

Organising Rights, Charter of Delegates' Rights & Workplace Education Policy

1. Congress believes that strong, effective and representative unions are essential to building a fair and just society. Unions provide the democratic organisation for working people to have a say in their workplace.
2. Australian unions pursue a range of protections for members and delegates (often tailored to issues in specific industries). Australian unions seek commitments from employers about organising rights, delegate protections and workplace education. These arrangements are a key to successful organising and growth, and to ensuring Australian workers have a genuinely free choice to join a union and participate collectively in workplace issues.
3. In many workplaces around the country employers already respect, on a formal or informal basis, organising rights and recognise and accept the rights of workplace union delegates and activists.
4. Congress commits to pursuing the development of stronger and more effective unions by:
 - a) securing meaningful organising rights for all Australian workers;
 - b) protecting union delegates, and giving them the tools they need to represent members effectively; and
 - c) ensuring members have access to appropriate workplace education.
5. Unions will campaign to secure meaningful organising rights for all Australian workers, in a manner consistent with the specific circumstances of industries and workplaces.
6. To support this, the ACTU will:
 - a) continue to pursue improvements in statutory protections for the right to organise; and
 - b) develop mechanisms to ensure that respect for organising rights is considered as integral to ethical business conduct and a component of Corporate Social Responsibility.

Organising Rights

7. All Australian workers have the right to join a union, to meaningful union representation, to participate collectively in workplace issues, and to collectively bargaining through their union.
8. In order for these rights to be meaningful employers must respect them and take steps to give them practical effect. Congress believes that organising rights should be available to all Australian workers and should be supported by employers. These rights include:
 - a) the right to join a union, free of employer harassment or intimidation;
 - b) the right to collective bargaining and collective participation in workplace issues;
 - c) the right to meet with union officials and fellow members at work;
 - d) the right to consultation on change and representation by the union;
 - e) the right to the provision of information about the workplace and workforce; and
 - f) protections and recognition for Delegates (see below).
9. Congress believes that for these rights to be meaningful, employers need to publically acknowledge their acceptance of these rights, and agree with the relevant unions on measures to implement them in the industry or workplace.

Charter of Delegates' Rights

10. Workplace union delegates hold a vital position in the union. The union delegate has the key role of representing the collective and individual hopes, aspirations and needs of their work colleagues. They are critical to the improvement of pay, employment conditions and health and safety.
11. The union delegate can bring together the individual creativity, skills, and knowledge of a group of people at a workplace to improve how a job is done. Australian working people have always been prepared to make a positive contribution to make sure the enterprises in which they work prosper. In a period of economic crisis, and with the passage of the Fair Work Act further increasing the role of workplace level enterprise bargaining, the role of the workplace union delegate is even more important.
12. Workplace union delegates must receive recognition, through a Charter of Workplace Union Delegate Rights, for the key role they play. These rights should not have to be bargained. They should be universally accepted rights in a decent society.

13. With rights comes responsibility. Workplace union delegates need to act in good faith, and do the best they can for their work colleagues together or on their individual needs.
14. The Charter of Workplace Union Delegate Rights is a guide for fair standards for all union delegates and will be pursued by unions for inclusion in collective bargaining agreements, award entitlements, and in Australian law as rights for endorsed workplace union delegates. These rights are basic and fair. Union delegates are entitled to know their role is recognised and respected. Unions will campaign to build these rights over time into workplaces across the country.
15. Accordingly, Union delegates shall have:
 - a) the right to be treated fairly and to perform their role as union delegate without any discrimination in their employment;
 - b) the right to formal recognition by the employer that endorsed union delegates speak on behalf of union members in the workplace;
 - c) the right to bargain collectively on behalf of those they represent;
 - d) the right to consultation, and access to reasonable information about the workplace and the business;
 - e) the right to paid time to represent the interests of members to the employer and industrial tribunals;
 - f) the right to reasonable paid time during normal working hours to consult with union members;
 - g) the right to reasonable paid time off to participate in the operation of the union;
 - h) the right to reasonable paid time off to attend union education;
 - i) the right to address new employees about the benefits of union membership at the time that they enter employment;
 - j) the right to reasonable access to telephone, facsimile, photocopying, internet and e-mail facilities for the purpose of carrying out work as a delegate and consulting with workplace colleagues and the union;
 - k) the right to place union information on a notice board in a prominent location in the workplace;
 - l) the right to take reasonable leave to work with the union.

Union Education

16. Recognising the important role education plays in creating fair workplaces, Congress commits to ensuring that members have the knowledge and skills to play their role in building the power of working people in Australia.
17. Accordingly, unions will:
 - a) review their education activity to ensure that it is appropriate, flexible and suited to the needs of delegates and activists. Education programs must continue to be an integral part of organising activity within unions;
 - b) continue to make education programs an integral part of organising activity within unions;
 - c) encourage union organisers to recognise the integral role they have in developing and educating activists;
 - d) share initiatives in the development of new techniques and curriculum with the ACTU Organising Centre so that the whole movement can benefit from these improvements;
 - e) encourage educators to reinvent their role so that they become a resource to organising as well as the person delivering training;
 - f) consider ways to increase the number of members who receive union education, including internal training of activists;
 - g) allocate significant resources to union education;
 - h) review members' access to union training leave. Where possible, insert and strengthen these provisions in industrial instruments.
18. The ACTU will:
 - a) continue to review the content of delegate education to ensure that it is up-to-date and meets the needs of both unions and activists;
 - b) facilitate joint education projects between union representatives in Australia and other countries in our region;
 - c) in conjunction with affiliates, consider mechanisms to establish workplace education schemes for Australian workers;
 - d) maintain and develop its relationships with union education centres in East Asia and the Pacific.