

OVERVIEW STATEMENT ACTU CONGRESS 1995

1.1 ACTU Congress has discussed and debated a wide range of issues both in open session and in syndicate groups.

1.2 The process of Congress has been open and democratic. Having discussed and debated the direction of ACTU policy and priority Congress has determined policies and strategies in a range of areas.

1.3 First, Congress has endorsed the restructuring of the ACTU Executive and Council. The restructuring has been based on the following principles:

(i) Each union with a significant number of members will have representation on the Council and Executive. Every union will have representation either directly or by group consistent with the number of members.

(ii) An affirmative action strategy designed to ensure equal representation between men and women over the course of this decade.

(iii) Representation of both State Labor Councils and Provincial Councils is provided to ensure regional perspective is maintained.

1.4 The restructuring takes into account the transitional nature of the changes in the Union Movement.

2.1 Second, Congress has endorsed an industrial relations framework which provides for:

(i) Awards as effective minimum standards, including extension of the common rule power into Federal Awards to overcome the vandalism of State Governments, along with mechanisms to regularly update such Awards.

(ii) The maintenance of paid rates awards.

(iii) The promotion and recognition of agreements.

3.1 Third, Congress recognises the fundamental restructuring of the union movement, in which around 20 unions will represent about 98% of the unionised workforce by December of this year. This is recognised as the substantial achievement of one of our historical objectives. The process of settling-in those amalgamations must receive priority.

3.2 We have as principal unions:

(i) Australian Municipal, Administrative and Clerical Services Union (ii) Construction, Forestry and Mining Employees Union (iii) Electronic, Plumbing and Allied Workers Union/Communications Workers Union (iv) National Union of Workers/Textile, Clothing and Footwear Union (v) Education Union (AEU/ITF/NTEU) (vi) Finance Sector Union (vii) Health Services Union (viii) Australian Nurses Federation (ix) Australian Liquor, Hospitality and Miscellaneous Workers Union (x) Automotive Metals and Engineering Union/Confectionery Workers and Food Preservers Union (xi) Maritime Federation (xii) Media and Entertainment Arts Alliance (xiii) Federation of Professional and Managerial Employees (xiv) Community and Public Sector Union (xv) Public Transport Union (xvi)

Transport Workers Union (xvii) Shop, Distributive and Allied Employees Association (xviii)
Australian Workers Union/Federation of Industrial, Manufacturing and Engineering Employees Union
(xix) Printing and Kindred Industries Union (xx) Police Federation

3.3 Whilst recognising the rights of other unions these unions set out above will represent the overwhelming number of trade unionists in the foreseeable future.

3.4 It is recognised that there will be competition between unions but it must be up to unions to limit the debilitating effect of unions competing with one another.

3.5 The unions should recognise the primacy of reaching agreement between each other and the need to avoid costly litigation and demarcation disputes.

3.6 When a matter in dispute comes before the ACTU the first question to be asked is;

(i) Is the union recruiting within its understood framework of membership? If it is attempting to do so the ACTU would then ask:

(ii) What is the attitude of members?

(iii) What is the effect on workers' wages and working conditions?

(iv) What is the effect on the level of unionisation?

3.7 The unions cannot ignore the successful challenge to the requirement that there be a 10,000 member minimum threshold for registration. But, Freedom of Association cannot be one sided. Freedom of Association must mean:

(i) Employers cannot establish unions.

(ii) Anti-union bargaining agents are not created by legislation or otherwise as a bargaining tool to represent workers.

(iii) It is impossible to exclude a union but give rights to the non-union employee.

3.8 Congress endorses the fundamental principle that union coverage disputes should be resolved through the processes of the union movement.

3.9 Accordingly S.118A should be repealed because of the capacity of employers to determine or influence union coverage.

3.10 The AIRC would continue to exercise its traditional powers and functions in demarcation disputes where the processes of the trade union movement are unable to achieve an agreement. There should be a legislative process to give effect to agreements reached between unions as to coverage, consistent with ACTU Policy

4.1 Fourth, Congress reaffirmed its commitment to organisation and recruitment and the development of effective representation as a central priority for the movement.

4.2 Congress also supported the establishment of an effective training program to train people for this vital task.

4.3 Unions must be present where members are to be found.

4.4 Unions must continue to provide valued direct services and representation - for example, in areas such as wages, working conditions, unfair dismissal, workers compensation, occupational health

and safety, job security, health care, union card, financial services and discounted purchasing arrangements.

5.1 Fifth: Congress supported a wages system which maintains the capacity to keep our options open but one in which in the immediate future is based on:

- (i) the development of effective enterprise and industry agreements;
- (ii) the provision of safety net adjustments without offsets for those not in a position to bargain.
- (iii) maintain Awards to underpin any bargaining
- (iv) effectively addressing pay equity issues

5.2 Congress reaffirms its support for a wages system that does not have a bias against unions or unionists – the commitments, the principles and the outcomes must not be more rigorous or prejudiced because a person is a member of a union.

6.1 Sixth, Congress reaffirmed its commitment to put employment first - the creation of jobs and the reduction of unemployment.

6.2 Congress endorsed a range of policies which included:

- (i) the introduction of a national jobs levy through a progressive tax base
- (ii) investment in essential infrastructure and community services;
- (iii) the need for fiscal and monetary policy to be directed at the prime objective of employment;
- (iv) establishing a more effective and practical agenda for import replacement and export development;
- (v) support for regional development strategies;
- (vi) progressing industry development strategies including agricultural and environment industry;
- (vii) the further utilisation of labor market and training opportunities;
- (viii) the sharing of work opportunities;
- (ix) provision of greater education and training opportunities;
- (x) increased expenditure on research and development.

6.3 The ACTU Congress recognised that we must be able to expand the economy in a balanced and responsible way both across industries and as between the public and private sector.

6.4 Congress believed that it must be our objective to ensure that there is schooling, training, or work options available as of right for all younger people.

6.5 Congress also recognised the plight of the long term unemployed and adopted the need to ensure that every effort should be made to provide a training or work opportunity in public, private or community service.

6.6 Congress believed that superannuation should continue to be available at age of 55 to increase the options available for workers.

6.7 Congress believes that economic growth should be higher and indeed must be higher to significantly reduce unemployment. Whilst, we will be in the hands of the world economy to some extent - a strategy based on:

- (i) implementing infrastructure investments;
- (ii) supporting regional development;
- (iii) increased investment in the private sector

is essential to ensuring that we grow faster than our recent experience.

6.8 This will require additional public expenditure which should come through increasing taxes on the wealthy and reversing the increasing gap between the rich and the poor. The ACTU will commission a comprehensive study on these matters for report to the December Council meeting.

6.9 For our own part we will continue to accept the need for those in employment, with the capacity to pay, to be prepared to assist those unemployed.

6.10 Congress noted the Budget Strategy and the review of the Budget initiated by the Government. In particular Congress expressed its concern about the budget deficit target becoming the prime objective of fiscal policy, and the specific concerns included:

- (i) Annual Leave and LSL lump sum entitlements;
- (ii) Extending the pension age for women to 65;
- (iii) Compensation for the petrol price increases;
- (iv) Optometry;
- (v) Tax on credit unions;

6.11 Congress noted that the review of the Budget by the Government has ameliorated some of the concerns outlined above.

7.1 Seventh, Congress affirmed that an Australian society based on the existence of social justice means:

- (i) Maintain and improve social security provisions over time.
- (ii) Review adequacy of existing benchmarks to establish income and expenditure needs of families into the 21st Century.
- (iii) Adjust home child care allowance to recognise the costs of additional children.
- (iv) Establish appropriate award wages as a pre requisite for accreditation of child services.
- (v) Superannuation funds made available for home ownership consistent with basis principles of superannuation.
- (vi) Maintain and improve Medicare, including an emphasis on strategies aimed at prevention of ill-health and a strategy designed to tackle continuing over-servicing and inefficient management practices.
- (vii) Restoration of family allowances in real terms to their 1976 level and indexation thereof.

(viii) Development of national standards for workers' compensation and rehabilitation.

8.1 Eighth, the High Court decision on Native Title (Mabo) recognises a historic truth and creates the best opportunity for the nation to reach an agreed and durable settlement with the indigenous people of Australia.

8.2 Congress supports national legislation to give effect to the decision as well as a social justice package which is directed towards dispossessed Aboriginal and Torres Strait Islander people.

8.3 The ACTU is committed to the objectives of the Council for Aboriginal Reconciliation. All affiliates are urged to promote the "Australians for Reconciliation" network and to ensure active involvement in the practical strategies arising from the Partners in Justice Conference.

9.1 Ninth, Congress accepts the need to promote the principles of unionism in the wider community and to be actively involved with other community groups around shared objectives. These alliances need to be developed with a wide range of community and regional groups including farmers, older persons groups, Aboriginal and Torres Strait Islanders, migrant and womens groups.

10.1 Tenth, Education and Training reform is of fundamental importance to the well being of young workers and improvement of Australia's skill base. Key issues which need to be addressed include:

- (i) improving understanding of the reform agenda;
- (ii) maintaining a national approach to standards development;
- (iii) providing adequate resources to fund the additional training required;
- (iv) strengthening effective union involvement in

ITAB's;

- (v) ensuring that better career and training opportunities are available to present and future workers.

10.2 Affiliated unions will need to apply resources along with the ACTU to achieve better outcomes in this area.

11.1 Finally, Congress endorsed the Accord but not without qualification or pretence. The ACTU wanted an Accord, but not an Accord at any price.

11.2 The Accord will be considered at the December Council meeting or earlier if necessary having specific regard to:

- (i) the industrial legislation;
- (ii) the outcome of the National Wage Case;
- (iii) the outcome of the discussion of the Budget.

Future Action

12.1 The ACTU and its affiliate unions will re-apply their energy and resources towards achieving positive outcomes for workers consistent with the specific decisions of this Congress and the directions outlined above.