

# OnCall



**FREE NEWSPAPER FOR CALL CENTRE WORKERS,  
BY CALL CENTRE WORKERS** Issue 1, October 2001

## **Our Mission**

*On Call is a network of workers employed in call centres around Australia. Our aim is to give a voice to people working in the new 'white collar factories' where the highly casualised work environment together with high staff turnover makes organising extremely difficult.*

*On Call is an attempt to unify people who work in call centres, to reduce the isolation that many of us in the industry feel. We hope to help workers in the struggle for decent conditions. This struggle begins with information, the knowledge that we have rights, we can protect those rights and that we are not alone.*

*By establishing a network of call centre workers, vital information regarding our rights can be highlighted and fought for. In this way, On Call hopes to play a vital role in promoting discussion of the forgotten, yet important issues facing workers in the industry.*

## **Inside...**

- Your Rights at Work.
- Working for...  
a New Company.
- Cancelled Shifts  
& Making Sure You Get Paid.
- Humor
- Letters
- Ideas for Direct Action



**Ever feel a bit like  
this at work?**

## **CONTACT US**

### **email**

oncall\_news@hotmail.com

### **snail mail**

OnCall  
P.O Box 4,  
Enmore NSW 2042.

### **website**

<http://www.angelfire.com/indie/oncall/>

### **phone**

02 9594 0640

### **join our e-mail discussion list**

oncall\_talk-  
subscribe@yahoogroups.com



# ● ● ● YOUR RIGHTS AT WORK ● ● ●

*Working out what your basic rights are at work is not always straightforward if you work in a call centre. Things can vary a lot between call centres, depending on what industry they are in (finance, market research, public sector etc).*

Regardless of where you work, you have basic rights: freedom to join (or not join) a union, anti-discrimination laws (on the grounds of gender, race, class, marital status, pregnancy, age, sexuality and disability), maximum hours of work, maternity/paternity leave, occupational health & safety, annual leave and long service leave.

Working out what your rights are in terms of your pay and conditions can get a bit tricky. Follow this guide and you should be able to work out what your rights are in most situations.

## 1) Letter of appointment

Did you get anything in writing when you started the job? This is always the first point of call. This letter might refer you to an Award, an enterprise agreement or "company policies". It should state your rate of pay and your employment status (ie casual, full-time or part-time). If you do have such a letter and it refers to an Award, go to 2. If it refers to an enterprise agreement, go to 3. If it refers to an Australian Workplace Agreement (AWA), go to 4. If you didn't get a letter of appointment or it doesn't say anything about an award or agreement, go straight to 2.

## 2) Written or unwritten contract

If you're in this situation, the first thing you need to do is ask your employer if you are under an award. Legally, employers are meant to display the award in the workplace, but this is becoming a bit of a rarity. You can check to see if you have an award by calling your union or the Department of Industrial Relations on 131 628.

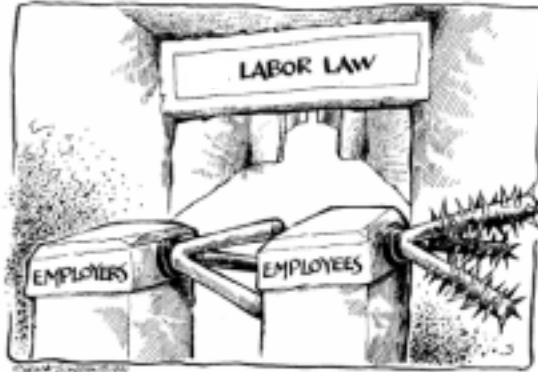
If you are not under an award – your rights are your contract of employment with your employer. This may be a written thing (ie your letter of employment or company policies) and is called a "common law contract". Your employer cannot change what they have given you in writing without your agreement (get it in writing again) and if they ignore your contract, you have legal recourse.

If you have received

**Regardless of where you work, you have basic rights: freedom to join a union, anti-discrimination laws, maximum hours of work, maternity leave, occupational health & safety, annual leave and long service leave.**

nothing in writing, the chances are your boss is either a real slacker and doesn't know much, or they may try and make up the rules (your rights!) on the run. From a legal standpoint, your contract is an unwritten one.

This means that the rate of pay you have



been receiving and the hours of work you have been given or verbally promised are your employment contract. Of course, it may come down to your word against theirs, and this puts you in a really weak position. The best thing to do is ask for it in writing and get organised with other employees into a union so it can be sorted out!

Unions are currently trying to get awards for the areas in the call centre industry without them. Not surprisingly, employees and the Federal government are not keen on this being an easy process – so it takes a lot of resources and time for a union to get one.

## 3) Awards

If you have an Award, this is a good starting point. Get a copy of it, your boss has to give it to you, but if they are difficult your union will send you a copy or you can download it from the NSW Department of Industrial Relations Website.

Awards are legal documents and are usually minimum conditions across a range of companies. This means your boss has to give you at least the pay and conditions

in them but they cannot go below them.

Thanks to the Howard government, the pay and conditions in lots of awards are crap. Anything you get above it has the same status as a common law contract (see 1). The best thing you can do to ensure pay and conditions are better than the award and are legally enforceable, is to organise with your workmates to get an enterprise agreement.

## 4) Enterprise Agreement

These are like Awards, but apply to just your company. EA's can be either union or non-union. Union agreements have on average much better pay and conditions and the union can enforce the agreement if your boss tries to dodge it. Ask for a copy of your EA, if your boss isn't keen to give it to you, this should send off alarm bells. Download it from

the internet or call 131628.

EA's are negotiated regularly. Your boss may set up committees of employees to negotiate – if this is the case, make sure you get the people elected other workmates want on the committee.

Sometimes employers stack the committee with people that are hand-picked to agree with everything the boss says. If it's a fair negotiation, all employees will be asked about their issues (either by union reps or those on the committee) and be kept up to date with the negotiations. EA's have to be voted on before they become law and all employees must be given adequate time (usually two weeks) to read and understand the agreement before voting. 50% plus one is needed (a clear majority) for the EA to be passed. It then goes

to the Industrial Relations Commission to be made law. If you think the process has been unfair (ie you weren't given a chance to vote or to read the document) you can go to the Commission and try and get the agreement stopped. Hopefully, if things get to this point, you'll be in a union where people will know how to get about this.

## 5) Australian Workplace Agreements (AWAs)

If you've got one of these, you should know it. You will have had to sign it and would have been sent something from the ironically named "Office of the Employment Advocate" (OEA) confirming it. You can refuse to sign an AWA, but your employer can with-hold any pay rises that are in it. AWAs are individual contracts that replace Awards and Agreements. While they are in place, you do not have a legal right to negotiate as a group of employees. Lots of call centres have AWAs just for this reason – to stop employees becoming unionised to improve their conditions. It doesn't mean you can't try – but it makes it harder. The ALP says they will abolish AWAs should they be elected, so things might change on this front in the near future.

If your employer is breaching your AWA, the OEA is meant to help enforcing it. Call them up and ask that they do this. If worse comes to worse, you can take your employer to a local court to get it enforced. To my knowledge, no one has done this yet – probably because it's expensive and time-consuming. In short, AWAs are bad news and usually indicates your employer isn't keen on unions and wants to ensure their employees don't ask for any improvements.

Sally McManus





# Working For... a New Company



*Call centres are a new work environment and many call centres are start up companies. Startups don't have time-tested policies and guidelines for staff to follow. They base themselves only on slap-dash action and a hope of success. This accounts for much of their confused attitude toward work and staff.*

Working for a startup has its benefits. Often they can be loose with issues like dress code, tardiness or your performance standard. However, they will also tend to be confused about which standards to work to, or what staff entitlements should be. Staff can be left on trainee rates for extended periods while the company finds its financial bearings.

### Hiring and firing can become a circus of personal preferences

Effectively, this means the company makes money by paying less to staff. Less obvious forms of remuneration like superannuation, can go by the wayside. Many call center workers are casuals who don't expect to be around long. They are less likely to be concerned with super than are long-standing staff. The company can save dollars by delaying payment of super entitlements to staff they don't expect to have at the end of the next financial period. Working for a small company often means the exchange of meaningless concessions (like how you look while you're on the

phones) for real dollars.

### Don't Recognise Your Supervisor?

Rank and file staff aren't the only ones with low job security in startup companies, supervisors can get the chop just as easily. Since starting at my company two years ago, there is no-one left who has worked as long as I have. Frequently changing supervisors often has a demoralising effect. Supervisors are always learning a new role, and never sure of themselves. The rules are arbitrary rather than steadfast. Staff have to learn to take orders from almost anyone, for almost any reason. The overall effect is an impression of instability in the company.

### Furniture and Equipment

The company may be new, but the equipment is probably old and shabby. When a new company is making a break for the big buck, staff are left with second hand equipment and amenities that are used until they literally break. Often though, management might get an increase in their allowance (for meals, computers, furniture, cars etc.), while the rank and file are left with broken chairs and sticky keyboards. A comparison of management and staff furniture tells a lot about how the company values staff. Being without the proper equipment is damaging to your health. It can increase the risks of RSI (repetitive strain injury), of muscular aches and stress. There is a risk of transmitting infection when headsets, kitchens, toilets and even chairs are not cleaned properly or replaced regularly. In addition it is also damaging to your capacity to enjoy work. When you don't enjoy, you can't excel and when you can't excel work becomes a drudge. Burnout is just around the corner.

### Policy

Policy takes time, money and effort to develop. A new company can often let consistency slip through the cracks while tasks are simply delegated to anyone to handle. Hiring and firing can become a circus of personal preferences, and more complex issues like provision of information, amenities and help to staff are just a joke. When procedures change with the shift manager, work is hell for staff who have to OK keep up. What

was yesterday is intolerable today. Staff are left feeling confused about their role. Unreliable rules are an advantage to employers. Staff learn quickly that they have to obey the manager's preference instead of being able to work independently under a set of fair and recognisable guidelines. This makes for humble, compliant staff who don't ask questions (the answer is always 'because I said so'), and who don't rock the boat, no matter who's steering.

### A comparison of management and staff furniture tells a lot about how the company values staff

### Information

Along with policy goes informing the staff of their rights and responsibilities. As information changes, not all workers are updated simultaneously. New workers get the info but the old ones are neglected. With the high attrition rate in call centres, this doesn't affect many people. The consequences can be dramatic, though. In the worst case, people can be fired for breaching new rules that they were not even informed of.

### Be Fair

A new company has to cut costs if it is to break even, that is a fact of business. It is not acceptable when this translates into unstable and stressful working conditions. As call centre workers we need stability in our work. We need to know that the performance standards are the same every day, that the entitlements don't change on a whim. The repetitive nature of our work means that good equipment is important, as are regular breaks, if we are to avoid injury. In a small company, when the supervisors are often overworked, it is vital to know what your rights are. It is your right to expect consistency and fairness at work. It is your right to avoid accumulative work stress and repetitive strain.

The company is concerned with its rights, you must be concerned with yours.

by Pitch



# Job Application

[This is an actual job application someone submitted for a fast-food establishment]

## APPLICATION FOR EMPLOYMENT

**NAME:** Greg Bulmash

**DESIRED POSITION:** Reclining. Ha ha. But seriously, whatever's available. If I was in a position to be picky, I wouldn't be applying here in the first place.

**DESIRED SALARY:** \$185,000 a year plus stock options and a Michael Ovitz style severance package. If that's not possible, make an offer and we can haggle.

**EDUCATION:** Yes.

**LAST POSITION HELD:** Target for middle-management hostility.

**SALARY:** Less than I'm worth.

**MOST NOTABLE ACHIEVEMENT:** My incredible collection of stolen pens and post-it notes.

**REASON FOR LEAVING:** It sucked.

**HOURS AVAILABLE TO WORK:** Any.

**PREFERRED HOURS:** 1:30-3:30 p.m., Monday, Tuesday, and Thursday.

**DO YOU HAVE ANY SPECIAL SKILLS?:** Yes, but they're better suited to a more intimate environment.

**MAY WE CONTACT YOUR CURRENT EMPLOYER?:** If I had one, would I be here?

**DO YOU HAVE ANY PHYSICAL CONDITIONS THAT WOULD PROHIBIT YOU FROM LIFTING UP TO 50 LBS?:** Of what?

**DO YOU HAVE A CAR?:** I think the more appropriate question here would be "Do you have a car that runs?"

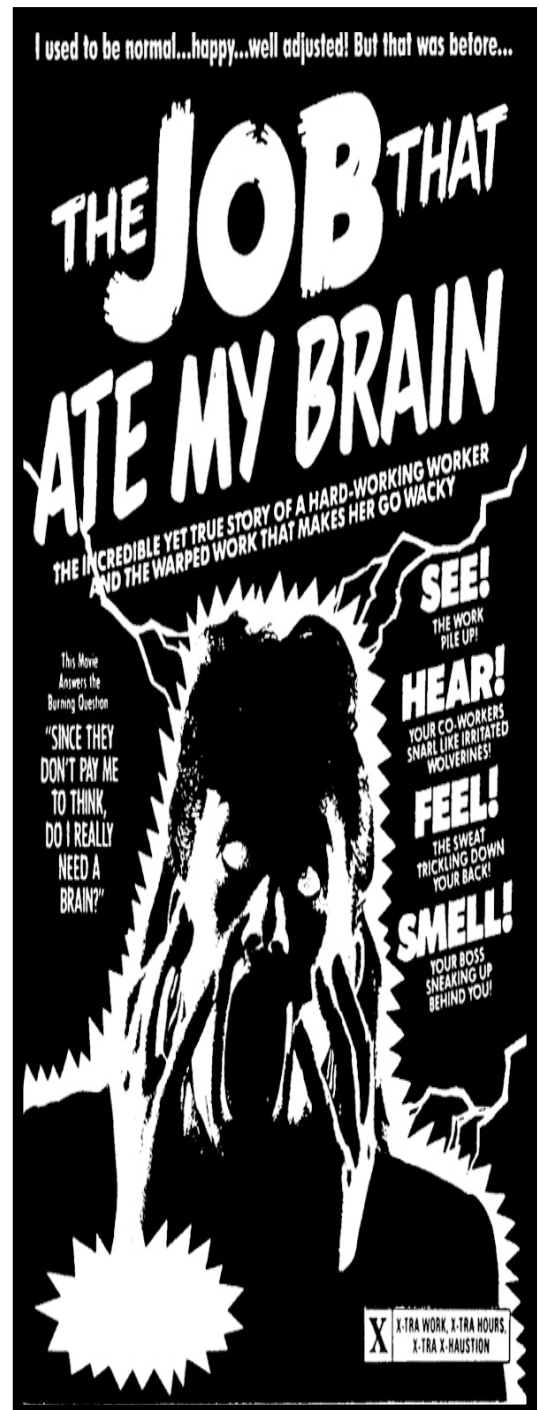
**HAVE YOU RECEIVED ANY SPECIAL AWARDS OR RECOGNITION?:** I may already be a winner of the Publishers Clearinghouse Sweepstakes.

**DO YOU SMOKE?:** Only when set on fire.

**WHAT WOULD YOU LIKE TO BE DOING IN FIVE YEARS?:** Living in Bimini with a fabulously wealthy supermodel who thinks I'm the greatest thing since sliced bread. Actually, I'd like to be doing that now.

**DO YOU CERTIFY THAT THE ABOVE IS TRUE AND COMPLETE TO THE BEST OF YOUR KNOWLEDGE?:** No, but I dare you to prove otherwise.

**SIGN HERE:** Scorpio with Libra rising.



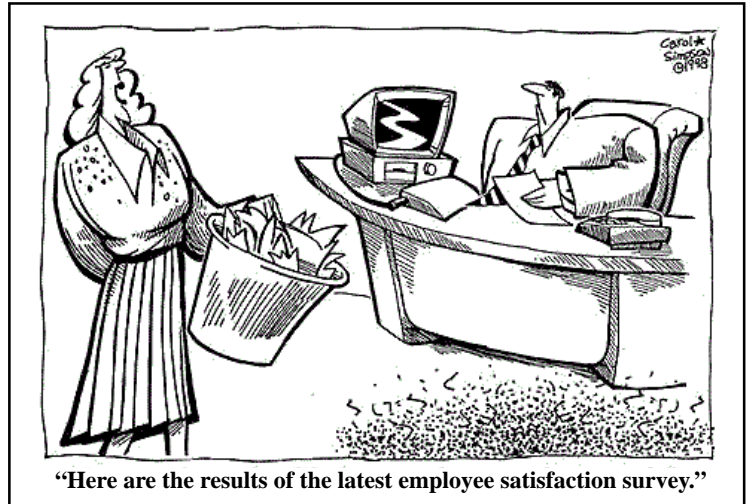
# Cancelled Shifts & Making Sure You Get Paid.

*Until recently, I was employed by NCS Pearson, a data-collection company in St Leonards. I worked there for about 15 months. It was basically a market research job, where we would usually cold-call people and ask them to do surveys, which would range from 5-45 mins in length. There were about 150 interviewers employed there, with most evening shifts (5-9pm weeknights) using about 70-80 people.*

One day I got a call from one of the Phonerom supervisors at about 3:30pm telling me that my shift for that night had been cancelled. This was pretty inconvenient since it took me about 45 minutes to get to work, and I was just getting ready to leave.

Thinking that this was a bit too dodgy, I asked for a copy of our enterprise agreement to see if it covered stuff like this. The union that negotiated the agreement was the National Union of Workers, although we had never seen a rep, and most people didn't even know what the agreement meant.

I found that in fact interviewers had to be given at least 5 hour notice of a shift cancellation. If this didn't happen, you were meant to be paid for the first 3 hours, whether you worked them or not. I



guess this was to prevent exactly what happened that day.

I spoke to a few of the interviewers and found that there were about 15 people in the same situation as me, and we decided to talk to the Phonerom Manager, our boss. When I told him about it, he said he would look into it. A couple of other people also talked to him after me. They told me that he kept asking them if they had talked to me, and why there was all this 'discontent' going around.

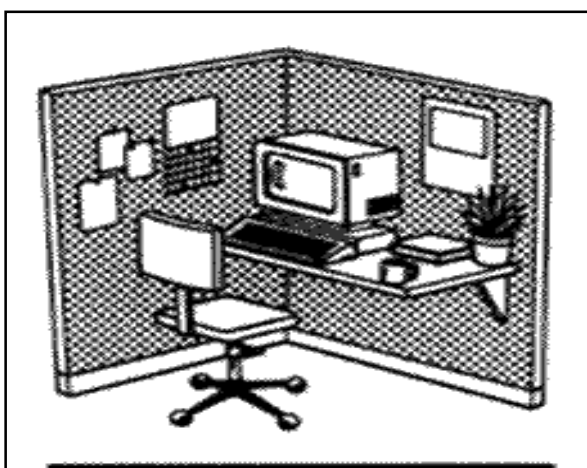
A week later, with no sign of getting paid, I saw him again and he gave me a 10 minute lecture about how my employment was only to be discussed between me and the company and how I shouldn't talk to anyone about what happened. That week, the people who went to see him earlier were constantly seated as far apart in the phonerom from each other as seemed possible.

The manager was clearly pissed off that we were demanding to get paid, but what got me was that we were only asking for our entitlement under the Agreement that NCS had agreed to. I could only imagine what would have happened if we had asked for a pay rise or if someone had tried to get people to join a union there.

In the end I got the money, though I am still not sure what happened to the others, since I stopped working there soon after. I guess it just goes to show that the Company will try to get away with giving its workers as little as it possibly can, especially if the workers have no representation or protection, and are intentionally taught to think that they aren't allowed to organise together.

by Nikola

**What got me was that we were only asking for our entitlement. I could only imagine what would have happened if we had asked for a pay rise.**



**VEAL-FATTENING PEN:**  
Small, cramped workstations built of fabric covered disassemblable wall partitions and inhabited by junior staff members. Named after the small preslaughter cubicles used by the cattle industry.

# Letters

Hello fellow Call Centre workers,

I work at Centrelink's Moorabbin Call Centre in Melbourne and I'm an activist with the Community and Public Sector Union (CPSU). I was thrilled to hear about the formation of OnCall by call centre workers in Sydney and am eager to tap into this network and organising tool which has so much potential to improve the lives of call centre workers.

Here at Moorabbin Call we've been addressing the challenge of how to organise unionists in a highly scheduled environment. We recently set up a local organising committee to promote active involvement and to provide support for our union delegates. We now meet once a month at a fixed time which allows interested members to request a suitable lunch break when putting in their preferences prior to the development of the schedule. I'm the coordinator of this local organising committee.

We have plenty of issues to organise around within Centrelink Call right now. A key one is to win improved access to electronic facilities for union organising. While delegates have access to electronic facilities the material which may be circulated is extremely restricted we cannot make political comment, advocate industrial action or promote solidarity with other workers who are taking action!! As you can imagine, by removing our right to discuss these things, we are limited to immediate work place issues. OnCall could play a really vital role in promoting discussion of the wider questions facing workers in our industry.

Because Centrelink Call Centres have been unionised from their inception, we do have working conditions better than those which many workers in the industry currently endure. Centrelink Call meets the Minimum Standards Code for Call Centres developed by the ACTU Call Centre Union Group.

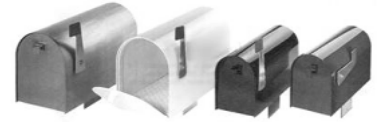
At our last local organising committee we discussed the significance of a group like On Call. We want to see the pay and working conditions improved for call centre workers right across the industry. We understand that if the most exploitative employers are able to continue abusing call centre workers at will, that this has the potential to put pressure on the working conditions of all of us in the industry. We need to campaign for every call centre to at least meet the minimum standards adopted by the ACTU Call Centre Unions Group.

I look forward to distributing OnCall so that workers at Moorabbin Call can hear other worker's stories, share news of successes and ideas for how we can organise more effectively. Together we can be a mighty force!

**Alison Thorne, CPSU Local Organising Committee Centrelink Moorabbin Call Centre**



## Ideas for Direct Action



*Lots of us are upset about our conditions at work, and aren't sure how to fix them.*

*This section of OnCall is for call centre workers to share their ideas, tips and stories about how we've got our shit together and begun to defend our rights.*

*Below we've put together some of our ideas*

- **Talk to your co-workers about issues and problems you have in common.** Sometimes it's easier to do this away from managers and bosses, like at the pub or a cafe or a BBQ at someone's house.

- **Find out which union covers your site/industry.** Some unions are better than others, and don't expect them to solve all your problems. They can help give you legality, and protect you from being sacked, but ultimately it's up to you and your co-workers to stick together and pressure your boss.

- **Get a copy of your workplace agreement/contract/award.** Read it and make copies for your work mates. Knowing your rights is the first step to improving them. It can also be a small goldmine - many call centre workers don't get their proper breaks, penalties, super or even the legal rates of pay.

- **Talk to your workmates about how you could make management listen to you.** Think about things like calling a staff meeting, starting a petition, doing a newsletter, wearing an armband, badge or sticker, or even just all wearing the same colour clothing - as a protest and also to show that your all going to stick together. Depending how angry you are, think about bigger actions too - like all marching out of work together.

- Most importantly - **Look-out for yourself & be strategic,** and don't get isolated and sacked. Management often use dirty tricks to stop workers from organising. Many of your fellow staff are probably scared and intimidated by management. Stay close to them. Only take action if you think the majority of staff will participate. Management will try to isolate workers who stand up for their rights - don't give them any excuses.

## We Want Your Feedback and Contributions!

Letters, articles, news, feedback ... anything!

Email, ring or write to us and tell us what you want in here!

We would also love it if you actually sent an article, a letter or some news about what's happening at your workplace.

For our contact details see page 1.

## A Final Thought...

**"at a time of mass retrenchments and job insecurity...CEOs' salaries stand out like a middle digit salute- especially when those salaries are linked to performance criteria seemingly predicated on throwing more people onto the scrap heap."**  
the Bulletin magazine.