

OUTSOURCING, CASUALISATION AND PART TIME WORK RESOLUTION ACTU CONGRESS 1997

1 INTRODUCTION

- 1.1 The union movement is confronting a very rapid growth out and casualisation. It is a worldwide phenomena, although it seems to be happening more rapidly in some countries than others. Australia is now second and fourth respectively in the OECD for the proportion of the workforce in casualised and part time work.
- 1.2 Casual employment has doubled as a proportion of the employed labour force from 10.8% in 1982 to 20.1% in 1995. Nearly 10% of full time employees are casual, and 65% of part-timers are casual. Three out of ten women workers are casual and two out of ten male workers.
- 1.3 Contracting out and casualisation can have the following effects.
- 1] Reduced employment levels and job security
 - 2] Reduction in the quality of service provision
 - 3] Lower wage levels and working conditions - sick leave, long service leave, superannuation etc.
 - 4] Reduced opportunity for careers
 - 5] Greater opportunity for non-union employment
 - 6] Lower employment status
 - 7] Greatly reduced capacity for employees to borrow money.
- 1.4 The impact may vary from industry to industry but the following strategies should be considered.

2 CONTRACTING OUT

- 2.1 Resist contracting out by challenging the contracting ideology and by demonstrating that contracting out is often very costly and inefficient and loses core skills. There is a growing body of research to back this view.
- 2.2 Where contracting is inevitable, agreements should be negotiated with contracting companies. The primary aim of negotiations will be to retain pre-existing wages, conditions, entitlements and employment levels.
- 2.3 Unions should negotiate with Governments, companies and other organisations about to let contracts over the terms on which the contracts will be let. Agreements should provide for a code of conduct for the selection of contractors covering matters such as

award coverage and union membership and realistic contract prices which do not lead to injury and unacceptable intensification of work which results in unpaid hours being worked.

- 2.4 Where a relevant Award does not exist, Awards should be established for contracting industries. The focus should be on ensuring that entitlements are won and protected and particular attention should be paid to the portability of entitlements such as long service leave and superannuation.
- 2.5 Establish some union control over the supply of labour through union based hiring companies or in partnership with others.
- 2.6 Where transfer of work from public to private sector occurs, unions need to develop a co-operative approach to demarcation issues which is designed to maximise unionisation.
- 2.7 With the developing globalisation of whole industries (such as information and technology systems) and given that many contracting companies are transnational, the ACTU will continue to support the proposed ILO convention on contractors and other international initiatives.
- 2.8 Unions need to co-ordinate research and information about contracting companies both nationally and internationally. This may include developing registers of contracting companies in good standing and companies which should be blacklisted because of an anti-union history.
- 2.9 Encourage greater surveillance role by the Australian Taxation Office aimed at identifying and eliminating the abuse of the provisional payment taxation collection system, the 'cash in hand' economy, and other sham arrangements which may be attractive to contractors.
- 2.10 Unions opposing contracting out should form partnerships with community groups who have similar concerns and co-ordinate campaign activities.
- 2.11 Monitor and initiate co-ordinated action to prevent the use of sub-contracted prison labour, both in Australia and internationally in accordance with ILO Conventions 29 and 105.
- 2.12 Support actions to sponsor legislation through the Federal Parliament to achieve "fair contracting" legislation.

3 CASUALISATION

- 3.1 Wherever possible comprehensive definitions should be developed in awards and agreements which narrow the definition of a casual workers to a 'true casual'.
- 3.2 Support should be given to initiatives and research which promote a fairer division of labour in the home to ensure that women are not forced into the less secure forms of employment because they carry a disproportionate burden of home work.
- 3.3 Ensure that Award provisions for casuals provide reasonable minimum hours and pay for casuals and part timers.
- 3.4 In general, part time arrangements should be promoted over casual work. Unions need to ensure that part-time arrangements provide regular and predictable patterns of work. This is important for all employees, and particularly for employees with family responsibilities. Award definitions should be reviewed in line with this.
- 3.5 Individual unions need to develop systems which facilitate the recruitment of part-time and casual workers, including the rostering of Officials outside of normal hours and union fee structures which recognise different patterns of employment.
- 3.6 Unions need to ensure that part-time and casual workers have full access to training and a career path.
- 3.7 Links should be developed with groups vulnerable to exploitation through casualisation, particularly young people and students.
- 3.8 In negotiating collective agreements with employers, unions should pursue where appropriate claims that would increase levels of full-time and part-time employment over casual employment.