

Immigration and Settlement Policy

ACTU Congress September 1991

1. Introduction

1.1 Congress recognises that as a result of the post war migration program, Australia now enjoys one of the most culturally diverse populations in the world and that non English speaking background migrants have a wealth of knowledge and experience to contribute to Australian society, including the union movement.

1.2 Policies relating to population and immigration are of fundamental importance to the development and growth of Australian society.

2. Immigration and Population

In determining immigration policy Congress believes that consideration must be given to the following factors:

- i). In general immigration is not an effective or desirable instrument in overcoming labour market deficiency.
- ii). Immigration programs with specific economic objectives, whether permanent or temporary, must be integrated into national labour market planning.
- iii). Congress affirms the right of the ACTU to be consulted and to be involved in all negotiations related to the immigration program.
- iv). Policies must be designed to ensure that workers recruited from overseas are not exploited or systematically channelled into low paid, low skilled and unsatisfying work which identifies them within the community as second class citizens.
- v). Congress recognises the humanitarian responsibilities of Australia's immigration policy and reaffirms the need for special consideration to be given to refugees and families of Australia residents.
- vi). Policies relating to the selection of people for settlement in Australia should not discriminate between applicants with respect to race, religion, national origin, sex, sexual preference, language, or age.

3. Refugees and Political Asylum

3.1 Congress believes that Australia, as a signatory to the 1951 Geneva Convention and 1967 Protocol relating to the status of refugees, and as a member of the United Nations Commissioner for Refugees Executive Committee, has a special responsibility towards refugees and believes Australia's record in this regard has earned this nation the respect of the international community.

3.2 Congress supports the work of the United Nations High Commissioner for Refugees and commends the work of this U.N. agency in its provision of legal protection and assistance to refugees and for the assistance rendered in their repatriation or resettlement.

3.3 In terms of request for political asylum the following principles will apply:

i). Any plea for political asylum must in the first instance be presumed to be genuine -no claim to be summarily rejected.

ii). Immediate conditional acceptance by the Government of the day in no way pronounces on the merits of the appeal; it simply extends the benevolent protection of the State for the period of assessing the validity of the claim.

iii). The claim is entitled to sympathetic consideration, the fundamental factor being the preservation of the basic human rights and dignity of the applicant. Humane considerations of the issues involved must not in any way be subordinated to strict legalistic forms and technicalities.

iv). If, upon investigation, there is considered to be any possibility of the loss of basic human rights and liberties to the applicant arising from a rejection of their appeal, the request to be freely and generously granted.

v). While the investigation is being made, no representative from the applicant's country of origin be given access unless requested by the applicant.

vi). Whether or not the State from which the applicant is seeking refuge is an ally is irrelevant. Circumstances often necessitate alliances between democratic and dictatorship regimes which are based on mutual self-interest, but which in no way condone tyrannous and oppressive practices.

vii). No appeal shall be rejected on the grounds of race, creed or colour.

4. Settlement

4.1 Over 20% of Australia's population was born overseas. Australia is in reality a culturally and linguistic most diverse society.

4.2 Congress believes a continued commitment to the economic, social and cultural implications of a multi cultural, multi racial and multi lingual Australia are essential to the future well being of this country.

4.3 Congress reaffirms that settlement in Australia involves a two way process of adaptation for both new comers and the community at large. Both need to appreciate the different values, experiences and cultural realities which exist while at the same time respecting the right of people to preserve and share their cultural identity.

4.4 Congress recognises that as a part of the settlement process migrants have particular needs. To address these needs congress calls for increased resources from governments, employers and the trade union movement itself.

4.5 Congress believes that it is a Governmental responsibility to provide services - including health, welfare, housing and education particularly English language learning programs - for migrants which will facilitate full participation in the Australian community.

5. Trade Unions and Migrants

As for all workers, trade unions have a vital role to play in protecting and the welfare of workers born overseas.

5.1 English Language Training:

i). Congress affirms that access to basic literacy and numeracy is vital to all people. Access to English language training is essential for all Australian workers born overseas.

ii). Congress affirms that all industrial developments, including the award restructuring process and all accredited training, must recognise the importance of English language training to ensure that Australian workers from non English speaking backgrounds are not disadvantaged.

iii). Congress urges continued negotiation to ensure that awards provide for English language training including on the job training as right without loss of pay.

5.2 Recruitment and Participation

Effective participation in Unions will be assisted by:

- establishing effective communication with migrant members.
- setting up structures such as migrant committees, migrant worker centres, or specialised staff.
- utilising the facilities of TUTA, including the expansion of courses which meet the particular needs of migrant members and of union officials who work with them.
- encouraging the appointment and training of migrants as union representatives including delegates at all levels of union structures.
- providing multilingual information and interpreters.
- providing training for bilingual workers in interpretation skills.
- identifying the particular problems faced by migrant women workers and encouraging union action within the guidelines of the Working Womens Charter.
- targeted recruitment campaigns.
- supporting the maintenance of the Migrant Workers Participation Scheme.

5.3 Recognition of Overseas Skills and Qualifications

Congress affirms that accreditation, including that of overseas acquired skills and qualifications is an industrial issue.

Congress recognises that the national processes of recognition of overseas acquired skills, experience and qualifications must be made more effective. Adequate resources should be available for a significant expansions of both vocational and English language bridging courses.

5.4 Occupational Health and Safety

Migrant Workers are over represented in hazardous industries. As a result they have particular health and safety needs which must be addressed. Congress therefore urges Governments, employers and Unions to:

- provide induction and ongoing health and safety training in community languages
- ensure an expansion of TUTA based courses in languages other than English
- provide appropriate symbols and multilingual signs and warnings
- ensure that all guidelines and standards are translated.

6. Discrimination

6.1 ACTU Congress reaffirms its opposition to all forms of racial discrimination and will ensure:

- That the Racial Discrimination Act 1975 is strengthened by Australia agreeing to Article 4 of the United Nations Convention on the Elimination of All Forms of Racial Discrimination.
- That there is full support to members and officials who are engaged in the campaign against racism, and deplores the actions of those groups seeking to incite racial hatred and violence.
- That effective policies on equal employment opportunities in both the public and private sectors, to meet the special needs of migrants and to prevent racial harassment, are supported and resourced.

6.2 Congress calls upon the Australian Government to provide sufficient resources to ensure the effective compliance of wages and working conditions particularly in rural industries.

7. Ethnic Media

7.1 Congress supports the provision of government broadcasting services (both radio and television) to the non-english speaking population of Australia as an extension of services provided to the rest of the community through the Australian Broadcasting Commission. Congress noting that the broadcasting in community languages is delivered overwhelmingly through the public broadcasting sector, supports increased Government assistance to ethnic public broadcasting.

7.2 Congress affirms the right of members of ethnic communities to participate in both programme and

policy making processes.

7.3 Congress recognising the significance of ethnic media encourages Unions to utilise its services to more effectively communicate with members.