

Wednesday, 16 May 2012

Union Governance

Introduction

1. Workers form and join unions to have a voice for their interests and to secure a fair reward for their work. Unions are democratic and accountable organisations run by and for their members. Unions are dedicated to representing and advocating for working Australians, and the people who work for unions are motivated by values of fairness and collective responsibility.
2. The central obligation of all union officials, and the one that prevails over all others, is to serve the interests of their members. This is particularly true of elected officials who are entrusted with the management of members' funds.
3. Congress notes that Australian unions are subject to the multiple layers of regulation (enacted by the Coalition) including onerous reporting requirements far in excess of that required for companies.
4. The Australian union movement has zero tolerance for corruption or the misuse of members' funds or for maladministration of union affairs. Congress is absolutely committed to the transparent and accountable use of members' funds.
5. Australian unions have been at the forefront of campaigns for improved standards of governance, transparency and accountability in the corporate world and in public life.
6. Congress believes that members can have confidence in the way the affairs of their unions are managed. Unions accept our obligation to meet, and be seen to meet, the highest standards of internal governance. Congress notes that in addition to legal requirements, unions have extensive policies & procedures in place to dealing with governance and financial management, and that ACTU courses for union leaders includes material on these subjects.
7. Consistent with ILO standards, Congress supports regulation of unions which are designed to promote the autonomy and independence of member-controlled unions and provide for good governance.

8. Congress notes and endorses the decision of the Executive on 5 April 2012 to suspend the recognition of the HSU as an affiliated union. In particular, Congress endorses the decision *“to continue to provide services and support to members of the HSU and give encouragement and assistance to all those officials, delegates and members who are dedicated to a strong, democratic and accountable HSU”* and the resolution that no HSU member be disadvantaged.

Best Practice Union Governance in the 21st Century

9. In order to benchmark existing arrangements and give guidance to unions for the future, Congress endorses the establishment of an independent Panel to consider and report on best practice standards of governance for Australian unions in the 21st century.
10. The panel members will be:

(Chair) The Hon. Rod Madgwick - Former Judge of the Federal Court of Australia
Professor Danny Samson - Melbourne University Department of Management
Ms. Judith Bornstein, Victorian Bar
Mr. Graeme Russell, CEO First Super

Executive Officer: Assistant Secretary Tim Lyons
11. Without limiting its work the panel will consider the experience of national unions and branches in the current regulatory environment and existing governance standards and may make recommendations on the following:
 - a. Comparative good governance standards in the Australian not-for profit / NGO sectors (and where relevant corporate Australia) and Global standards of trade union governance;
 - b. Transparency and accountability in relation to finances (including remuneration) and risk management (including the management of conflicts of interest);
 - c. Financial controls and procedures (including income, membership systems, expenditure, procurement, investments & audits);
 - d. Member contact, complaints handling & grievance / dispute procedures;
 - e. Appropriate training standards and programs in relation to governance issues for Officer’s (including Committee of Management members); and
 - f. The respective roles for the ACTU, TLCs, National Offices and Branches.
12. All Affiliates & union members will be invited to contribute to the Panel’s work. The Panel will provide a report to the ACTU Officers for consideration by the Executive. The Report will be publicly released.

Moved: Dave Oliver, AMWU

Seconded: Tim Lyons, ACTU