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Unions escalate IR roll-back

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The trade union movement is pushing to roll back the use of individual contracts by proposing laws that would force employers to engage in "good faith" collective bargaining with workers.

The union blueprint calls for employee support for collective agreements to be tested by ballot and for "last-resort" arbitration by the Australian Industrial Relations Commission if negotiations break down entirely.

ACTU secretary **Greg Combet** claimed last night that the plan would have safeguards through support for collective agreements being decided by a majority vote of the entire workforce. "That is a very important thing, we are talking about a majority of employees - not a majority of union members," he told The Australian Financial Review.

"We are endeavouring to construct a decentralised bargaining system but ensure it has collective bargaining . . . that meets the economic challenge but respects employee rights."

Labor leader Kim Beazley has already antagonised business groups by pledging to abolish Australian workplace agreements, but his as-yet undetailed pledge to also introduce collective bargaining rights would affect far more of the workforce and will be hotly opposed by employer groups.

The **ACTU** executive will today discuss a summary of findings by a delegation of trade union leaders who studied a range of international collective bargaining laws, including those of the US, Canada, the United Kingdom and New Zealand.

The final report is due to be released in coming weeks and will set the parameters for debate on a formal trade union policy on collective bargaining at the **ACTU**'s congress in Melbourne in October.

The **ACTU** policy will in turn be a key influence on the ALP's policy on collective bargaining, which will be settled at the party's national

conference next year ahead of the federal election in late 2007.

Mr Combet said yesterday it was "no fait accompli" the report by the overseas delegation would be accepted as **ACTU** policy, but it would be an "important statement" given that a range of major unions had been represented.

Yet the details will be opposed by some union leaders, who want to swing the pendulum back further towards centralised bargaining and a return of legal privileges accorded to unions under the system of industrial awards and compulsory arbitration.

Mr Combet said his vision for unions had always been about "the importance for unions to be in the workplace seeking people's support, acting in a democratic fashion and not pining for the past where we had all these institutional levers".

"We're not keen to bring arbitration back to the fore in any system. We want a bargaining system. But if a party continually refuses to negotiate, breaches good-faith bargaining orders and there are no prospects of a negotiated settlement at all, then there should be a number of tests that would provide for last-resort arbitration, as occurs under the current system."

But Mr Combet is also pushing for a range of employee rights to be enshrined in law, including union members having freer access to workplace visits and information from union officials.

An easing of the restrictions on strikes set by the federal government's Work Choices changes is also on the cards if Labor wins government.

New Zealand has a good-faith bargaining code that sets out the obligations of parties involved in workplace negotiations, but the **ACTU** wants the requirements to be enshrined in law also.

"It's when you strike a problem through a party refusing to negotiate or undermining others in some way that you need to be able to invoke the involvement of the commission to try and get things back on track," Mr Combet said.

"You can't effectively order in any good-faith bargaining system that a party agrees to make concessions . . . but you can do a lot to facilitate agreement-making."

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