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Submission

# Australia Post Inquiry

Senate Environment and Communications References Committee

March 2021

**[CEPU] Communication Electrical Electronic Energy Information Postal Plumbing and Allied Services Union of Australia**

(Communications Division – CWU)

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*The CEPU and its members thanks the Committee for the opportunity to provide this submission.*

*The Union would welcome the opportunity to give evidence on the matters covered in this submission, should the Committee decide to hold a public hearing in relation to this Inquiry.*

## Definitions

<b>CEPU</b>	Communications Electrical Electronic Energy Information Postal Plumbing & Allied Services Union of Australia, Communications Division (also known as the CWU)
<b>Australia Post</b>	Australian Postal Corporation
<b>2020 Regulations</b>	Australian Postal Corporation (Performance Standards) Amendment (2020 Measures No. 1) Regulations 2020
<b>Posties</b>	Postal Delivery Officers, employed by Australia Post

## About the CEPU

The Communications Electrical Electric Electronic Energy Information Postal Plumbing and Allied Services Union of Australia [CEPU] is a national Union representing workers across the wider communications, electrical and plumbing industries.

The CEPU was formed in 1994 following the amalgamation of the Communication Workers' Union of Australia (CWU) with the Electrical Trades Union (ETU) and the Plumbing and Gasfitters Employees' Union (PGEU/PTEU)

**1912** the Australian Letter Carriers' Association and the Australian Telegraph, Telephone Construction & Maintenance Union (later known as the Australian Postal Linesmen Union of Australia) were both registered federally

**1924** the Australian Letter Carriers' Association changed its name to the Commonwealth Public Service Fourth Division Employees' Union of Australia only to amalgamate a year later with the Postal Sorters' Union of Australia and the Australian Postal Linesmen Union of Australia to form the Amalgamated Postal Linesmen Sorters' & Letter Carriers' Union of Australia

**1926** the newly amalgamated Union becomes known as the Amalgamated Postal Workers' Union (APWU), covering posties, mail sorters and telecommunications linesmen.

**1974** the APWU merges with the Union of Postal Clerks and Telegraphists (UPT) to become the Australian Postal & Telecommunications Union (APTU)

**1990** the APTU merged with the Australian Postmasters' Association and later the Postal Supervisory Officers' Association to eventually be known as the Communication Workers Union (CWU). The Australian Telecommunications Employee Association/Australian Telephone & Phonogram Officers Association (ATEA/ATPOA) and the Telecommunication Officers Association (TOA) later amalgamated with the CWU. The ATEA retained autonomy in a divisional structure, whilst the TOA was absorbed by APTU originating Branches.

**1994** the CWU had merged with the Electrical Electronic Plumbing & Allied Workers Union of Australia, the end product of a merger between the ETU and the PGEU/PTEU a year earlier, to form the Communications Electrical Electronic Energy Information Postal Plumbing & Allied Services Union of Australia (CEPU)

The CEPU operates under an autonomous divisional structure. The Communications Division (also known as the CWU) has coverage of and represents workers across all levels and designations within Australia Post.

## Background

### Terms of Reference

On 25 February 2021, the Senate referred to the Environment and Communications References Committee for inquiry and report by 30 April 2021:

The circumstances leading to the direction by the Minister for Communications to the Chair of Australia Post on 22 October 2020, that the Chief Executive Officer of Australia Post, Christine Holgate, be stood down pending an investigation into her gifting in 2018 of watches to four managers who secured a \$225 million investment into the organisation, with particular reference to:

- a) if the gift of the watches was with the knowledge of the then Australia Post Chair and within existing Australia Post policy;
- b) how the gifting of four watches compares with bonuses and gifts provided during the term of the previous Chief Executive Officers and within other government owned corporations such as the National Broadband Network;
- c) actions of the Board of Australia Post following Ms Holgate's offer of resignation on 2 November 2020 leading up to the Chair's request for her to sign an amendment to her contract which would mean the immediate termination of her employment without any benefits, as against the \$11 million bonus paid to her predecessor when he stepped down;
- d) the veracity of evidence provided by the Chair of Australia Post to the Environment and Communications Legislation Committee during an estimates hearing on 9 November 2020;
- e) the current status of Ms Holgate's employment with Australia Post;
- f) the issues surrounding the secret review of Australia Post by the Boston Consulting Group leading to the introduction of changes to Australia Post's service model;
- g) the future of reductions to Australia Post's service model; and
- h) any other related matters.

### Scope of this Submission

This submission responds to the following items within the Terms of Reference outlined above:

- e) the current status of Ms Holgate's employment with Australia Post;
- f) the issues surrounding the secret review of Australia Post by the Boston Consulting Group leading to the introduction of changes to Australia Post's service model; and
- g) the future of reductions to Australia Post's service model.

## **The Current Status of Ms Holgate's Employment With Australia Post**

In relation to item e) within the Terms of Reference, the CEPU notes that the combined actions of the Australia Post Board and the Federal Government appear to have denied Ms Holgate due process in relation to the consideration of any alleged wrongdoing on her behalf, in the awarding of gifts, over and above that provisioned by relevant employment agreements, in recognition of service of senior Australia Post employees.

Further, the CEPU notes that Ms Holgate's departure from her position as Chief Executive Officer (CEO) of Australia Post was as a direct result of untested allegations that, in awarding these gifts, Ms Holgate was in breach of her employment conditions and her responsibilities to the Australia Post Board.

It therefore remains unclear whether the Board had legitimate grounds for standing Ms Holgate aside and may set a dangerous precedent in terms of the application and management of disciplinary processes for workers at any level.

It is a matter of workplace justice.

As the Union with coverage of the entire Australia Post workforce, whilst noting that the CEPU does not act on behalf of Ms Holgate, the CEPU states in the strongest possible terms, that the treatment of all workers at Australia Post must adhere to Australian workplace laws, including the laws and processes relating to employee discipline and dismissal.

It is imperative that, as a Government Business Enterprise, the governance and management of Australia Post is above reproach, and that the accountability of the Board to the Australian people, represented by its Shareholder Ministers in the Government, is of paramount consideration in all matters.

The CEPU therefore commends the Senate for its efforts, through this inquiry, to assure the Parliament that due process has been followed in relation to Ms Holgate's employment, and that the allegations that she has breached any conditions of her employment or responsibilities to the Board are proven to the Parliament's satisfaction.

If the Committee finds that this standard was not met, then the CEPU believes that Ms Holgate, as with any other employee, deserves the right to fair and transparent due process in the testing of any allegations of misconduct, and the right to return to her position as CEO of Australia Post whilst that process ensues, should she so desire.

## **The Issues Surrounding the Secret Review of Australia Post by the Boston Consulting Group Leading to the Introduction of Changes to Australia Post's Service Model**

The CEPU objects in the strongest possible terms to the refusal of the Federal Government to make public the review of Australia Post's operations by the Boston Consulting Group (BCG), which many have speculated led to the introduction of changes to Australia Post's service model.

Australia Post is a Government Business Enterprise, owned by the Australian people. Its operations are relied upon for essential communications, commerce and trade by the Australian population. Its operations and performance are, therefore, of material interest to every Australian.

We ask that the Committee recommend that the Senate pass a motion calling on the Federal Government to publicly release the report of the review conducted by Boston Consulting Group.

## **The Future of Reductions to Australia Post's Service Model**

This is the issue of most concern to the CEPU and its members within the Terms of Reference for this inquiry. As such, we thank the Committee for including it in the inquiry and trust that the following evidence, which demonstrates a notable reduction in the standard of service provided by Australia Post as a result of the changes to its service model introduced last year, will be useful to the Committee's deliberations.

On 15 May, the Australian Postal Corporation (Performance Standards) Amendment (2020 Measures No. 1) Regulations 2020 were made by Governor General The Hon. David Hurley AC DSC, on the advice of Federal Minister for Communications, Cyber Safety and the Arts, The Hon. Paul Fletcher.

This amendment relaxed the Australian Postal (Performance Standards) Regulation 2019, in order to "provide urgent and temporary change to performance standards for the delivery of letters to enable Australia Post to effectively manage any COVID-19 impacts on its operations, including by optimising the use of its workforce. The Amendment Regulations will also give Australia Post an exemption from its retail outlet requirements, should temporary closures be necessary due to workforce impacts COVID-19"<sup>1</sup>.

In a submission to the Senate's inquiry into these Regulations last year, we warned the Parliament of a number of concerns we had about how the temporary performance standards may impact on services to the community, and to workforce safety and wellbeing. We refer the Committee to that submission for further detail of those concerns.

This submission is primarily concerned with the actual demonstrated impact of the Alternate Day Delivery Model (ADM), under which Australia Post now only delivers letters-based product to households every second business day rather than five days a week, and the changes to workforce structure in relation to parcel delivery.

After five to seven months under the implementation of the ADM, it has become clear that our most significant concerns, which related to the impact on both customer experience (public service) and workforce wellbeing and safety, have eventuated.

### **Significant Reductions in Public Service Standards and Workforce Safety and Wellbeing**

The introduction of the ADM saw the delivery workforce, posties, at sites impacted by the reform, split in to two groups:

- Those responsible for the delivery of both letters and parcels, via motorcycle, Electric Delivery Vehicle (eDV), Electric Aussie Mail Bike (eAMB) or on foot, which we will refer to as 'letters-posties' hereafter; and
- Those responsible for the delivery of only parcels, primarily via van, which we will refer to as 'parcels-posties' hereafter.

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<sup>1</sup> Authorised Version Explanatory Statement registered 15/05/2020 to F2020L00579

In meetings and telephone conversations since the introduction of the 2020 Regulations that reduced Australia Post's performance standards, the Union has repeatedly alerted Australia Post's management to significant workforce concerns about the reduction in customer service and workplace safety resulting from the ADM's introduction. These concerns include, but are not limited to, the following issues:

### **Letters-based Articles are Routinely Undelivered;**

Pre-ADM, traditional posties would carry an average of between 650 and 750 letter-based articles and an average of 90 parcel-based articles each round, each day.

Under the ADM, where two traditional rounds are now delivered on the same day by the same postie, letters-posties are now carrying an average of around 1200 letter-based articles and anywhere from 40 to 60 parcel-based articles each shift, each day – an effective doubling of the workload on letter-based products, with parcel volumes remaining largely the same.

Furthermore, a varying number of 'full covers' of unaddressed mail (UMS), requiring a stop for delivery at every delivery point across relevant geographical areas, continue to be booked for delivery each week, as was the case pre-ADM.

The inability for the letters-postie to physically deliver the sheer volume required has resulted in articles being unable to be delivered on the day they are due. This has affected ordinary mail, Express Post and other premium products, parcels and unaddressed mail.

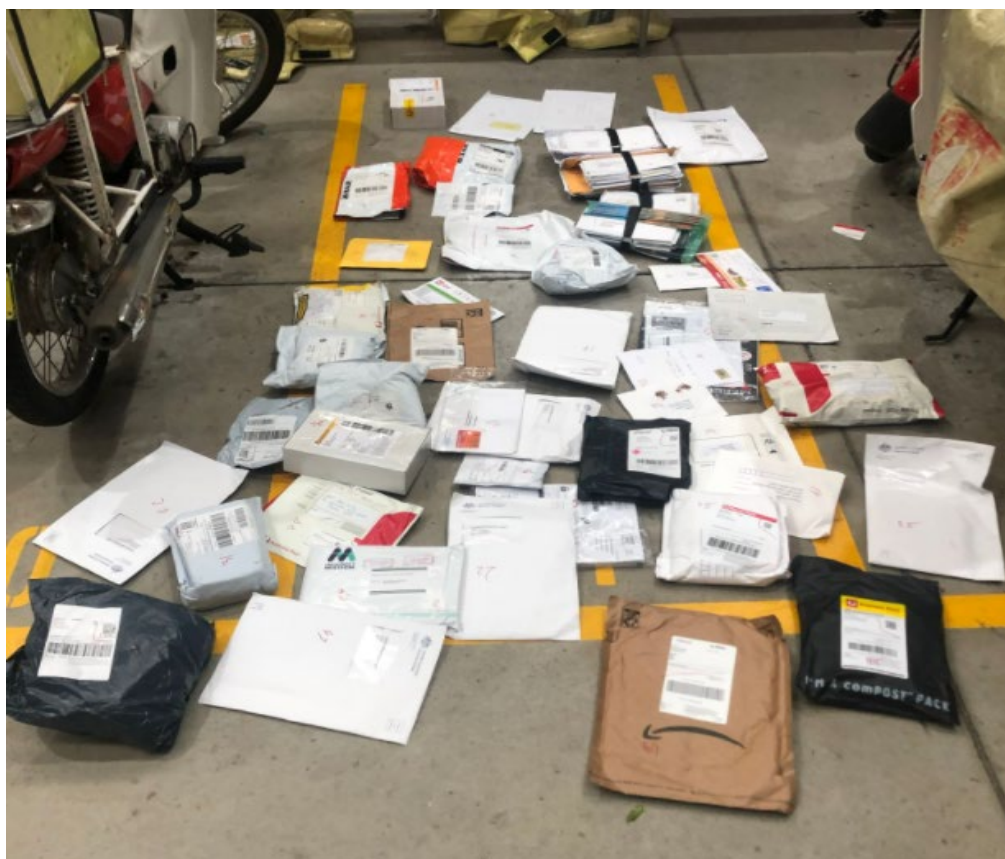
The delay in delivery can range from days to weeks after they are due, or in the case of some unaddressed mail products – not delivered at all. It has caused a situation where posties say, it is impossible for them to actually catch up – meaning, so long as the model remains in force, delays continue to grow.



*Election material booked for UMS delivery remained undelivered in a northern Perth suburb on 15 March – the Monday after the election had occurred.*



*An example of a traditional postie round being left behind, undelivered, on the day delivery was due*



*An example of articles brought back to the depot after a completed shift, including letters, parcels and Express Post, undelivered on the day delivery was due*



## Parcel Deliveries Delayed Following Shift to Inefficient Van Deliveries;

Prior to the introduction of the temporary performance standards, management insisted that the shift was necessary to address two main issues;

1. Allowing posties to carry parcels that were of an unsuitable size and weight to be carried via traditional delivery methods, particularly motorcycles; and
2. To increase a postie's carrying capacity, allowing them to deliver a greater volume of parcels whilst reducing the volume of parcel delivery work that was being outsourced to third party contractors.

What has actually occurred is the polar opposite. Parcels-posties delivering in vans are not carrying more parcels, nor are they carrying parcels that differ significantly in size, nor weight to that carried by a motorcycle or EDV – both pre-ADM and today.

Parcels delivered by parcels-posties rarely exceed 150 per day. In fact, the actual average number of parcels delivered by parcels-posties is more often than not, less than 110, similar to volumes they were delivering via traditional modes pre-ADM.

Environmental factors, traffic, parking availability and the sheer volume of delivery points, has contributed to the inefficiency of the delivery model.

Furthermore, the volume of parcels being streamed to third party contractors has increased exponentially. This includes the volume of articles streamed to those parcel contractors who are engaged directly by Australia Post – who are routinely rejecting volume as they themselves are overextended. But this also includes other third parties who have only been engaged under new initiatives since the introduction of ADM – taxi drivers and drivers working on behalf of ride-sharing platforms, delivering ordinary parcel articles at a premium cost.



*A typical load from a parcels-postie's van – nothing exceeding the size or weight to that delivered by traditional posties pre-ADM, or letters-posties post-ADM*

## **Changes to Posties' Shift Commencement Times Have Impacted on Services and Employee Wellbeing;**

The issue of undelivered letters and parcels has been further exacerbated by a change in shift commencement times.

Primarily, posties have traditionally commenced work between 5:30 and 6:30am.

This commencement time enabled them to complete the bulk of their runs prior to the hottest times of the day, to avoid engaging in delivery during morning and afternoon peak-hour traffic times, but to also engage in reasonable levels of overtime to ensure the delivery of all product, on the day delivery was due, where required.

On days where that overtime was not required, it also enabled them to meet their family obligations outside of work – particularly those obligations relating to the after school care of school-aged children. Their inability to continue to meet these obligations has caused undue stress and a real financial impact on working parents.

With the exception of a handful of sites in NSW and the ACT where letters-posties commence at 6:30am and parcels-posties between 7:30 and 7:45am, ADM letters-posties primarily commence between 7:00 and 8:00am, with parcels-posties primarily commencing between 7:30 and 9:30am.

This has impacted on their ability to deliver more volume during the cooler parts of the day and has caused efficiency issues when delivering through the busy morning and afternoon traffic peaks. This has caused their jobs to also become significantly more unsafe and has limited the time available to finish their deliveries – particularly as we enter the cooler months when daylight hours become shorter, further limiting the available window for safe and efficient deliveries to occur.

Management insists this change is due to alignment in transport scheduling and that the work is simply unavailable at depots prior to the new shift commencement times. Our members argue and have repeatedly demonstrated that this is not the case, at all.

As yet, Australia Post management have failed to meaningfully address these concerns and implement solutions that would improve the service provided to the Australian public, or address the workplace safety and wellbeing issues for frontline workers.

## **Impacts on the Take-Home Pay of Van Drivers and Mail Sorters**

Outside the postie workforce, postal workers across other parts of the business have experienced a reduction in take-home pay as a direct impact of the 2020 Regulations.

The 2020 Regulations not only relaxed frequency of delivery obligations, but also the delivery timetable overall – enabling Australia Post to slow-down the transportation and processing of mail articles prior to it reaching its 'last-mile' for delivery.

Specifically, with additional processing time allowed under the 2020 Regulations, Australia Post ceased its clearing of Street Posting Box lodgement points, and the processing of articles lodged through those boxes, on Sundays.

These changes have directly translated to a real reduction in traditional income for hundreds of van drivers and cuts currently being considered that will impact on the take-home pay of mail sorters.

In terms of SPB clearances, van drivers, who have traditionally worked every second Sunday, have suffered a reduction in take-home pay of around \$3000 per annum in real terms, whilst mail sorters are facing cuts of around \$2500 per annum under a current proposal to cut Sunday shifts in centralised mail processing plants.

These are not particularly highly paid workers, and this is not income derived from ad-hoc work sources. Rather it is traditional income lost through a reduction in rostered work that is directly impacted directly by the 2020 Regulations.

This is real, significant income that these workers have always relied on to meet their families' financial obligations, that is being lost at a time when they can least afford it.

## Surveys of Australia Post Workforce

### Surveys of Posties Directly Involved in Mail Delivery at ADM Sites

What follows is evidence from the Australia Post workforce – those people who manage letter and parcel sorting, bulk transport and delivery (the posties) – of the impact of these changes on their ability to provide a reliable and trusted service to the Australian people, and on the security, safety and wellbeing of Australia Post workers.

In September 2020, following the full implementation of the ADM, the CEPU conducted a survey of posties employed at ADM sites in relation to service delivery and workplace health and safety.

At the time, the survey found:

- **57 per cent** of letters-posties said they left letters-based products behind at the delivery centre, or brought them back where they remained undelivered for more than one business day.
  - Of those, the average number of letters were 201 per postie, per response
- **51 per cent** of posties said they left behind, or brought back, parcel products (including premium products such as *Express Post*) they were unable to delivery on their run, on the day the parcel was due for delivery
  - Of those, the average number of parcels undelivered on the day they were due was 44 per postie, per response
- **43 per cent** of posties admitted to not adhering to all footpath and nature strip speed limits whilst performing the delivery function of their role
- **84 per cent** of posties said they were unable to complete their duties within their rostered hours. 34 per cent of those said they considered the level of overtime required to complete their run to be unreasonable
- **55 per cent** admitted to not taking all their applicable breaks in order to complete their duties.

Following the announcement of this Inquiry, the CEPU reactivated this survey and asked members to participate again, from March 10.

That survey found:

- **58 per cent** of letters-posties said they left letters-based products behind at the delivery centre, or brought them back where they remained undelivered for more than one business day.
  - Of those, the average number of letters were 135 per postie, per response
- **50 per cent** of posties said they left behind, or brought back, parcel products (including premium products such as *Express Post*) they were unable to delivery on their run, on the day the parcel was due for delivery
  - Of those, the average number of parcels undelivered on the day they were due was 32 per postie, per response
- **53.6 per cent** of posties admitted to not adhering to all footpath and nature strip speed limits whilst performing the delivery function of their role
- **86 per cent** of posties said they were unable to complete their duties within their rostered hours. 34 per cent of those said they considered the level of overtime required to complete their run to be unreasonable
- **51 per cent** admitted to not taking all their applicable breaks in order to complete their duties.

The surveys demonstrate that posties engaged in delivery under the ADM are working inefficiently and unsafely.

The time between the two surveys demonstrates a reduction in the total number of letter and parcel articles being left behind, or returned to depots un delivered, which could reasonably be attributed to a decline in volumes as households and businesses emerge from COVID lockdowns, but it certainly demonstrates that those issues related to employee safety and wellbeing only continue to deteriorate.

### Enterprise Bargaining Survey of CEPU Members Across All Occupational Groups

In preparation for enterprise bargaining negotiations on behalf of the Australia Post workforce, the CEPU recently conducted a survey of its members to ascertain their experience of current workplace practices and the regulations governing the delivery of services by Australia Post.

This survey was conducted across all Australia Post occupational groups, including posties, mail and parcel sorters, drivers, administration officers, corporate and specialist employees and post office workers.

The key findings in relation to the impact of the changes to Australia Post's performance standards as a result of the 2020 regulations are as follow.

- **94 per cent** of survey participants said that the 2020 Regulations that gave effect to the ADM had 'negatively impacted on the quality of service to the Australian public'.
- **86 per cent** of survey participants said that the changes given effect by the 2020 Regulations, including the shift to the ADM and changes to workplace structures such as processing shifts, had increased their workload.

- **67 per cent** of survey participants (posties occupational group only) said that the changes resulting from the 2020 Regulations, including the ADM, had caused them to ‘cut corners’ to get the job done.

**The CEPU also draws the Committee’s attention to the fact that 88 per cent of survey respondents are concerned that Australia Post may be privatised.**

## Community Reports of Service Failures

As the Union representing the frontline workers of Australia Post, the CEPU is regularly alerted to failures in the provision of reliable mail services to the Australia public due to the increased pressure on individual posties as a result of workforce redeployment practices and reduced services under the ADM.

CEPU Communications Division National President and NSW Branch Secretary, Mr Shane Murphy, provided written evidence with examples of significant delays in letter delivery to Acting CEO Mr Rodney Boys in early December 2020. Mr Murphy provided an original communication (an email) from a CEPU member in suburban Sydney who had missed the opportunity to register for photographs of his daughter’s school achievement award because the letter from his daughter’s school had taken 14 days to reach him, by which time it was too late. The family in question live in the next suburb to their daughter’s school.

The CEPU has received numerous communications with similar examples, including one in which a member in Queensland missed a valuable financial opportunity due to an unacceptable delay in mail delivery. This member owned shares in the Bank of Queensland which, as part of its acquisition of ME Bank, offered a 3-for-1 share deal to existing shareholders. The Member believes the prospectus was sent out to BOQ shareholders on the 26th of February, but he did not receive his prospectus (which was damaged in transit) until the 10th of March – the day the share offer expired.

These are but two of the numerous incidences of which the CEPU has been made aware by its members of a significant decline in the standard of service under the ADM.

As well as unacceptable delays in the delivery of personal and business correspondence, the CEPU has been repeatedly informed that the Unaddressed Mail Service (UMS), which includes such important correspondence as Australian Electoral Commission information about local, state and federal election campaigns and postal vote forms for recent elections held in the ACT, Western Australia and the federal seat of Eden Monaro, is under such pressure due to the ADM that there are instances of it not being delivered at all.

The CEPU is extremely concerned about the impact of the ADM and other changes enabled by the 2020 Regulations on the quality and reliability of mail services to the Australian public. As Mr Murphy noted in his letter of 11 December 2020:

*‘It is abundantly clear that mail is unable to be delivered in line with this botched model. Posties are continuing to report having to bring mail and parcels back to the facility and UMS mail is so low on the deteriorating priority scale, that there are reports it is just being binned by local managers who accept the reality that it cannot get done’.*

## **A Lack of Action to Address Service Degradation and Employee Grievances, Despite Genuine Engagement**

Despite the contention over temporary reform and its introduction, the Union and its members has continued to engage genuinely, meaningfully, and significantly, with management.

Throughout this period, workers have consistently raised the same issues of contention, which continue to be ignored by management.

This is not a result of a lack of effort or reason on the part of workers – CEPU workplace delegates, Australia Post employees, have engaged as part of local workplace level consultative processes in order to work through local issues pertaining to the delivery model and its implementation.

In jurisdictions such as NSW/ACT and QLD, the engagement has taken a step further – with those same delegates meeting regularly with state level management representatives via Zoom video-conferencing. These meetings have occurred on a weekly basis since August and have only moved to occur fortnightly in the past month. They take place during these employees' own time, outside of business hours and without any remuneration or compensation, in order to provide the feedback posties believe is critical to collaboratively improve services and resolve employee grievances.

Although management have indeed engaged in these forums, little to no action to make improvements to the service delivery, or resolve general grievances, has been forthcoming.

The experience of the Union's engagement with Australia Post at the executive level has been largely the same.

In February, the Union was invited to meet with the executive group responsible for the delivery operations in an effort to find common ground in order to resolve outstanding employee grievances and improve services whilst still delivering a sustainable operating model.

At that meeting, and again subsequently, the Union outlined 14 key matters of contention that workers are seeking to have addressed. These matters are not new, and have remained outstanding despite being raised by the Union and its members repeatedly at a number of forums.

However, rather than addressing these long outstanding matters, subsequent communication with this group of executives has focussed on securing the Union's support for the Corporation's plan to seek for the Federal Government to extend the 2020 Regulations.

Only then, it seems, would Australia Post be prepared to explore any possible resolution to workers' outstanding issues of contention stemming from the regulations that have reduced Australia Post's performance standards and led directly to the reduction in the quality and reliability of the mail service provided to the Australian people, and put the safety and wellbeing of frontline Australia Post workers at risk.

The Union has been clear that we need to see results from consultation over the reduced performance standards that ease the burden on our members and deliver a better service to the community and, as all evidence shows that the 2020 Regulations are in fact delivering the opposite outcome, we cannot in good faith support an extension to the Regulations beyond their scheduled end date in June 2021.

## Conclusion and Recommendations

The 2020 Regulations that have resulted in a significant decline in public service and workforce safety and wellbeing.

Therefore, we urge the Committee to recommend that the Senate disallow any further extension of these Regulations, and return Australia Post's legislated performance standards to previous settings as scheduled to occur, on 30 June 2021.

We recommend that the Committee ensures that Ms Holgate's right to due process in relation to her employment as Chief Executive Officer of Australia Post is upheld, and that she has access to the workplace justice and standards of fair employment that are due to all Australian workers.

Further, we urge the Committee to recommend that the Senate pass a motion calling on the Government to publicly release the report of the review conducted by Boston Consulting Group that led to the changes in performance standards.

It is critical that the Parliament, on behalf of the Australian people, be satisfied that decisions being taken by the Australia Post Board are consistent with their duty to uphold the standards of public service and workforce safety and wellbeing that the Australian people, as the owners of Australia Post, expect and deserve.

Finally, we ask the Committee to recommend that the Senate pass a motion calling on the Government to rule out the privatisation of any part of Australia Post, and recommit to retaining it in public ownership as a Government Business Enterprise.