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## Low-paid workers win access to bargaining system, but legislation still needs improvement

Low-paid award workers have a platform to improve their wages and conditions following an historic decision by the industrial tribunal today, say unions.

But the decision, by the full bench of Fair Work Australia, also highlights shortcomings in the existing legislation that must be improved so that all low-paid workers have genuine access to the bargaining system, said ACTU Secretary Jeff Lawrence.

Aged care workers are the first employees to test new provisions in the Fair Work Act that allow the low-paid to group together and bargain on an industry level.

In its decision, Fair Work Australia has confirmed the general intent of the Act to help the low-paid access the bargaining system, said Mr Lawrence.

Fair Work Australia has authorised United Voice to act on behalf of these workers.

The decision means all low-paid aged care workers not covered by an enterprise agreement will receive the right to bargain.

However, Mr Lawrence said a group of aged care workers have been excluded from the industry bargaining because they have previously negotiated a collective agreement, even though they are defined as low-paid.

Mr Lawrence said the decision would open the door for applications to be made for industry-wide bargaining for other groups of historically low-paid workers.

“This is an important decision by Fair Work Australia which recognises the need for some of our lowest paid workers to negotiate for a fairer and better deal for their wages and conditions,” Mr Lawrence said.

“Rather than just be subject to the award system, these workers need to be able to use their collective voice to negotiate directly with employers.”

However, Mr Lawrence said the case before Fair Work Australia also highlighted areas where the Fair Work Act needed improvements to ensure all low-paid workers across the aged care industry had the right to bargain.

“We have long said that improvements were needed to the Act to ensure all workers have access to collective bargaining,” Mr Lawrence said.

“Today’s decision confirms the limitations of the legislation and we will take these concerns up with the Federal Government.”

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