

JOIN THE MOVEMENT
FOR CHANGE

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RULES

Join Australian Unions

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JOIN THE MOVEMENT FOR CHANGE

Time and time again generations of Australian workers have come together, stood up against injustice, inequality, and greed.

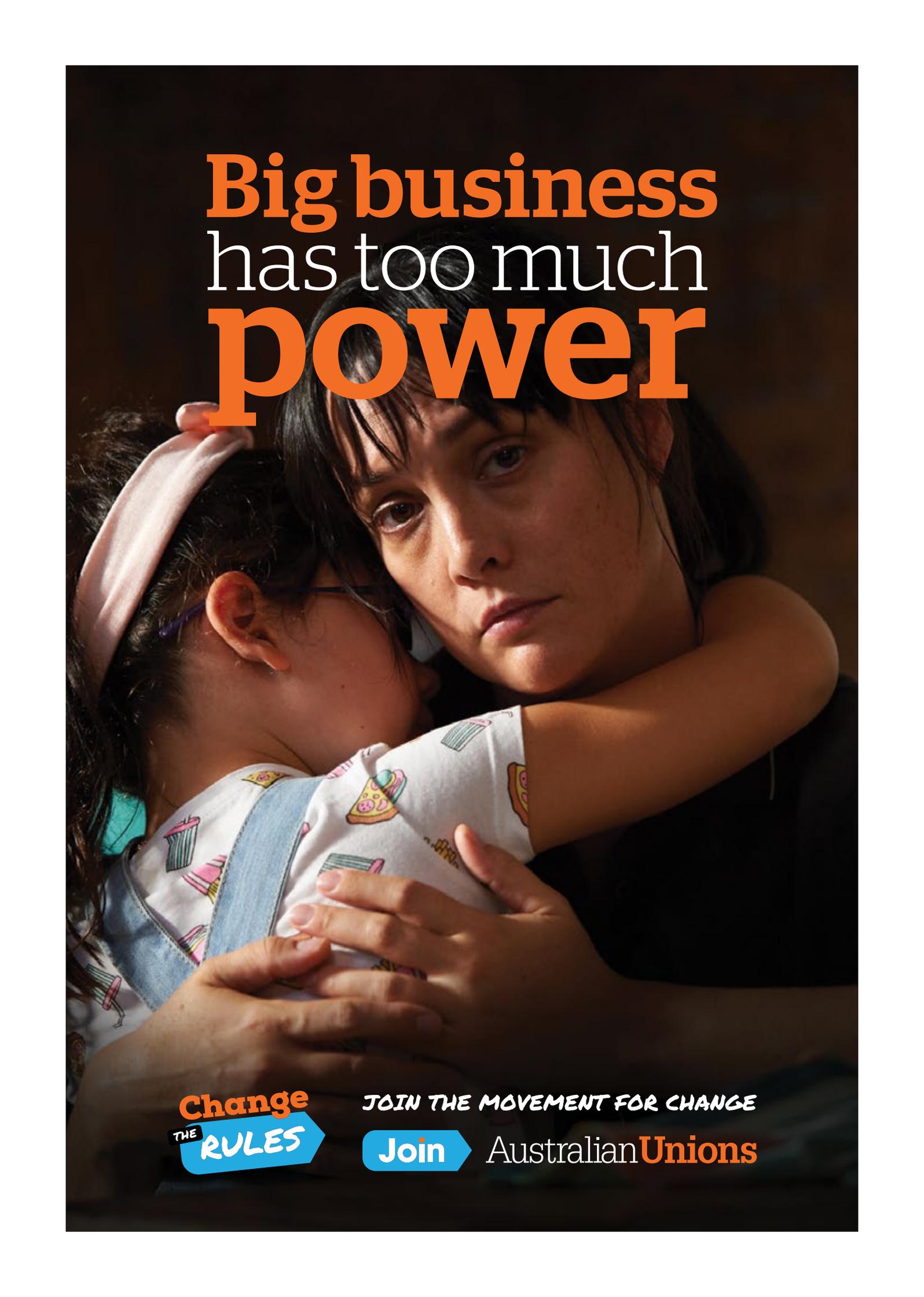
This Federal Government – and many in big business – will do everything they can to stop us, to demonise us, or to make this task as hard as possible.

Because they fear the power of working people banding together.

Because when Australians work together, they are mighty, and unbreakable.

Be mighty. Be unbreakable. Join your union.

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Big business has too much power

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Our story

Big business has too much power.

Thirty years of experimenting with trickle-down economics has failed to provide secure jobs, or fair pay rises.

Even though profits are booming, a third of big business still didn't pay any tax. And many are engaged in a race to the bottom on wages and job security.

The rules are working for big business. Business has massive profits. Executive bonuses are at all-time highs.

But for working people, the rules are broken.

Wage rises have flat lined. Too many people are in casualised and insecure work, and inequality is at a 70-year high.

The gap between the very rich and everyone else, is at record highs.

Australians can get a pay rise and secure work, but they need to join their union, so together, we can change the rules.

Changing the rules will allow working people to win more secure jobs and fair pay rises.

It will give us stronger effective universal rights, that can be enforced.

We need to change the rules for more secure jobs.

We need to change the rules so working people can win fair pay rises.

We need to change the rules so workers have rights that can be enforced.

And we need working people to be put before multinational corporations.

It's time to change the rules.

This is only possible if we build our movement.

Join with us to build a strong movement that can change the rules in your workplace and in our country.



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SECTION ONE:

More secure jobs

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More secure jobs

Too many workers in Australia today have no job security.

They can't predict or plan their lives because they don't know from one day to the next what hours they will be working.

They are too frightened to take a day off work sick out of fear of losing their job.

They can't plan for tomorrow or save for the future.

Having a job you can count on is the very foundation of the Australian way of life, and if we do not act now we will lose the ability to spend time with the children; go on holidays; be able to take paid leave if a child is sick; or take time off if a family member dies.

The rules can be changed so jobs with rights and basic security are restored.

Other countries limit the duration of temporary, non-standard employment and the circumstances in which it can be used. In the UK, temporary agency employees must receive the same rights as permanent employees, after twelve weeks.

Yet in Australia, casual and labour hire work with inferior rights and protections can continue forever, indefinitely. This must change.

Australian workers need a permanent fix to the problems associated with casual work

Casual employment should be limited and properly defined

Workers can remain casual for years – the average tenure of a casual worker is just over three years. This isn't because those people want casual work, but because there's no other option. Workers deserve the right to convert to permanent work and to negotiate for job security protections.

The problem

Around four million workers in Australia are in insecure work.

These casual workers are on rolling contracts, employed by labour hire companies, and are employed as sham contractors, or work in the so-called “gig economy”.

Casual workers often don't know when they will be working. They don't know how much they will earn, and they don't get paid annual leave or sick leave. Casual workers have less bargaining power and less protection from being unfairly dismissed.

Big business calls this “flexibility”, but the flexibility is a one-way street, with the workers having little choice or control over their work arrangements.

The definition of what it means to be a casual is too open to abuse. Employers call workers casual even if they have been working the same hours for years.

The solution

Our laws need to properly define casual employment and not leave it up to employers.

Casual workers should be used for casual work, that is, to meet unforeseen workload peaks, irregular or short-term work.

Casual employees, and those on rolling contracts, who have worked on a regular or systematic basis for six consecutive months, deserve the right to convert to permanent work if they choose.

We need to change the rules so big business can no longer deny people basic rights by denying them permanent positions.

CASUALISATION



Audrey is a casual lecturer at Deakin University. She's taught at Deakin since 2015. For 3 years Audrey has been employed on rolling casual contracts, whilst seeking an ongoing position. As a casual academic, she often doesn't know whether she will have teaching work until a week before the trimester begins.

Despite being highly qualified, Audrey has to rely on the goodwill of ongoing academic staff who offer work. There is little to no work over summer, and there is no career progression.

An ongoing position would enable her to break out of the cycle of precarious, insecure work. It would mean that she could start saving and make long-term plans for her future.

Equal rights for all workers

New forms of work are creating two classes of workers – those with access to rights and those without them. Sham contracting and the so-called “gig economy” are taking away:

- The minimum wage,
- Sick leave,
- Public holidays,
- Health and safety protections and more.

This is taking some workers’ rights back 100 years.

Australian workers of the past made sacrifices so all working people had these rights, not just some.

The problem

One of the tactics used by big businesses to drive down wages and make work more insecure is sham contracting (telling workers to go and get an ABN). This is the foundation of the “gig-economy”.

Workers in the so-called “gig economy”, where workers are on demand, and only get paid piece rates for completing individual tasks are classed as independent contractors.

These workers are often paid below minimum wage; denied access to workers’ compensation; carry all the risk; don’t have paid leave; sick leave; or superannuation; can be unfairly dismissed, and are denied the benefits of collective bargaining.

The solution

We need new rules so all working people have the same basic rights, including the right to collectively bargain.

FOODORA



Josh delivers food by bike. He has no access to basic workers' rights like sick leave, paid leave, or superannuation. His contract is overly complex, and the rates of pay barely keep up with the cost of living. On his wages, he is faced with the reality of never being able to afford to buy a house.

After Josh spoke out about being underpaid, he was sacked by Foodora and he is now taking unfair dismissal action with his union.

Complete overhaul of labour hire

The problem

The labour hire business model is simply to rent out workers, usually at lower pay and with little job security. They operate with few checks.

Australia is now near the top of OECD country rankings for use of labour hire or agency work.

Labour hire companies have also been involved in a litany of exploitative, illegal practices in some industries such as:

- Wage theft
- Coercion
- Substandard living conditions

Labour hire is being used to undercut and reduce wages and to avoid enterprise agreement rights.

Workers in labour hire companies have fewer rights, uncertain working rosters, and lower pay. Many workers await a text message each day to see whether they will have a shift. They're unable to budget, get a loan, or deal with any unexpected living costs.

Labour hire workers lack the security to bargain for a pay rise, because they are only able to bargain with the labour hire company – not the host employer who benefits from their work.

This practice drives down wages and conditions across entire industries.

The solution

We need to take away the rewards that go to labour hire companies who bid down pay and job security to win contracts. A labour hire worker must have the same rights and protections that a directly employed worker has.

Put simply: Same job – same pay

We need a national labour hire licensing system where labour hire companies are properly regulated to ensure wages and job security are not cut.

Labour hire workers need protection from unfair dismissal decisions made by host employers and they need the right to bargain with the host company who has the power, so they can win fair pay rises and gain secure work.

LABOUR HIRE



Anh and Mahani were employed by a labour hire company, working on a farm where employees are paid between \$10 and \$12.50 an hour, significantly below legal minimum wage.

The contractor did not pay superannuation, tax, and public holiday rates.

They have no job security, are unsafe at work, and fear being sacked. They could not ask for a pay rise.

They were even forced to buy their own work boots.

Their union helped these workers get into a collective agreement. They were able to get more secure work and fairer pay. By being part of their union, they accessed better rights at work.

The right to be treated decently and fairly in the workplace

The problem

Too many corporations make decisions that have devastating impacts on working people, their families and their communities without even bothering to consult with them before turning their world upside down.

Corporate headquarters are now more distant from the places where much of the work is being done, and the executives making decisions are disconnected from the people who do the work.

Jobs are altered according to business need with no thought to how the person will be trained, what their aspirations might be, or how they will be able to succeed in the changed role. Workers are unable to plan for their future and the uncertainty can cause major problems for them in their personal lives.

Workers who try to constructively participate in the planning and future success of their organization are viewed with suspicion rather than as having a genuine concern for their organization and desire to see it succeed.

The solution

Workers must be consulted, through their unions on major challenges that their workplace is facing, before those challenges become a need for change, so they can actively participate in overcoming those challenges and secure a future for their work.



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End uncapped temporary working visa system

The problem

Our Government is shipping in exploitation and taking away job opportunities for locals.

Two groups of people are suffering because of this system: Those visa workers who are being exploited and local workers who cannot get a start as employers opt for hyper-insecure workers who can lose their visa if they ask for a fair go.

One in ten workers, or 1.4 million people, is on a temporary visa with work rights.

In regional areas where there is high youth unemployment, employers can simply choose temporary visa holders. This takes away opportunities for young people, and removes the incentives for employers and governments to invest in training local workers.

This system of employer-sponsored “guest” workers, gives the employer all the power. It results in workers being exploited, particularly in poorly regulated industries, including, agriculture, construction, meat processing, hospitality and accommodation.

Having a huge group of vulnerable workers readily available allows big business to undermine job security and pay for everyone.

The abuse of temporary visa workers by big businesses creates a race to the bottom on wages and job security, hurting Australian communities, and people on the temporary work visas.

The solution

The system should favour permanent migration with temporary visas being issued only for genuine shortages, and with strong protections against abuse.

We need to change the rules to stop workers being exploited and to ensure that locals are offered jobs and trained first.

All workers – no matter where they are from – need more rights, to be paid properly, and have basic job security and be safe.

STOP EXPLOITING TEMPORARY WORK VISAS



Janaeda is trying to find work in Tamworth at the same time she juggles childcare responsibilities. With some companies in town employing 80% migrant workers it can be hard for local workers to find a job.

Migrant workers are often exploited and paid well below the minimum wage, meaning that local workers like Janaeda struggle to compete with the huge numbers of underpaid workers.

Her union is gathering evidence of local workers in Tamworth struggling to find work, and assisting young people locally in finding a job. With help from her union, Janaeda doesn't have to do this alone.

Skills for the future

The problem

The experiment of privatising vocational education and training has been a disaster. Too many young people are now priced out of education.

The government has cut investment to our schools, universities and TAFE sectors and as a result, young people are unable to get the skills they need for more secure jobs.

Australia has a youth unemployment crisis: Youth unemployment is between 15 and 20%.

TAFE funding has been cut by 15%. Apprenticeship numbers have crashed by 34%. Publicly-funded places at universities have been frozen.

Meanwhile, big business claims it can't find local workers, and needs to import 1.4 million exploitable temporary working visa holders.

The solution

The government must rebuild the funding for TAFE and universities.

This, in combination with the other policies, will ensure young people gain the skills and training they need to find secure work.

TAFE



Sarah works at a TAFE in Melbourne where she's been teaching foundation studies, community services and VCAL for over ten years. Because of the lack of TAFE funding, Sarah's students are unable to access the resources they require to get the skills and experience they need for the industry.

Sarah works with disengaged young people, and resources are critical to being able to assist people to improve their lives by accessing secure jobs.

Because of the cuts, there are now fewer places for students, which the TAFE uses to justify employing teachers on an insecure basis.

More secure jobs from free trade agreements

The problem

The government must stop negotiating free trade agreements that sell out local jobs.

These trade agreements are also not free. They are a complex set of rules negotiated by governments, pushed by big corporations. The Turnbull Government has signed up to the TPP which, on the back of the China Free Trade Agreement, allows companies to ship in their own workforces and ignores local workers.

Under the Trans Pacific Partnership, corporations will be able to bring in exploitable temporary visa workers from Canada, Mexico, Chile, Japan, Malaysia and Vietnam. They don't have to even advertise these jobs in Australia. This is another six countries on top of: China, Thailand, South Korea, New Zealand and Singapore that already have exemptions.

This allows businesses to supply their own workers in Australia from these countries in 435 occupations including nurses, engineers, electricians, plumbers, carpenters, bricklayers, tilers, mechanics and chefs.

The China Free Trade Agreement is even worse because it allows Chinese investors to bring in their own workforce altogether if they partner with an Australian company. For example, Gina Rinehart's Hancock Prospecting can enter into a business deal with a Chinese company and then build a mine with workers shipped in from overseas.

Free trade agreements make it easier to dump cheap products on the Australian market undermining local industries and jobs.

To top it all off, they contain Investor State Dispute Settlement mechanisms which allow foreign companies to sue the Australian government if they make decisions that the companies don't like, such as protecting public services from privatization or raising the minimum wage. It's done in a secret court, that working people are removed from. This is the selling of our jobs and of our sovereignty to suit the greed of a few.

The solution

Australia's government must only enter into trade agreements which defend and improve wages and job security for Australians.

Trade agreements should not be able to bypass our laws regarding the movement of people between countries just for the benefit of corporations. These laws are essential to protect the interests of workers.

FREE TRADE



In 2016, the Chinese workers that came to Australia and were granted visas under the China Free Trade Agreement were exploited and paid a fraction of their legal entitlements. Some were paid just \$75 a day and worked six days a week. They were denied penalty rates and superannuation. These were jobs that could have been filled by locals.

Use government buying power to create secure local jobs

The problem

Governments are the largest purchasers of goods and services. They spend over \$450 billion each year. They could be using their purchasing power to secure jobs.

Instead, the Turnbull Government prioritises what's cheap, rather than what's best. Tax payers money should be used to support secure jobs, and local businesses.

Many overseas suppliers are not bound by the same standards to which Australian businesses adhere, this means many local businesses with good practices who support permanent employment miss out.

Too often the government only looks at the short-term bottom line, rather than what's best for our communities and working people. We are missing out on the multiple positive effects of sourcing labour and products locally.

This short-sighted view can have serious long-term consequences: Like the Korean manufactured trains being imported into Sydney, which don't even fit through the tunnels. By comparison in Victoria the government awarded contracts for local trains to local manufacturers.

If governments just purchased Australian-made cars in their government fleets, we would still have an Australian car industry, and all the high-skilled jobs that went with it.

The solution

The Commonwealth Procurement Rules must be re-written to ensure that the local businesses that pay fairly and provide secure jobs are not disadvantaged.

End the race to the bottom by ensuring contracts are awarded to those bids that provide the overall most economic benefits, rather than just an assessment of cheapest cost.

WE WON'T WAIT!

Access to 10 days' paid Family and Domestic Leave must be a fundamental right for all workers. It should be as accessible as any other leave.

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Time to care

The problem

The vast majority of working people have a responsibility to care for children, a sick relative, or an elderly parent.

But because of our broken rules at work, working people do not have the right to go to part-time work, or reduce their hours to meet these caring responsibilities. Employers can simply deny people's requests for part-time or reduced hours.

And because there's no guarantee you can have time to care, and no guarantee to return to work at your pre-existing job and hours, working people face huge costs of childcare or care for their elderly or sick loved ones.

The alternative is often to just give up paid work altogether for a period of time.

The solution

We need to change the rules so people have the right to part time or reduced hours and the right to return, when their caring responsibilities have reduced or ended.

TIME TO CARE



Stuart works as a disability carer but like more than 85% of Australians he has caring responsibilities of his own. When Stuart's boss tried to change the rosters of a handful of part-time staff at his workplace, Stuart let them know that the changes would mean he wouldn't be able to drop off his son at school.

Even though his employer knew about Stuart's childcare responsibilities, they made the changes to the roster. Thankfully, his union was able to challenge the changes and eventually got them reversed. Unions will fight to ensure working people have time to care.



SECTION TWO:
Fair pay



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Fair pay

Winning fair pay rises.

Inequality is skyrocketing in this country: More money now goes to business, and business refuses to share.

Wages are not keeping up with labour productivity increases or with the growth in company profits. We are not getting our fair share.

The Reserve Bank Governor thinks workers should just ask for pay increases and Treasurer Scott Morrison thinks they will trickle-down, but neither approach will work. History and simple logic tells us otherwise.

There are three main reasons employers give pay rises:

1. To keep or attract small classes of workers with highly sought after skills.
2. When the law requires them and their competitors to or;
3. When their workforce has enough collective power to negotiate them.

Wages are flat-lining because people's rights at work are broken. The law doesn't require sufficient pay increases, and our laws are not balancing out the power of employers.

Australia needs a pay rise.

Awards that improve with community standards

The problem

When we moved to an enterprise bargaining system, we imagined that the vast majority of Australian workers would be covered by enterprise agreements. Awards would only be a safety-net for a small number of workers.

In response, our award system has been stripped back to the bare minimum. But, enterprise bargaining is failing, and increasingly people are depending on hollowed out awards. In the eight years since 2008, the number of workers relying on awards jumped by 50% to nearly one-in-four workers across the country.

There are now 2.3 million workers on award wages.

The system of awards was developed to ensure people had rights to fair wages, job security, penalty rates, rosters, and leave. The awards are supposed to provide for the rights of working people against the excessive power of big business. But they don't.

The solution

Awards must meet the needs of working people and do the job of protecting their living standards.

This will also ensure business can compete fairly and that those employers that do have agreements with their workforce are not unfairly undercut by those who do not.

We need to change the rules so the awards provide the right to fair pay and secure work. The awards need to be able to be improved over time, reflecting community standards.

Unions must have the ability to argue for – and win – changes to awards so that they keep up with the demands of living in the 21st century.

AWARDS



Melanie is a hairdresser from Newcastle and has worked in the industry for 9 years.

Since entering the industry at the age of 15, Melanie has experienced wage theft, including not being paid penalty rates and superannuation.

“I became a hairdresser because I wanted a rewarding, creative job – but you quickly realise there isn’t much glamour with the long days and low wages. It’s hard to sustain yourself and get by on the wages we get”.

Hairdressing is one of the lowest paid trades in Australia. Hairdressers study for a minimum of 3 years to be qualified – only to get paid an hourly Award rate of \$21 per hour.

“In past jobs I have worked 12 hour days without lunch breaks. That’s the moment when you learn your toilet break is actually the only break you really get as a hairdresser. You learn to savour those moments particularly over the busy Christmas period”.

Restore penalty rates

The problem

Hospitality, pharmacy, retail and fast food workers will have their weekend and public holiday pay cut again from 1 July and will face more cuts next year and the year after depending on the industry.

This is a pay cut that these workers don't deserve and cannot afford.

From July 1, these workers will face reductions in their weekend and public holiday pay every year for three-to-four years, depending on the industry.

On July 1, 2018, Sunday rates will be cut by another 15%: In total an estimated \$1.3 billion would be cut from workers' pay packets from the reductions in penalty rates.

Since the penalty rates were cut, consumer spending has declined and the jobs that were promised have not materialised.

The solution

The Parliament must restore penalty rates to the pre-July 2017 levels, and the law should stop business from being able to impose cuts to workers' pay packets.

PENALTY RATES



Brett is a retail worker from Tasmania, he is married with two young children and his family means everything to him. To provide for them, he works every Sunday, when most parents are spending time with their kids. When penalty rates were cut, so was Brett's take-home pay. This has a serious impact on his family life, and the time they get to spend together.

When the changes to penalty rates are fully implemented, he could lose up to \$70 each week.

Brett is heavily reliant on Sunday penalty rates to put food on the table, and to pay his rent, registration and utilities.

A living wage

The problem

Minimum wages are a part of our award system. We were the first country in the world to win a living wage – the concept that no worker or their family should live in poverty – over 110 years ago.

Over the years this concept has been eroded by successive conservative governments. Now our minimum wage is so low it leaves people in poverty. The minimum wage has risen only 3.5% in real terms over the last decade.

But some full-time minimum wage workers are living in poverty, and the majority of these workers are women.

Over the last 100 years, the minimum wage ensured workers had enough for a decent standard of living. But now, because big business gets too big a say in how the minimum wage is set, the rate has fallen well below the poverty line.

People on the minimum wage don't have enough money for a decent life. They have less to spend in their communities. And as a result, local businesses can't employ more people.

The solution

Many countries have adopted 60% of the median wage as the legal minimum to ensure it is a living wage. This is what we should do as well.

A living wage must ensure all working people are able to afford decent housing, a healthy diet, a good quality education, healthcare, transport, electricity and other energy costs, clothing, entertainment and a contingency for unexpected expenses.

The benefits of increasing the minimum wage would flow through local communities. When workers have more money to spend, local businesses benefit, and can employ more people.

A LIVING WAGE



Imer is a father of three. He's a cleaner at a public housing estate in Melbourne. He is one of the 2.3 million Australians trying to survive on the award minimum wage.

Imer's work is not only hard work and dirty work, it's also dangerous due to the drugs and violence in the estate. Despite these risks, he only earns \$19.53 per hour.

He has three kids all living at home. Every day he has to make tough choices to pay the bills. Any extras are off the table: There are no meals out, or holidays.

We desperately need a raise so people like Imer and his family can better afford to get by, and we need to change the rules - because our award minimum wage system is broken.

Free and fair bargaining

The problem

The rules are stacked against working people in bargaining.

Our rules for bargaining are complex. They get in the way of improving wages and conditions.

There are strict rules about what's permitted in agreements, and there are restrictions on who can be covered. A worker's right to withdraw their labour in support of fair pay rises and secure jobs should comply with ILO standards. The only form of collective bargaining allowed is at the enterprise level even though this is often not where the real decision makers are.

Corporations can organise their workforce in order to avoid enterprise bargaining. Workers employed in subsidiaries, labour hire, franchisees, and outsourced supply chains are excluded from bargaining with the real decision makers, the people with the power to say yes.

Workers are prevented from bargaining across an industry even though this might be what's required to stop rogue employers from gaining an unfair advantage by underpaying workers.

Employers are not required to provide information to workers or their representatives when negotiating a new agreement.

At the same time employers can use the "nuclear option" and have the Fair Work Commission terminate existing agreements to blackmail workers into accepting lower pay and inferior conditions. But workers can't ask the Commission to arbitrate to settle intractable bargaining disputes that sometimes drag on for years.

Employers can easily lock out workers for extended periods of time and don't have to jump through all the hoops required of workers before they can withdraw their labour.

Employers can even impose an agreement on workers who weren't represented in negotiations. Australia is the only country in the world where an employer can make a legally binding non-union collective agreement.

Some employers even use sham agreements voted on by a handful of people who will never actually be in the jobs covered by these agreements.

The result is a wages crisis. Australia has experienced the lowest wage growth over the past four years than at any time in the history of the current records. There are fewer people with collective agreements now than at any time since before the global financial crisis of 2008-09. Since 2014, there are hundreds of thousands fewer workers covered by enterprise agreements.

The solution

We need to get rid of the complex web of rules and regulations that give far too much power to employers in bargaining. Workers should be free to bargain collectively and reach a negotiated agreement with employers without restrictions.

New rules should lift the restrictions on who can be covered and what can be included in a collective agreement.

Workers and their representatives must be allowed to negotiate with the people who have the economic power to say yes, whether that is at the enterprise level or at the industry, supply chain, site or project level.

Employers and their representatives must be required to provide relevant information to assist negotiations.

All new collective agreements must have workers' representatives involved.

Terminating existing agreements must not be a weapon available to employers seeking to get an advantage in negotiations.

Workers' rights to withdraw their labour must be aligned to ILO standards.

The Fair Work Commission must have the power to settle long running disputes.

The workers who vote on an agreement must be representative of the workers who will be covered by the agreement.

BARGAINING



Karen works in the finance team at the Port Kembla Coal Terminal. She's a single mum. The workers have been bargaining for two years, with a company that seemed as though it wasn't serious.

After two years of negotiations, the company applied to terminate the agreement, cutting the wages of its workers. It then locked out its workforce. Karen felt as though the rug had been pulled out from under their feet.

All the workers wanted was to maintain some of their current conditions. Now, she's worried that she will be pushed into insecure work, on an individual contract. She's worried that if she loses this position, at her age, it will be difficult to find another.

“

The CEOs are making millions in bonuses but

our pay just isn't keeping up”



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Paid family and domestic violence leave

The problem

Australia has a crisis of family and domestic violence.

And it overwhelmingly affects women. One of the basic requirements for being able to leave a violent relationship, and to recover from the trauma, is economic independence. That means having a secure job. Under our current broken workplace laws, most people are unable to access paid leave, in order to leave a violent relationship.

Family and domestic violence leave allows an employee to take the paid time they need to attend medical, legal or financial appointments, or to relocate or ensure their children's safety, without financial disadvantage.

Too many employees face an unacceptable choice between their and their family's safety and their job.

Under our broken rules the Fair Work Commission was unable to award this paid leave for all workers that would save lives.

The solution

Everyone deserves the right to access paid leave to leave a violent relationship.

We need to change National Employment Standards to include ten days paid leave for all workers. This should be a universal right.

These workers should also have access to other proven effective support measures such as access to different working arrangements and changed contact details such as phone numbers and email addresses.

DOMESTIC VIOLENCE LEAVE



Sam is a domestic violence worker. Every day she supports women to live safely – free of the threat and injury of domestic violence. She knows the crucial difference 10 days paid Domestic Violence Leave will make to women and their children.

The women Sam supports may need to seek medical treatment for injuries; to go to the police to make statements; find safe alternate accommodation; attend appointments at Centrelink for income support; speak with staff at school regarding their children, and attend court for ADVO and related charge matters. It may also jeopardise their employment. If women are unable to attend to these tasks they, and their children are at significant risk of experiencing further violence and abuse.

Every day women experiencing domestic violence are put in situations where they are expected to choose between the financial independence of work and safety because there is no alternative. This is a choice no one should ever have to make. Sam knows paid leave could save lives.

Close the gender pay gap

The problem

Our broken workplace rules see women paid 15.3% less than men. In the last two decades, this has barely changed. Men working full-time earn \$253.70 more per week than women on average.

At every stage of their lives, women are paid less, and on average, women retire with 47% less superannuation – many in poverty.

The fastest growing population of homeless people in Australia is women over the age of 55.

The laws that are meant to promote equal pay and a secure retirement do not work for working women.

Women are also more likely to be impacted by our broken laws which make work more insecure and drive down wages.

The solution

We need to change the rules for all working women: from inquiry after inquiry, we know what's needed.

We need to fix the broken equal pay provisions, ensure pay equity is central in the bargaining framework, and award review process, and establish an expert Pay Equity Panel of the Fair Work Commission to hear equal remuneration claims.

We need to change the rules around awards to overcome the historical gender-based undervaluation of work in female-dominated industries as previous inquiries have recommended.

To assist in overcoming the massive superannuation pay gap, we also need a superannuation accumulation pathway to address the retirement needs of low income earners, and look to the elimination, or reduction, of the minimum threshold for compulsory employer contributions of \$450 per month.

GENDER PAY GAP



Lucy is an early child educator. Like 97% of her colleagues, she's a woman. Because her role is seen as "women's work", educators are paid as little as \$21 an hour – half the national average wage. Early childhood educators are some of the lowest paid professionals in the country. Lucy has been waiting years for equal pay. The Fair Work Act has failed her, and can't deliver equal pay.



SECTION THREE:
**Enforceable
rights**

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Enforceable rights

John Howard's WorkChoices abolished our unique and effective system of conciliation and arbitration and sidelined the industrial umpire. The Fair Work Act restored the umpire, but with limited power. Since then, the Abbott/Abetz/Turnbull/Cash/Laundy Government have been stacking it with their business buddies.

Our weak industrial umpire is part of the reason why we see this escalation in wage theft.

It should be quick and easy for working people to enforce their rights.

Working people should be able to access a fair system, to get back stolen wages, and superannuation. When an employer breaks an agreement, or an award right, or acts unfairly, we need an umpire who can enforce the rules.

The Fair Work Commission's independence must be restored, and it must be given the power to stop employers, who rip off or treat their workers unfairly. Now, more than ever, we need an effective and fair independent umpire to hold the power of big business in check.

Wage theft is rampant because workers' representatives have very limited rights to inspect pay records or access workers who are vulnerable to being ripped off.

These two issues combined mean that some employers are breaking our laws because they know they can get away with it. This is not just affecting working people, but it is hurting all the good employers who are following the law.

A strong independent umpire

The problem

Under the broken rules, the Fair Work Commission is only able to resolve workplace disputes when agreements specifically empowers them to do so. A very small percentage of working people have access to these rights.

We do not have a strong, independent umpire who can resolve issues quickly and fairly. As a result, too many employers just get away with unfair behaviour and working people do not have fair access to justice to enforce the rights they already have.

The commission has virtually no power to stop wage theft or theft of workers' superannuation by unscrupulous bosses.

Bargaining for fair pay rises can go on for years.

The Fair Work Commission has been stacked by the Turnbull and Abbott Governments, and workers have lost confidence in the ability of the commission to counterbalance the power of employers.

The solution

We need to change the rules so we have a strong and independent umpire to resolve disputes, stop wage theft, create new rights for working people, and to help bring collective bargaining to a successful conclusion.

STRONG UMPIRE



Delia works for the CSIRO and was involved in the last round of “hostile, chaotic, and unworkable” enterprise bargaining. The process dragged on for three years of hostile negotiations, industrial action, and voting – just to keep secure, ongoing employment, and flexible working hours. At the same time, one in five CSIRO workers lost their jobs.

The bargaining dragged on and on, and the workforce were unable to genuinely negotiate with the employer. A workplace umpire would have been able to resolve this dispute in a timely way.

And now, the federal government has put out another bargaining policy that says workers can't have clauses around job security or union representation rights in the next agreement.

Ending wage and superannuation theft

The problem

Under the current broken laws, the theft of workers' wages and superannuation is not only rampant, but it's becoming the business model, fueling a race to the bottom on underpayment of wages.

This is impacting entire industries, as businesses from celebrity chefs to multinational pizza chains steal workers' wages.

A third of working people are underpaid superannuation.

Recovering stolen wages and superannuation is slow, complex, and expensive.

Companies that steal wages and super often take a calculated risk knowing that the chances of being caught is very low, and the penalties are relatively small.

It's too hard for working people to recover their stolen wages. Many impacted workers are in highly vulnerable positions, and speaking out could see them punished, or lose their job. Expecting underpaid workers to launch their own legal proceedings is deeply unfair and unrealistic.

The solution

Working people need their representatives to be able to check that their rights are being respected and their entitlements are being properly paid. That requires their representatives to be able to talk to the workers and inspect the relevant work records.

We also need to change the rules so that working people have access to a quick and effective process to recover stolen wages. We need adequate penalties to stop the theft happening in the future.

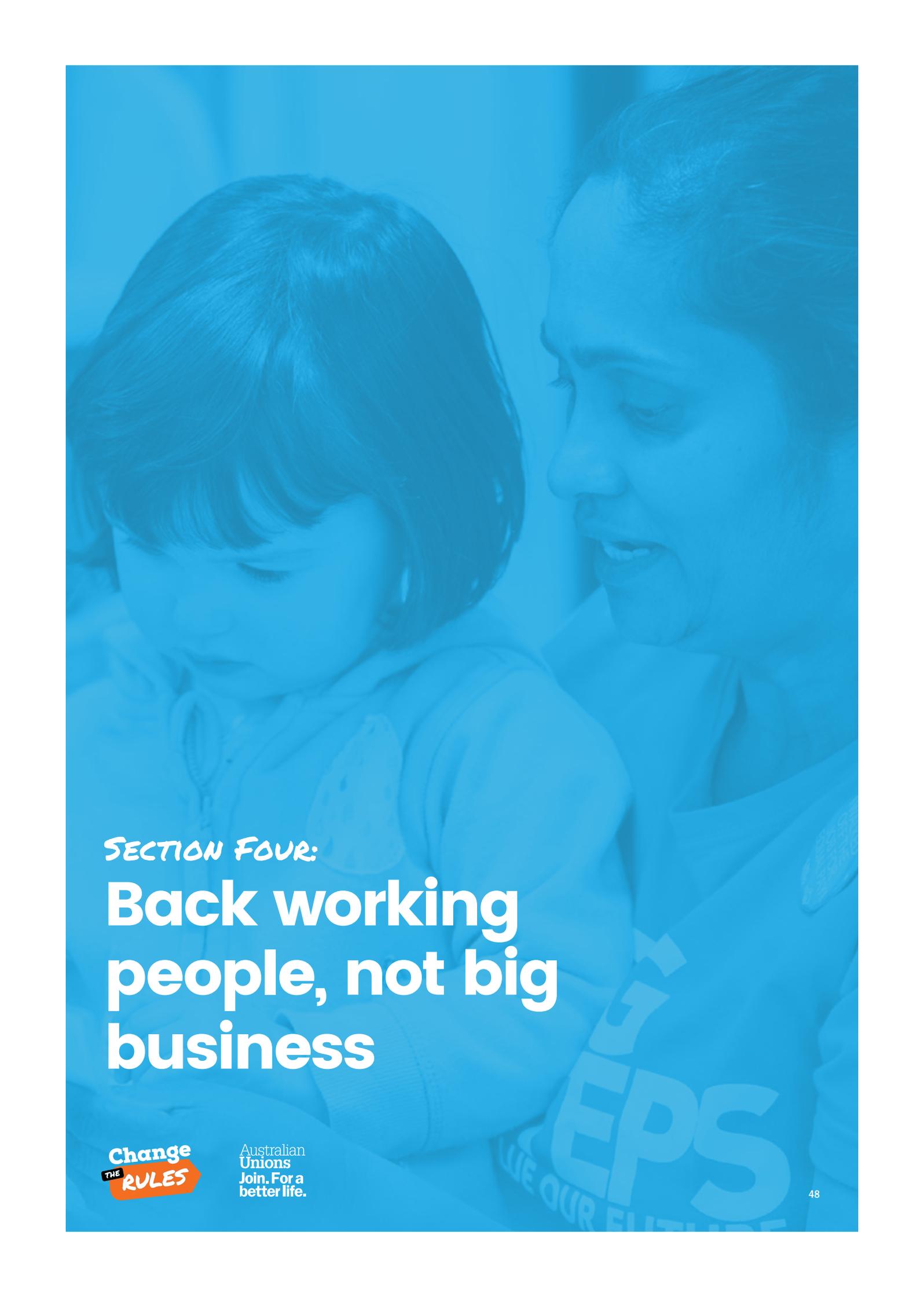
We need to stop the theft of superannuation, by not simply leaving the task to the tax office. Superannuation is a workers' right and it should be written into our workplace laws.

WAGE + SUPER THEFT



Ryan installed electricity meters for a company in South Australia. He was one of six workers at the company who noticed their wages and super were being stolen. He was not being paid annual leave or other entitlements. Ryan asked the boss about the issue and was sacked. He was threatened to not pursue the issue.

After a year of expensive legal action to get wage justice, the workers are still unable to recover their stolen wages.



SECTION FOUR:

Back working people, not big business

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Back working people, not big business

People must be supported to join and participate in their unions.

Unions are an essential part of any functioning democracy. The Turnbull Government's use of taxpayers' money to harass working people with the ABCC and the ROC must stop.

We will not be able to tackle inequality without the government supporting workers to band together to balance out the power of big business and unreasonable employers.

The right to join and participate in your union

The problem

The right to join and participate in a union isn't properly protected under Australian law.

Many workers are denied the right to speak out about wage theft, insecure work, or unsafe or exploitive conditions.

Many workers are afraid they could lose shifts or face the sack if they speak out about genuine issues. Employers use contracts, binding in-house policies, and the insecurity of work, to restrict people's basic freedom of speech and association.

Without supporting the right of people to be part of their union and to access support, the power of big business cannot be balanced. Working people find it more difficult to x problems at work, get more secure work and win pay fair rises. Employers have used our broken laws to restrict the rights of working people, making it hard for them to get together to demand better pay and safe, secure work.

The broken rules around participating in unions has contributed to flat-lining wage growth and record insecure work.

The solution

We need to change the rules so all workers are supported to participate and be represented as members of their union.

Workers must have free and fair access to their representatives without interference from employers. On the job workplace representatives and delegates need to be respected and supported.

We also need to create genuine deterrents to stop employers from preventing workers from joining their unions and speaking up about shared concerns.

THE RIGHT TO JOIN YOUR UNION



Agnes works in the disability sector. Every day, she has the lives of her clients in her hands, and that's a lot of responsibility. Being able to be a member of a union means that Agnes and her colleagues can come together to fight for better wages, and attract the best people.

It means when there's a problem, she has the confidence to speak out. When something goes wrong at work, disability workers rely on the support of their union, because they can face issues with courts, police, and the hospitals.

Stop setting up Commissions to attack workers

The problem

Under our broken laws, the Abbott/Turnbull Government has created bodies to attack working people and their representatives. This drives down wages and makes work less secure.

The Australian Building and Construction Commission (ABCC) and the Registered Organisations Commission (ROC) have a terrible record of biased actions on behalf of big business or the government.

The ABCC hasn't prosecuted a single employer for a workplace death or injury since its inception in 2016. But, it has tried to ban the Eureka flag and union logos. Meanwhile, 35 people died on construction sites in 2016.

Under Michaelia Cash, the ROC ran discredited televised raids on union offices in November 2017.

ROC is designed to tie up unions with "red tape". This costs union members both time and money that should be spent on improving members' pay and conditions.

At the same time, the government abolished the Road Safety Remuneration Tribunal to protect truck drivers and other motorists. Hundreds of people have been killed in truck related deaths since it was abolished.

The solution

The ABCC and the ROC should be abolished.

They must be replaced with a fair and independent regulator, which oversees the governance of unions. It must not stand in the way of wage growth and more secure jobs, work safety, nor seek to tie up unions in red tape.

Governance must be of a high standard, but it must be fair.

We must protect our truck drivers and make our roads safer by re-establishing a tribunal for safe rates.

ABCC / ROC



Shirley is a 45-year-old construction worker. There were no women's toilets on the site. When she needed the bathroom, other workers had to stand outside, to ensure no men went inside. The union raised concerns with the company about Shirley's lack of privacy. But instead of addressing the issue, the ABCC prosecuted the union. They now face large fines for trying to get a worker a toilet.

Stop employers from gaming the system to take an unfair advantage

The problem

As corporations have become bigger and more powerful they have been able to organise their workforces to avoid many of the obligations that were put in place to protect workers.

Since the Fair Work Act was introduced a decade ago we have seen the development of the gig economy where workers are denied basic rights like minimum wages, superannuation and workers compensation. Sham contracting is on the rise. Workers like cleaners and security guards are told to get ABNs and enter into contracts that don't pay fair wages and conditions.

Labour hire is used to carve off sections of the workforce making it even more difficult to bargain just to maintain wages and conditions.

We have seen a rapid decline in enterprise bargaining, so workers can be paid bare minimum standards in awards.

We have seen some employers use an army of lawyers to find new ways to attack working conditions.

Much of this is because the law has been narrowly written and lawyers have devised ways around provisions that were meant to protect workers.

By comparison the tax laws include a provision that if a measure was taken for the purpose of avoiding a tax, then even if it seems otherwise lawful, it is not allowed.

The solution

The laws to protect the interests of working people should include a provision like the one in the tax laws that has the effect of stopping employers from doing things for the purpose of avoiding their obligations to workers.

GAMING THE SYSTEM



Victoria's iconic Royal District Nursing Service (RDNS) no longer exists.

The not-for-profit RDNS started out in 1885 as just a single nurse travelling the streets of Melbourne, but grew to 1000 nurses providing care to the injured and ill in their homes.

When the RDNS merged with RSL Care it relaunched itself as Bolton Clarke.

Bolton Clarke advised that any new district nurses employed would be subject to the wages and conditions of an inferior agreement, negotiated in Queensland, for aged care. The agreement had been rigorously opposed by the union.

Approximately 50 district nurses have been employed by Bolton Clarke under the inferior agreement for as much as \$15 less per hour for the same work. It's as much as \$600 less per week.

Bolton Clarke has also advised if any of the former RDNS nurses accepted a new position they may also come under the inferior agreement.

The new employees also have less job security. Under the new agreement, district nurses have less pay, no restrictions on fixed term employment, no portable long service leave, less notice on termination, no access to career break (in order to prevent burnout) and changes to rosters.

The union filed an application in the Fair Work Commission to require Bolton Clarke to apply the RDNS agreement to all new district nurse employees. The Commission refused.

As a result, nurses have serious concerns about Bolton Clarke's ability to attract and retain nursing staff. And patients could lose an in-home nursing service, putting more pressure on hospitals.

We need to change the rules to ensure job security, and fair wages, for district nurses and maintain a service that reduces the pressure on the public health system.

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