

# *WORKING HOURS RESOLUTION ACTU CONGRESS 1997*

## 1. INTRODUCTION

- 1.1 Congress notes that the unprecedented growth in Australia of part-time, casual employment and outsourcing (contracting out) together with growing insecurity in work and income are a direct consequence of globalisation, competition policy and deregulation.
- 1.2 Congress notes that research by institutions, such as ACIRRT, shows that employers have used this environment to their advantage to reduce labour costs. The result has also been increases in average ordinary working hours, growth in unpaid overtime, and flexibility in hours worked with adverse effects on workers' access to decent and secure income and employment.
- 1.3 Congress opposes the casualisation of part-time work and management strategies which result in insecure and precarious employment.
- 1.4 Congress opposes management use of increased working hours, particularly unpaid overtime, in place of creating additional jobs.
- 1.5 Congress declares that all workers are entitled to a living wage and that working hours and their arrangement should not be used as a vehicle to undermine that right.

## 2. PRIORITIES

- 2.1 The priority of the union movement is employment and income security for all Australian workers.
- 2.2 The union movement will continue to pursue the right of all workers to:
  - 1] full-time employment;
  - 2] job security;
  - 3] living wage providing an income which is sufficient for workers and their families.
- 2.3 Working hours and their arrangement should reflect genuine choice by workers based on income security. A Living Wage must be achieved within a reasonable number of hours of work which reflect award standards. Further, employees should not be required to work for multiple employers in order to achieve the minimum hours required to achieve a Living Wage.
- 2.4 Any proposals on working hours that are presented as opportunities for equitable sharing of employment must be integrated with commitments to creation of additional

employment and must not result in wage poverty. Such proposals must reflect the principles outlined in 1.2, 1.3 and 1.4 above.

- 2.5 Bargaining and award based strategies should be developed, as appropriate, to address working time issues which are relevant to particular industry sectors.
- 2.6 Collective bargaining can be directed to the expansion of full-time and secure employment opportunities as well as the regulation of casual, part-time and other forms of precarious employment.
- 2.7 Despite the limitations of s.89A, Workplace Relations Act, 1996, unions will continue to develop effective strategies for the regulation of part-time work, as well as casual and other forms of precarious employment.
- 2.8 These include award provisions which encourage regular and secure working hours, enable genuine choice on working hours, provide adequate compensation through a living wage and loadings, pro-rata benefits and equal access to training/skills upgrading opportunities, as well as ensuring exploitative work practices introduced by employers under the guise of flexibility are eliminated.

### 3. KEY ISSUES

- 3.1 In accordance with the principles set out above, unions will need to work with members, through surveys or other methods, to identify the key working hours issues around which to construct a bargaining/arbitral/ recruitment strategy. Such issues may include details of current working arrangements and their regulation, scope for increasing available hours of work and full-time employment opportunities, adequacy of income, access by part-time and casual workers to benefits such as incremental pay scales, skills acquisition and career progression, the incidence of unpaid overtime, employee preference for more or less hours, permanent or part- time/casual employment and services from the union.
- 3.2 To assist affiliates in the pursuit of bargaining/award/recruitment strategies in relation to working hours, an ACTU Working Hours Committee will be established. The purpose of the Committee shall be:
  - 1] examine those issues listed in the attachment to this Resolution and any other issues considered appropriate by the Committee;
  - 2] to enable affiliates from diverse industries to exchange on a regular basis information and views about the working hours issues and responses relevant to varying industry sectors;
  - 3] to identify strategies which have been used in relation to working hours;
  - 4] to develop options which may be used by affiliates in relation to the working hours issues relevant to their industry sector(s);
  - 5] inform the unions respondents approach in the Living Wage Case.
- 3.3 The Committee will prepare a report for affiliates and establish appropriate means of communicating its work to affiliates.

- 3.4 Congress endorses a special unions event (to be decided after consultation between the Committee and ACTU Officers) on the issue of working hours and employment in the first half of 1998. This event will consider the options prepared by the Committee and develop strategies for dealing with this important issue. The event should also involve key community organisations and academics.
- 3.5 Congress recognises the compelling need for a redistribution of work in the Australian society. This conviction does not detract from the wide range of other initiatives including tariff policies, taxation and international trade considerations which also need to be taken.
- 3.6 Nevertheless technological innovation and increased productivity provide a foundation for reducing the amount of working time needed to maintain and enhance the quality of the Australian way of life.
- 3.7 The scourge of the Australian community for so long has been the unacceptably high levels of unemployment with the resultant social malaise that has affected our youth and the community in general.
- 3.8 Congress therefore requests that the Committee give the highest priority to the following issues:
- 1] Reduce the working week with no diminution of income
  - 2] Increase various forms of leave including recreational and long service leave
  - 3] Restructure the social security system to facilitate financially secure retirement at an earlier age.

## 1 ROLE OF WORKING HOURS COMMITTEE

1.1 The Committee shall examine a number of working hours issues including but not limited to the following:

- i] Challenging management ideology underlying globalisation, competition policy and deregulation;
- ii] Changing workplace culture;
- iii] Reduction in the Standard Working Week;
- iv] Regulation of casual employment through collective agreements and extension of collective agreement provisions to all workers on-site (including labour-hire employees);
- v] Skill based employment pools administered by unions providing security, access to training and minimum income levels;
- vi] Coverage of sub-contracting companies by industrial agreements;
- vii] Establishing maximum hours of work where annualised salaries apply;
- viii] Options for increased leave - these options include 48/52 schemes and sabbaticals;
- ix] Increasing the level and scope of loadings for shift work;
- x] Rostering arrangements which provide employees with predictability and regularity in hours worked;
- xi] Award provisions that establish minimum consecutive hours and which provide regular pattern of hours for regular part-time employees;
- xii] Award provisions which enable casual employees who wish to convert to permanent (part-time) status to do so without loss of income;
- xiii] Award provisions which guarantee a minimum wage over a weekly or two-weekly cycle for part-time workers;
- xiv] Application of salary progression to part-time and casual workers;
- xv] Access to severance entitlements for non-continuing employees;
- xvi] Recognition of service for various purposes for part-time and casual employees;
- xvii] Organising and recruitment of precarious/contingent employment; and
- xviii] The discriminatory effects of precarious and non-standard employment on a number of groups, particularly women.