

THE FUTURE OF INDUSTRIAL RELATIONS

The defeat of *workchoices* delivered the union movement a stunning victory at the last election. So what's the future for Australian workers in 08 and beyond? To debate the question and provide some answers, The Blue Mountains Unions Council invited two major figures in the labour movement – ACTU President Sharan Burrow and former metal workers leader, now NSW senator elect Doug Cameron to address a politics in the pub at Katoomba's Family Hotel on Saturday 17th May.

Both speakers gave us plenty to figure about. Here are some edited highlights:

DOUG CAMERON

“Narrowing the gap between rich and poor”

I want to take the values I had as a union official into the Senate. Those values are common to lots of working class people.

Firstly, I want to fight for a good society and ensure there's a proper balance between the market and society.

I want to narrow the gap between the rich and the poor.

I want to develop and implement policies, which address inequality and poverty.

I want to keep that value of recognising that individually we're weak and marginalised and when we act collectively we've got hope and strength to progress decent ideas and decent policies.

I want to strongly fight for democratic values and processes both within the community and within the ALP, and after the last state conference what a job we have to fight for democratic values in the ALP.

I want to continue campaigning in the Senate for peace, environmental sustainability, health and educational opportunities for ordinary working Australians.

I want a recognition that there is a crucial role for Government in creating a good society.

The arguments that governments can't change things because of globalisation is a nonsense argument. You've seen how we can change things already . Some of the things the Rudd Government has done – saying sorry – getting rid of individual contracts – moving towards decent environmental policies are all very important.

I think the successes of the YR@W campaign was founded on many of the values that I have and you have. These values are now under attack from vested interests in business, media and some of the political establishment. Progressive forces in the union movement , the community and in the ALP have to fight back against the attack on Labor values. The ALP leadership, along with the ALP Secretariat, played a huge role in the defeat of the Howard government.

Kevin Rudd and Julia Gillard were magnificent. The people behind the scenes – Tim Gartrell – put the mechanisms in place to make sure we were professional and did the business in that campaign. But despite the best efforts of the leadership and the secretariat in my view we would not have defeated the

Howard Government unless the YR@W campaign and people like yourselves were out there influencing the community and winning seats like Macquarie.

You were the heart and soul of the campaign.

I want to make sure in my time in parliament that there's not a Labor politician who forgets that.

"without trade union values the ALP would be a hollow shell"

In this context the recent developments to try to marginalise the trade union movement within the ALP must be opposed and defeated. Without the trade union movement and its values, the ALP would be a hollow shell and no more than an election machine using the latest advertising and polling techniques to sell itself to the Australian public. The union movement is the Labor party's heart and soul.

Many activists have expressed their concerns about developments since the election. I want to urge patience and understanding of the pressures facing both the ACTU and the Rudd government. I'm not here to excuse what many feel is a lack of progress on key issues. Nevertheless overcoming eleven and a half years of neo conservatism and anti union policies will take time.

There's a number of fundamentals that I'll continue to argue for within the ALP caucus when I get there in July.

Firstly an industrial system that meets Australia's obligations under ILO conventions. Don't underestimate how important that is in terms of being able to argue our arguments within the caucus.

"abolish the ABCC"

The right to collectively bargain and the right to bargain over any issue that the parties agree to.

I don't understand why it's only the trade union movement in this country that have no freedom to bargain on any issue that we want to bargain over. Why can't we enter a contract with our employer on issues agreed between the employer and the employee?

I would also be arguing for the right to bargain at any level that the parties agree to. ...if we want to reach an enterprise agreement with Visyboard, we should be able to do so.

I will be strongly arguing for the abolition of the ABCC. It's an outrage that that body is still there taking action against individuals and it would be completely untenable for me in Parliament to support a government funded body that takes action against individual workers based on a political theory and political direction which is completely the antithesis of what I think is a fair and reasonable thing.

There should also be removal to impediments to legitimate industrial action. There should be recognition and protection for workers who undertake the role of a delegate. People who are brave enough and strong enough to stand up for their fellow workers should have some recognition and some protection.

“outlaw scab labour”

We should outlaw the use of scab labour where workers are legally engaged in industrial action. Look at Qantas. It's setting out to establish what the union there claims is a scab workforce.

It happened with my members at Morris McMahon – locked workers out earning \$12 an hour and replaced them with contract labour.

Obviously workers should have access to unfair dismissal rights.

These are some of the key issues that as a politician I'll be arguing for within the caucus. Implementation of ALP policy is a priority – the policy they took to the electorate. And they should act with resolve in negotiations with the independent senators to ensure implementation of policy. We shouldn't go in there and say the policy should be changed to meet the likes of Fielding in the Senate. We have a mandate from the people of Australia and we should act with resolve to get that mandate implemented.

In the lead up to the next election, Labor should take a package of policies to the electorate based on Labour values, and that should form the basis of a new social contract between the community and the government.

“where to now?”

If we have demonstrated our capacity to govern in a good and effective way then we can be much more progressive in the issues we take to the next election based on labour values and Labor principals.

In the context of where to now? An emerging issue is this push for an open door policy on labour migration. My position is on the record about the use of these free trade agreements that diminish rights of workers in this country. Nobody should underestimate that free trade agreements are about integrating our economy with other economies. When you integrate the economy you integrate parts of your values, parts of your system. We cannot be integrated with a country like China, unless there are democratic values, checks and balances, core labour standards available for workers in that country. I'll be arguing strongly for that.

The budget has now forecast that there'll be a total intake of immigration and temporary labour of nearly 300,000 – in the next budget period. That's up from 82,000 in Keating's last year of office, and 159,000 in Howard's final year. The Minister for Immigration, Chris Evans said Australia needs a great national debate over the next few years about the need to import – not just skilled, but semi skilled and unskilled workers. He says the system is creaking at the moment, because it's unresponsive to the new demands and the new realities. The Minister has indicated he wants a serious overhaul of the system and the system is based on a model that's out of date, and not geared to the mobile internationalisation of labour in the 21st century.

Well, the example that Chris Evans gives is the usual example you get when you talk about labour mobility. It's about a highly skilled engineer or technocrat taking up a contract with BHP and moving from one country to another. In reality what we're talking about now is not workers with those skills, but unskilled and semi skilled workers being brought in to do work that should be done by training and education and increasing the pool of labour within Australia. That is a long term position. We can't have the economy grinding to a halt because of the lack of labour but there's going to have to be checks and balances.

“workers treated as slaves”

The mobile internationalisation of labour is epitomised by what happened in Singapore with Filipino domestic workers being treated as slaves. You even see that happening in the USA with Mexican workers. We have a responsibility in this country to make sure that cannot happen here.

The influential political commentator Paul Kelly has linked increase in migration with the suppression of wage pressures within Australia, and he claims that the labour government’s plan could stimulate the race debate. It is really important that we deal with this on the basis of, not a racist approach, but on the basis of principals and understanding that there are workers who’re looking for a better life. There are countries that could get a benefit from having access to work here.

Look at me, I’m an example of that.

I came here looking for a better life. But at least I could speak English of a fashion.(laughter). And when you bring other workers here, who can’t speak English. – they’re open to exploitation and I’ve seen too much of it in the last few years with the 457 visa system. Workers from the Phillippines, from the UK , from China from Korea – massively exploited.

Now the other argument that I’ve seen is by an academic called Robert Leeson (?) an adjunct professor - and he says : bring in the Chinese. He says bring them in through the free trade agreements to make sure there’s freedom of labour movement within those agreements.

In SE Asia the overwhelming bulk of migrants are employed in low skilled, low paid jobs and many are shunned by local citizens. Most common employment sectors being construction, labour intensive manufacturing, agriculture, social, personal and service sectors. Now these are areas where there are many Australians employed and we will have to handle this extremely carefully.

Now we could ignore this and just hope it goes away, but we must engage in this debate because we must ensure that there are sufficient checks and balances. China has an estimated one million workers mobile and ready to go anywhere in the world. Indonesia has two million. Myanmar has got three million people that want to get out – no wonder. Vietnam – 340,000. The biggest is the Phillippines with 4.7 million.

We can’t isolate ourselves from labour mobility but what we can be is a best practice example of how you treat workers fairly and how you give them decent rights. And if we don’t do that, then we will be pushed down in terms of wages and conditions.

According to Prof Chris Benn in a book called East Asia Regionalism the main policy concerns in labour importing countries (which will be us) is (1) the forcing out of locals from the labour market (2) the suppression of wage levels and (3) pressure on social cohesion, demand for social services and other aspects of a country’s infrastructure. That’s so right. Those three issues are so important.

“we could see the resurgence of One Nation”

If this issue is handled badly it could see the resurgence of ONE NATION or a new party based on the British nationalist party. We have to be very careful and very intellectual in how we deal with it.

I look forward to the debate in the Labor Party. I'll be standing up for ordinary workers and their families. We can't have big business in this country using labour shortages, which is supposed to mean higher wages, using labour shortages, to drive down wages and conditions for ordinary Australian workers. We can't have the proposed free trade agreements with ASEAN and China used as a Trojan horse for increased temporary migration at the expense of Australian workers' wages and conditions. Access to core labour standards and market rates within Australia is fundamental to any increase in temporary labour within Australia. It will require proper checks and balances including access to trade unions by migrant workers to advise them of their rights. There'll also need to be migrant worker resource centres funded by the Federal Government around the country to help workers when they come here. When I came here in 1973 I moved to a hostel in south Coogee, I had professional support and advice about my job prospects. I had training. Workers who came from Turkey had training in English and that was all available. What is there now? They've brought in here and just forced onto the labour market and they're exploited by many.

This debate will demand a lot of good will if we're to avoid the negative aspects of racism. I've raised this issue as something we need to take the initiative on. Within the Labor party we just cannot allow big business, and we can't allow the ideologues of trade agreements to foist this on us and then we pick up the pieces. We must take up the initiative. This issue is an important IR issue.

"I'll be opening an office in Springwood"

I'll finish on this. I will be opening my office in Springwood – I hope this will be another important resource for progressive people in the Blue Mountains area. It's a challenge I'm looking forward to. You can be assured that I'll listen to your voice and I will fearlessly take up the issues on behalf of working people in the Labour Party caucus. We'll have to see how much caucus solidarity there is...how much policy is binding...how much caucus is binding.

SHARAN BURROW, President of the ACTU

"an army of orange T-shirts everywhere"

I want to say thank you to all of you because we couldn't have won the election (without you). We couldn't have taken back a decent Australia if in fact it wasn't for all of you. Last year I recall not only in the lead up to the campaign and the amazing work that people did, but also I recall a phone call from Doug on the day. Doug said he'd never seen anything like it. An army of orange T-shirts everywhere he went up and down the mountains and that became a symbol of optimism of determination and of sheer bloody hard work. But we learned a few political lessons and can I say for the unions at least we know we will never do politics the same again. We've always prided ourselves on being an independent voice. We will never give up our independent voice.

But I think we did something quite different last campaign. We first of all maintained a campaign for nearly three years. We mobilised across Australia in massive efforts in terms of those community protest days – strikes by any other name. General strikes by any other name. We used the technology to hook everybody up to the same meetings. But we also did something much more deeply important. We told the stories of real Australians. We did through advertising. We did it through one on one conversations.

They were critical. We doorknocked 90,000 households – YR@W teams – 90,000 households in marginal seats across Australia. An amazing effort. And I think that next time people (will) understand that it's not so scary, that it works – we can double that effort and more.

“YR@W does have a future”

The YR@W campaign does have a future – we're kicking off again with advertising – next week end.

What we achieved was massive. We had a system of conciliation and arbitration unique in the world for the last 100 years. Now we're building a new system – a system for the next 100 years that will tackle some of the issues that Doug raised. The power of multinationals. The driving force of globalisation. The integration through supply chains of small to medium enterprises with dominant companies that are often as big or bigger than national economies. We need to have a system that meets that challenge at the national level and allows us to operate on the national and international level - so it's pretty exciting to be building that system.

We hope it'll be robust.. When Doug says be a little patient I can only echo that.

Let me go through the issues quickly:

“individual contracts ended for ever”

The Transition Bill is in and done. Individual contracts ended for ever – at least while Labor is in power (applause)

A huge victory.

No longer can the boss walk in and say :sign the contract or you don't get the job. You did that. But that Bill also set in place the machinery to build a modern award system. Put a safety net back under every worker in Australia. A minimum set of standards with national legislative standards. This means that nobody should be exploited in Australia and if we find people who're being exploited we can do something about it through the new system of Fair Work Australia – the independent umpire revamped, which will be in place by 2010.

What it did immediately was put the old award system back in place as a security blanket and while wages have fallen because of the nature of John Howard's destruction, the conditions are still reflected there.

Julia Gillard has just given us another piece of this puzzle – every worker will have some award base because as well as all the industry awards, there will be an award of general application which will cover the field. So all those people working in the strips that you might think don't have award coverage in our communities will at least have a fundamental start. That's a precious gift I think for the sons and daughters and grandchildren of Australians who fought to take back a nation.

But the hard work is just beginning and I just want to focus on two bits of it.

The two bits that employers are already pushing back on is that precious area of job security and unfair dismissal protections and you're going to have to watch this space.

There is absolutely no reason why an employer should sack someone on a whim or because they don't like them or because they don't like the clothes they wear, when they have a probationary period of six months to get to know that person, and for small business a probationary period of 12 months. So if we hear of any pushback on unfair dismissal rights, we have to go out there and fight again to tell business, to tell the politicians that people deserve job security. We'll have to monitor those probationary periods to see that they're not abused.

"the big issue is going to be collective bargaining"

But the big issue with business is going to be collective bargaining. The ILO convention stipulates that workers have a right to free bargaining. What you've got now is employers saying Oh yes we know what's in the labor party policy but we don't think that's right. We don't want workers to be able to bargain in a voluntary system. Can you believe that? It's not even compulsory - it's a voluntary system.

We have a bigger vision. We want to bargain around superannuation - with profits at a 30 year high relative to wages decline. We're conscious about inflation. But we say two things. We'll not accept wages outcomes that don't maintain living standards, and we want to share through bargaining back into workers security, particularly in retirement savings of those massive profits that workers have helped to generate.

We want to bargain about skills, because this economy grew on the back of work that Doug's union and other unions and the ACTU did in the late 80's and early 90s in particular where we upskilled the nation.

We call it DECENT WORK internationally. Work that's underpinned by rights and that's our ambition.

We also want to bargain for climate change solutions in our workplace. For energy efficiency , proper lighting, for a whole range of retro fitting of buildings. We want to bargain for facilitative arrangements for workers to unlock the knowledge they have in their heads about what works and doesn't work. What drives productivity. And we're going to have a lot more ideas. So if we cant bargain around things like work and family measures, flexibility that works for workers, then we're not going to be able to do what we fought for so energetically and with such success.

"bargaining that delivers 20% more in pay packets"

The ads we're launching will be about painting the expectations of working people across Australia for what they believe rights @ work should now cover, in particular collective bargaining,. Because when the employers push back, we need every working person to know that it's bargaining that delivers them almost 20% more in their pay packets than those who aren't in the bargaining system.

"guaranteed maternity leave"

Let me say something about ongoing campaigns associated with it: I put the pink badge on that we're in the process of launching. MUMS RIGHTS @ Work. Paid maternity leave.

(Applause)

This is the year. I can't bear it if we don't get a settlement. By this time next year we'll see a guaranteed system of paid maternity leave for every woman across Australia . It has to be.

You know. My son's 30. I had paid maternity leave in the 70s. How obscene is it that two thirds of women outside the public sector don't have that fundamental dignity? We're really in quite an interesting space. Because suddenly business is on our side. The small business lobby's on our team as long as they don't have to pay.

Why are they?

It's not rocket science. It is a tight labour market and they want to retain people. They've suddenly realised the business case is absolutely strong beyond that. You know Holden gets back 92%. Doug's union bargained for paid maternity leave at Holden. They get back 92% of their women.

That's an investment – a savings on the bottom line because it costs a minimum of \$10-\$15,000 to replace a person with experience and skills. And it's also in our interest in terms of that third area that Doug touched on, which is the labour market. We do need keep women attached to the labour market and the largest untapped pool of labour is women aged 22-44.

“three areas for future campaigning”

So here are three areas for future campaigning:

1. The 500,000 Australians not in education and not in work.
2. Affordable, accessible child care and the right to request part time or flexible rostered hours to make it possible to manage work and family.
3. We don't want compulsory retirement age raised. We want people to be able to access their retirement incomes and to be able to build for that third phase of their life. But we do want people to be able to choose to work whether it's part time, whether it's three or six months a year, or any other basis.

“we're a nation of immigrants”

On the questions Doug raised, let me say he's absolutely right – we're a nation of immigrants. The ACTU policy is proudly pro-immigration. But permanent rights based migration that builds the nation. We know that there are areas where you get temporary shortages of skilled labour and that it creates infrastructure constraints. Mind you, they can be eliminated largely if we now have the chances we do based on this week's budget to upskill the nation one more time. 600,000 places, an infrastructure fund of \$11 Billion in addition to what was there for higher education already. We can start to make a difference and we can demand that employers start to invest again in structured training that gives people opportunities.

But where beyond that when there is a shortage that has to be filled on a temporary basis we will not stand back and allow people to be exploited. Equal treatment is the international principle Doug raised in the context of wages and conditions.

So there's an enormous amount of work to do. But you know, it's so optimistic.

I must say there's a demonstration trend in Melbourne. If you saw the photos. The cabbies sat in the city square and took their shirts off until they got attention a few weeks ago. It's pretty interesting to see the

pensioners sitting on the streets of Melbourne and taking their shirts off – the unions are watching this and thinking: maybe we missed this tactic.

To see the last Budget that turned around the bias from the top end of town to working Australians – the last set of interest rate rises, the cost of petrol and child care and food, we're looking at low income people having to fork out about \$60-\$70 extra a week. The truth is they just don't have it. So to see (the Budget) – the investment in skills, the investment in infrastructure – I felt an overwhelming sense of relief.

“they hate the fact that trade union leaders went into parliament”

Can I just tell you that they may hate the fact that union leaders went into that parliament. But last Tuesday (Budget) night to see Greg Combet, Bill Shorten, Craig Thompson, Mark Butler – these are all our leaders and there are a whole swag of others who we supported. The 26 people who got into that parliament because you ran Rights@work campaigns – and I can tell you that your own local member (Bob Debus) knows it and won't forget it. He's already helped out the MUA in a dispute in Darwin. So those people know that your values, our values – the shared values that working people have are there to be defended and enhanced

We are going to have to stand up again this year. I'm not kidding you. Business will push back and we have to have our forces out there. I just want to ask you one thing in closing:

“Qantas”

Can you get on your email or write a letter to the paper or ring radio and say to the Qantas management – no worker should be asked to accept a pay cut in real terms. 3% is below the cost of what it requires to maintain your living standards. Inflation running at about 4.2% - it's pretty elemental maths. And for a hangover of *workchoices* to be demonstrated so ably by Geoff Dixon this week saying : I will give 3% - not a dollar more – it will cost me too much! He's just forecast a 1.5 billion dollar profit!

People feel a great deal of affection about Qantas – it's a national icon. Remind him your watching. Urge him to do the right thing by working Australians and allow them to maintain their living standards.

Burma

I'm not at all religious, but if there is a god, please ask that he or she tries to protect those people in Burma. We're very close to the Burmese and to watch that horrible military junta – not let aid workers in - confiscate aid – just sends shivers up my spine. To know that there are millions of people there who just might die of awful diseases, having survived the cyclone. Donate to the Apheda appeal if you can afford it. So we can at least get some relief in because we do have a network through our Norwegian colleagues in our solidarity aid network called SOLIDAR. We can get aid delivered through the monks network so if you can donate a dollar or three get on the Apheda website and do it for us today.

In solidarity thank you.