering as had existed under the old laws.

## Breakthrough on pay at NAB

After thousands of conversations across NAB and 7,000 signatures on a petition to the bank there has been a breakthrough in negotiations that means union members have secured a significantly improved EB proposal from NAB on the issue of pay.

The main features include:

- The bell curve on performance is going!
- New absolute performance assessment means you will be measured against what is expected of you given your length of time in a role, not your performance relative to others
- Work to occur over the next 12 months on a new agreed classification structure that includes job categories and remuneration ranges and job sizing in consultation with the FSU.

FSU Reps have been consulting members on the EB proposal. If members agree the proposal is worthy of consideration the entire agreement will be put to a ballot of all staff in June.

*"This significant movement from NAB is a direct result of members' active participation in the campaign for fair pay at NAB. Your ongoing involvement as throughout the EB ballot and beyond is vital,"* said FSU National Secretary Leon Carter.

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