



***DRAFT ONLY –
CHECK AGAINST DELIVERY***

**Greg Combet
ACTU Secretary
Speech to the ACTU Congress
24 October, 2006**

Thank Graham Gillies - started at the ACTU on 20 August, 1971.

When John Howard won control of the Senate at the 2004 election think we all knew that we had a fight on our hands.

We all knew his ideological obsession with destroying workers rights. We all knew his determination to attack unions - the waterfront dispute was evidence enough.

And we all knew of his ambition to abolish the award system, the industrial relations tribunals, to smash collective bargaining, and replace them with individual contracts.

All of these objectives are at the heart of the government's new IR laws.

In some areas the Government's new IR laws went even further than we had anticipated.

There are vicious attacks on democratic rights like:

- prohibition of the right to have a union included in a dispute resolution procedure;
- prohibition to have union training leave included in agreements;
- or the provisions in the building industry laws, which allow secret interrogations of workers under threat of imprisonment -interrogations where there is no right to silence or protection against self incrimination.

On any measure, these are extreme laws.

They not only undermine job security, pay and employment conditions, the right to union representation and the right to collectively bargain - they directly attack democracy in this country.

Freely operating trade unions are an essential feature of any decent democracy. Freely operating trade unions are founded upon internationally respected human rights, including the right to associate in a union and the right to collectively bargain

The struggle over these rights between the labour movement and the business community, supported by their political representatives, is almost as old as colonial settlement in Australia.

Take the example, given by Timothy Coghlan in *Labour and Industry in Australia*, published in 1918:

In 1822 a convict servant was brought before the magistrate at Liverpool near Sydney, charged with the offence of inciting his master's servants to combine for the purpose of obliging him to raise their wages and increase their rations.

The magistrate took a very serious view of this attempt at labour combination and the prisoner was sentenced to solitary confinement on bread and water for one month, to receive five hundred lashes, and to pass the remainder of his original sentence at a penal settlement.

Even seventy years later, the core issue at stake in the Great Strikes of the 1890s was the right to organise.

The latest attack on workers rights represented by the government's new IR laws is undoubtedly one of the most vicious in our history.

That is why the decision we unanimously took two years ago to stand up and fight for rights at work was so historically important.

It is not just a fight to restore the balance in the industrial relations system.

We are fighting for the future of our democracy, we are fighting for the future of our kids, we are fighting for a fair and just Australian society.

And fight we will.

We will not be intimidated by the Howard government, or their friends in the business community.

And we will fight until we win.

We will see these laws repealed. We will see John Howard off.

The union movement - and the people we represent - and the values that we hold, will go on for generations - but this government will not.

The labour movement holds a special place in Australian history because of what it stands for and what it has achieved. We fought to ensure that a fair go was enshrined in Australian culture - not the Liberal party, and certainly not the business community.

We stand for democratic rights and democratic principle.

We do not imprison men and women and children on remote islands for years for the crime of seeking a better life - or lie about them throwing their children overboard in an unprincipled attempt to win votes.

We stand for not only the creation of economic wealth, but also it's fair and equitable distribution to our nation's citizens.

We do not squander the historic proceeds of an economic boom by giving massive tax cuts to those who don't need them, while cutting off meagre benefits from those who need a hand.

We stand for decent rights for Australian working people - rights that are not put in a race to the bottom with our trading partners.

We stand for better education and healthcare for all citizens, regardless of their ability to pay. What could be more fundamental to a decent democracy than the education of its population?

This government is taking the country back to the bad old days of inequality and social division, denying young people the opportunity to attain education and skills because their family can't afford it - denying them the chance to contribute to the society and to get ahead.

And we stand for the betterment of the environment, the engagement of Australian people in a mature discussion of the threat of climate change, and the achievement of a democratic consensus about the way forward.

John Howard can't seem to bring himself to admit there's a global warming problem.

And what about Iraq? The last Congress in 2003 took place against a background of the invasion of Iraq. Three years on and it is clear that the decision to invade Iraq has been our worst foreign policy disaster since Vietnam.

The case for the invasion was concocted and false. There were no weapons of mass destruction. There is no evidence of Iraq's involvement in the September 11 attacks.

Iraq should never have been conflated with the war in Afghanistan and the fight against terrorism - no matter how repugnant Saddam Hussein's regime may have been.

At least on one estimate hundreds of thousands of people have died. Resources which could have been used to defeat terrorism in Afghanistan and in our own region have been wasted.

Labor deserves credit for the stance that they have taken on Iraq.

There is now emerging a very stark contrast on many policy fronts between the government and the labour movement.

There will be a very clear choice at the next election.

Unions are playing a very important part in defining this choice.

We are clear about our values, and what we stand for. Our values define who we are and what we are fighting for.

Our commitment to prosperity and social justice and democracy has been the key to our campaign, and it is the source of our longevity.

All of our character has been on display over the last two years in a way that has not been witnessed for a long time.

All of you and all of our members should be proud of what we have achieved so far.

We have made industrial relations a leading national political issue. The government is less secure because of our campaign.

Our members are more involved and committed, and there are more of them. Our supporters in the community are numerous. We have mobilized hundreds of thousands of people all around the country.

We have successfully stood up with people in the workplace and defeated numerous attacks on workers rights.

Our campaign alone has forced employers to be cautious in applying their new powers under the laws. They don't like being exposed.

Thousands of people, against all the odds and in the face of crippling potential fines, have taken action to support colleagues who have been victimized.

We have raised millions of dollars, and built campaign infrastructure, pioneered new internet campaign methods, established deeper and broader relationships with churches and community organizations, and targeted marginal seats in innovative ways.

And all while we have still done our work improving the pay, conditions, safety and living standards of the people we represent.

I am very proud to hold the position that I do, but especially to do so at this time.

None of us have easy jobs, but it's so important that we see this through.

Because for all that we have achieved so far there's a lot more to do.

The next 12 months in the lead up to the federal election will be the most important in the rights at work campaign.

Are you up to it?

I think there are five main things we need to achieve in the next year:

- Continue to protect people's pay and employment conditions
- Articulating our alternative **policy** agenda
- Maintaining and intensifying our **TV advertising**
- Maximizing the effectiveness of our **marginal seat** campaigning
- Building our workplace organization and **mobilizing people** against the IR laws

The work of this Congress is to attend to our alternative IR policy agenda.

But before I turn to that I want to make some remarks about the advertising campaign and the marginal seat strategy.

And the remarks are quite simple and self-evident, but none the less important.

And that is that we have to make them work. And the key to making them work is money.

At the next ACTU executive meeting in early December I would like each union to have given some extra thought to the resourcing of the campaign.

If we want to maximise our chances of success we will have to give it everything we have got in the year ahead.

Our TV advertising has been effective to date, but it can very even more effective in the lead up to an election if we can boost the resources devoted to it.

On the policy front I will deal with the industrial relations policy in the broad and Cath Bowtell, the ACTU staff member who has had principal carriage of the policy, will present it in more detail.

A year ago, the ACTU executive resolved to shorten the length of this Congress and to concentrate solely on the IR legislation policy. This decision was taken because the IR laws represent the single most important issue at this time.

I know and respect the fact that a number of unions would like to see other policy issues dealt with over the next couple of days.

We will deal with other policy matters including health and safety, workers compensation, the s.457 guest worker visas, vocational education and training at the upcoming executive meeting.

But let's use this opportunity at the Congress to build unity around the most pressing policy issue we currently confront.

The principles underpinning the policy are straightforward;

- A decent safety net for workers, comprising some legislated minimum standards and the award system and
- Collective bargaining over and above the safety net, and the abolition of individual contracts
- An independent tribunal to guarantee fairness, maintain the safety net, and oversee bargaining
- Making sure that workers not only have the right to join a union but also to be represented by union

To implement these principles in national industrial relations laws the policy supports the use of all of the constitutional powers that may be available to a Labor government, while recognizing a continuing role for state systems.

We are of course awaiting the High Court judgment which we expect to identify the extent to which the corporations power of the Constitution can be relied upon to legislate industrial relations.

I think that the most significant part of the proposed policy is the collective bargaining system.

The policy is not advocating a return to compulsory conciliation and arbitration.

The policy is based upon the conviction that over and above the safety net, collective bargaining will be the way in which pay, employment conditions and living standards will be improved.

Now more than ever before unions must be active in the workplace, they must be democratic, they must genuinely represent the interests of working people, and they must be effective campaigners.

To succeed unions must have the support of the people we represent - as well as the capacity to organize and to collectively bargain on their behalf.

The leadership group which drafted the policy had this imperative squarely in mind when we did our work.

Union organisation and therefore improved living standards in Australia fundamentally rely upon decent collective bargaining laws.

As you are aware the proposal includes for the first time the concept that by democratic majority a group of employees can decide whether they wish to collectively bargain.

We propose that this be a right for all workers whether they are union members or not.

If they so choose the policy demands that the employer must collectively bargain in good faith.

This is an important and historic proposal for this Congress, and I look forward to the discussion of it. It is something which speaks for all Australian working people.

The establishment of Unions Australia at this Congress is also a historically significant step. (explain)

Our industrial relations policy, once adopted, will become part of the debate about the economic future of Australia.

John Howard would have you believe that IR is the central economic policy issue. It is not. There are far more pressing economic issues.

In fact, when it comes to the long-term economic challenges the government has been lazy and irresponsible.

Productivity in the Australian economy has collapsed - it is less than half what it was five or six years ago. Capacity constraints on the economy are restricting economic growth.

Constraints like the skills crisis, the failure to provide leadership on infrastructure investment, the failure to provide for improved retirement savings to meet the needs of an aging population, the failure to deal with climate change, the acceptance of defeat in saving manufacturing jobs.

None of these problems will be fixed by labour cost cutting under the industrial relations laws.

An alternative economic agenda to address the long-term economic issues and to boost productivity is desperately needed.

This agenda should include:

- Massive investment in education and skill development
- National leadership in identifying investment priorities in social and economic infrastructure
- A strategic plan for manufacturing industry and manufacturing jobs
- Encouragement of investment in research and development and technological innovation
- Further measures to build retirement savings and provide for the cost of an aging population
- A serious economic effort to address climate change

These are some of the most significant issues affecting the future of that country. Ripping penalty rates off the most vulnerable workers will not fix them.

Over the next 12 months we will continue to prosecute this argument.

It is part of our movement to make this country a better place.

As you are aware the next major event as part of this movement is the national day of protest on November 30.

On the day we hope that all of us together in partnership with our supporters in the community will mobilize hundreds of thousands of people.

As you are aware in Victoria we plan to fill the MCG, and to conduct from that iconic Australian venue a sky channel broadcast throughout the country.

To succeed on the day we need everyone throughout the union movement at every level to pull out all stops to make it a success.

Sharan and I ask for your support - to once again put aside the little issues that sometimes get in the way - and to unite and demonstrate to the government and business community the overwhelming support for the rights at work campaign.

From here to the election we must build momentum, not slow down.

I want to thank in this forum the MUA and the CFMEU mining and energy division for the financial support without which the ACTU would not be able to stage the sky channel broadcast. They have been exceptionally generous, not just to the ACTU, but to the movement generally.

Let's use November 30 as a launching pad for our campaign in 2007.

I am increasingly confident of our capacity to win.

It is no small thing to take on a government and big business over legislation which is at the core of their program and their beliefs.

It is truly a battle over the future quality of our society and democracy.

None of us should lack motivation, because we are fighting for our values and our beliefs.

I know we all want decent rights for working people.

But we also want better living standards for working families. We want to overcome inequality and poverty.

We want jobs and opportunity for young people.

We want better education and healthcare for all our citizens - regardless of their capacity to pay.

We want progress on important social justice priorities - and especially justice for indigenous Australians.

And I don't know about you but I would still rather an Australian as head of state.

Our goal is not only to improve prosperity - it is to build a fairer and more just Australian society.

John Howard's not going to do it.

It's the job of the labour movement.

So let's get to it.