

UNION COVERAGE AND ORGANISATION POLICY

ACTU CONGRESS 2000

1. Objective of ACTU Policy

- 1.1 The main objective of the ACTU and affiliated unions is to improve wages and employment conditions. The method for achieving this is through union membership and organisation. ACTU policy on union coverage and organisation should promote union membership growth and union organisation, as the means to protect and improve wages and conditions of employment.

2. Existing Areas of Organisation and Coverage

- 2.1 The ACTU and unions are opposed to destructive competitive unionism and will maintain respect for established areas of union membership and organisation.
- 2.2 For the policy to be effective, there must be a collective union commitment to stop the poaching of members. In this context, the basic determinant of union representative rights is the rules coverage of a union, and not 'freedom of choice' for members to transfer membership to whatever union they choose. The recruitment by one union of another union's members will not be supported by the ACTU, unless it is consistent with the application of this policy.
- 2.3 Recourse in the first instance to legal avenues to attempt to secure rights to represent employees outside a union's constitutional coverage impedes the prospect of resolving differences within the ACTU and union structure, and can consume important union resources. Unions will not commence any legal avenues without first having referred the matter to the ACTU for consideration consistent with this policy, and to enable a reasonable timeframe to resolve the matter by agreement.
- 2.4 Where there is conflict between unions over the right to represent union members or employees an affiliate may refer the dispute to the ACTU. The emphasis must be on the achievement of agreement between the unions. If agreement cannot be reached the process to be followed will include consideration by the ACTU Officers, and if necessary the Executive, of:
- i. The views of the unions and all of the issues involved.

- ii. The views of the members.
 - iii. The best method of protecting and advancing union membership and organisation.
 - iv. The best method of protecting and advancing wages and employment conditions.
 - v. Whether an open process of recruitment was undertaken and whether there were attempts to undermine or prohibit effective organisation by unions with coverage rights.
 - vi. The nature of any agreement with the employer, and whether it has the support of the members, or involves wages and conditions below established standards in the area.
 - vii. The history of award and agreement coverage and the representation rights of other unions.
 - viii. Whether a Greenfields site/agreement or a new major resource or construction site is involved. These sites require special consideration. Experience has shown that union membership and organisation may be stronger, particularly at major resource projects, when the traditional coverage of each union is respected. Construction sites are not Greenfields sites and traditional coverage should prevail.
- 2.5 The ACTU will attempt to broker agreement between the unions to resolve the issues. The ACTU may also make recommendations for resolution of the dispute, recognising that the decisions of the ACTU depend upon the collective commitment of unions to resolving differences within union processes. The ACTU may also make submissions to tribunals if the matter is contested in these forums.

3. The Responsibility to Organise

- 3.1 The first priority each union has is the responsibility of maximising union membership within existing areas of coverage. Planning, analysis and the establishment of priority areas for organisation are required. The ACTU will provide support to unions genuinely attempting to organise within their area of coverage.
- 3.2 Each affiliate has an obligation under this policy to outline to the ACTU a strategy to organise in their areas of coverage to increase union membership and union density rates.

4. Union Growth Strategy – New Member Organising

- 4.1 The key objective of policy in relation to non-union areas is to promote membership growth ('non-union area' generally means an area of work or workplace where the employees are not union members). Union membership and organisation strategies should focus on the recruitment of non-members.
- 4.2 Union growth strategies based upon the bidding down of wages and employment standards in order to secure employer support and/or coverage will not be supported by the ACTU. Unions should not compete on the basis of discounted union membership fees.
- 4.3 A union growth strategy that involves the recruitment and organisation of employees outside the union's coverage, may be supported by the ACTU in the following circumstances:
- i. The union proposing to recruit employees outside of their coverage can demonstrate a coherent timetable/strategy to organise in existing areas of their coverage where union membership density is low or non-existent;
 - ii. It is a non-union area;
 - iii. The union with coverage is not organising in the area and there is not a competitive position between unions;
 - iv. The union with coverage has no genuine timetable/ strategy to organise in the area;
 - v. The union proposing to recruit employees outside of their coverage can demonstrate a community of interest with the employees it proposes to recruit;
 - vi. It promotes union membership growth and organisation;
 - vii. There is no collusion between a union and employer to deny a union with legal coverage access to effective organising opportunities;
 - viii. There is a proper plan with well defined targets and resources;
 - ix. There is a feasible plan for obtaining and exercising representative rights;
 - x. Wages and employment standards will be protected;
 - xi. There is a prospect of reasonable employee support;

xii. There will be effective representation involving a single bargaining unit where appropriate.

4.4 In such circumstances a union would need to first consult with the ACTU and the relevant unions and reach agreement, or demonstrate points i – xii above applies.

5. Areas for Further Policy Development

5.1 Regional Union Cooperation

In line with the objective of maximising membership growth the ACTU should develop a proposal, based on the participation and agreement of the relevant unions, for a regional union project. The project should:

- i. Identify a region with potential union membership;
- ii. Identify existing union resources in the area, and additional needs;
- iii. Explore the opportunity for unions to pool resources in the region;
- iv. Involve local unions, organisers and labour councils;
- v. Aim to develop a network of local delegates and activists prepared to be involved in organising initiatives;
- vi. Identify union education requirements;
- vii. Utilise trainees if feasible;
- viii. Develop common targets for organising.

5.2 Casual and Labour Hire Employees

In order to improve the potential for recruiting casual and labour hire employees the ACTU should develop a proposal for the consideration of affiliates which:

- i. Provides a common contact point for union membership inquiries;
- ii. Acts as a referral point for membership of the relevant union;
- iii. Provides information and basic membership services;
- iv. More effectively markets union membership to casual and labour hire workers;
- v. Develops activists and activities designed to promote unionism.

5.3 Call Centre Employees

The ACTU is currently coordinating a project involving four unions concerning call centres. The project is examining the potential for the development of a combined Call Centre Staff Association in which each of the unions participates. The project is:

- i. Researching and developing common union marketing strategies;
- ii. Combining union experience and resources;
- iii. Researching and developing targets for organising efforts;
- iv. Bringing together activists;
- v. Informing the development of union education needs.

The ACTU and the participating unions should be supported in this initiative, with regular reports to the Executive.

5.4 Young People

In order to improve the potential for recruiting young people the ACTU should develop a proposal for the consideration of affiliates which links into student unions and young people in the workforce. Associate membership for young people should be investigated, as should an association for young people, with the aim to more effectively provide information and a contact point with unions for this section of the community.