



## Canon GPS mobile phone tracking policy: Report Back from FWC Conference held on 9 May 2017

### Introduction

Members would be aware that the ASU made application to the FWC regarding Canon’s proposed policy on the GPS tracking of technician’s mobile phones. As discussed in the previous ASU Canon newsletter on the 20 April (attached), the ASU and its members are very uncomfortable about this proposed policy.

A FWC conference was held in Melbourne before His Honour SDP Hamberger on the 9 May 2017 (see attached recommendation from SDP Hamberger). Michael Rizzo, National Industrial Officer, represented the ASU. The point of a conciliation conference is to try and find a resolution to the dispute between the parties with the assistance of the Commission. Unfortunately, no resolution was found. The next step may be to apply to the Commission for arbitration i.e. the Commission makes a binding decision on the parties after a hearing.

### The FWC conference

At the conference Canon explained its reasons for wanting to introduce the policy including: better customer service; OHS; better job scheduling. The ASU said its concerns were, unnecessary invasion of privacy; the use of the policy for disciplinary reasons; the fact that Canon could change the policy at its discretion; and the unnecessary, inefficient and cumbersome direction from the company, that if one does not give consent to be tracked, then the employee must advise Canon of his location every 15-30 minutes, making a mockery of the need for express consent.

SDP Hamberger discussed the policy with the parties, asked for details on how it would work and then issued the attached Recommendation to the parties.

Recommendation One, that another meeting of the NCC take place to consider the policy before any implementation occurs. A meeting of the NCC has now been called for the 23 May 2017. At this meeting the ASU will seek amendments to the policy so to allay member’s concerns. If this is unsuccessful, and as previously advised to Canon and to the Commission, the ASU will most likely take the issue for resolution by arbitration. The ASU is hoping that Canon listens to the concerns of its employees and acts to meet them.

Recommendation Two, that one on one discussions with employees seeking consent cease till at least the policy is finalised and people know what they are actually agreeing to.

Recommendation Three, that Canon not simply change the policy at its discretion, but must consult with employees beforehand.

### Next steps

There will be a meeting of the NCC on the 23 May. After that meeting the ASU is to advise the Commission whether it wants the matter to proceed to arbitration or not. Meanwhile, as members were advised in the 20 April ASU newsletter, no one should give any consent to this policy, be it verbal or in writing. Members will be informed of any major developments.

### More information

For more information, please get in touch with the relevant contact below.

Branch	Contact	Email
NSW/ACT	Jocelyn Gammie	<a href="mailto:jocelyn@asu.org.au">jocelyn@asu.org.au</a>
VIC/TAS	Jonathan Smallbone	<a href="mailto:jsmallbone@asuvictas.com.au">jsmallbone@asuvictas.com.au</a>
QLD	Tammy Gaze	<a href="mailto:Tammy.gaze@theservicesunion.com.au">Tammy.gaze@theservicesunion.com.au</a>
WA	Jill Hugo	<a href="mailto:jill.hugo@asuwa.org">jill.hugo@asuwa.org</a>
National Office	Michael Rizzo	<a href="mailto:mrizzo@asu.asn.au">mrizzo@asu.asn.au</a>

### Join now



### Stay informed

[www.asu.asn.au](http://www.asu.asn.au)

<http://twitter.com/ASUnion>

[www.facebook.com/australianservicesunion](http://www.facebook.com/australianservicesunion)