



National Office Bulletin

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your rights at work worth fighting for

This bulletin is to provide RTBU members with up-to-date and ongoing information about the Federal Government's planned changes to the Industrial Relations laws, and the union and community campaign against these changes. Regular issues covering different aspects of the IR changes will be sent to members.

The latest industrial relations package from the Howard Government is one more stage in its ongoing campaign to diminish the rights of workers in the workplace. It wants an environment where workers are reluctant to pursue improved conditions or insist on current conditions. And it wants a workplace where the employer can pretty much do as it pleases. The Government is adopting a multi-pronged approach designed to further stack the deck in favour of employers.

This includes an attack on the capacity of employees to organise collectively through their union and, in turn to negotiate a collective agreement. On the other hand the ability of an employer to avoid a collective agreement and to compel employees onto individual contracts (Australian Workplace Agreement (AWA's) is enhanced.

In other words, the package is designed to undermine collective agreements and promote individual contracts as determined by the employer.

- A union and an employer will no longer be free to include in a certified agreement matters concerning union training leave or mandating the role of a union in a DSP or the use of labour hire agencies/contractors or not using AWA's. This will be the case even though the parties agree that they should be included.
- An employer will be able to employ new employees on AWA's and in doing so employ them on wages and conditions lower than yours. This is because an enterprise agreement will no longer override a AWA (but not the other way round).
- The ability of employees to exercise their bargaining right to take protected industrial action is to be undermined by the introduction of a right for third parties (persons other than the employer) to seek to have any protected action stopped for up to 3 months because it would cause them harm.
- The Minister is also given the power to declare certain work as an "essential service" and by that means, prevent employees from exercising a right to take protected industrial action.
- Once an enterprise agreement has expired, an employer may, by giving 90 day's notice, terminate the agreement. In that case, the agreement is only replaced by the so-called minimum standards concerning a minimum wage rate, annual leave, parental leave, personal leave and a 38 hour week averaged over 12 months.

These points are only some examples of what the Federal Government has in store for workers if it can achieve what it wants.

Only by organising collectively and pursuing a collective approach to wages, conditions and rights in the workplace can the challenge be thrown down to these changes.

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