

Union Action Plan

Justice for First
Nations People



ACTU
CONGRESS 21



ACTU Congress briefing: First Nations Workers

Aboriginal and Torres Strait Islander workers or peoples have a proud history of working with unions and being active in their unions. Our shared history is filled with unions not only fighting for the working rights of Aboriginal and Torres Strait Islander peoples but also fighting and supporting Aboriginal and Torres Strait Islander peoples' campaigns for justice on social issues.

In 1936, Torres Strait pearl luggers united in the Maritime strike, where they fought for wages, safer working conditions and to stop government control of their money.

In 1946, hundreds of Aboriginal pastoral workers walked off numerous wool stations in the WA region of the Pilbara. The Australian Workers Union supported the strike action for fair wages and working conditions. It is considered one of Australia's longest strike actions, ending in 1949. Policing of this strike was very heavy-handed with many of the strikers imprisoned. The imprisonment of so many workers led the Fremantle branch of the Seaman's Union to ban the shipping of Pilbara wool. This year marks the 75th anniversary of the Pilbara strike – unions across the nation celebrated and acknowledged the strike at their Labour Day rallies and marches.

The Media Entertainment Arts Alliance fought for Aboriginal actors whilst they were filming the 1955 classic, 'Jeddah' – a film about an Aboriginal girl who loses her mother at birth, leaving the non-Indigenous wife of the station owner to raise her as her own.

This year also marks the 55th anniversary of the 'Wave Hill' walk-off. In 1966, Aboriginal cattle station workers and their families walked off the 'Vesty brothers' cattle station in the Northern Territory. The strike action was originally for equal pay and better working conditions because it was illegal to pay Aboriginal peoples a wage – instead, they were paid with meagre food rations. It later became a pivotal stance for the rights to country and land ownership, inspiring the land rights movement. Originally the National Australian Workers Union instructed activist Dexter Daniel not to lead the workers out on strike, but the Gurindji, led by Vincent Lingiari, still walked off. A short time later, the NAWU employed Dexter Daniels as an organiser and supported the strike action and fight for land rights. A Waterside Workers Union member Brian Manning loaded his truck with food and other supplies and drove 10 hours to deliver these goods to the Gurindji people, sustaining the strike action and the fight for land rights. At the request of the Gurindji peoples, the Freedom Festival held each year is as much about unions as it is about the actions taken by the Gurindji peoples. Unions are rebuilding the relationship and supporting the Gurindji peoples, ensuring the celebration will survive well into the future.

In 1993 the National Tertiary Education Union (NTEU) set up an internal structure that supports their Aboriginal and Torres Strait Islander members and delivers self-determination in the union.

Aboriginal and Torres Strait Islander members elect their representatives to councils that have decision making capabilities. The NTEU make Aboriginal and Torres Strait Islander business core union business.

There is a rich and diverse history of Australian unions supporting Aboriginal and Torres Strait Islander campaigns and fighting for equity and justice, from the 1869 Coranderrk strike for wages and tenure of the station, to present day, where we have Aboriginal and Torres Strait clauses in enterprise agreements ensuring culture is maintained and there is equality in the workplace. In recent times, the union movement stood with 'Black Lives Matter' activists calling for action on Aboriginal deaths in custody, we won a 4-year campaign on 'Wage Justice' for Community Development workers in remote Aboriginal & Torres Strait Islander communities and have educated hundreds of union members on the 'Uluru Statement from the Heart' with the FNWA Voice, Treaty, Truth Advocacy course.

Despite this progress, Aboriginal and Torres Strait Islander peoples are still the most disadvantaged groups of Australian workers. Aboriginal and Torres Strait Islander peoples are less likely to be employed than non-indigenous Australians. They endure the scourge of racism daily, on average they are paid 33% less than non-indigenous workers, and they face a lower life expectancy rate, with many not living long enough to access their superannuation. Often, their jobs are tied to funding and if funding ceases, so do their jobs, creating another class of insecure workers. Aboriginal and Torres Strait Islander peoples are often in workplaces without protections, or they are required to work for inadequate social security payments with fewer rights. Many are required to leave their homelands to find employment because the government does not invest in jobs on country. This causes mental health issues due to being isolated from family, culture, and country.

This is unacceptable and needs to change.

In 2017 Australian unions established the First Nations Workers Alliance for Aboriginal and Torres Strait Islander members, Community Development Program (CDP) workers and non-Indigenous allies. FNWA was formed to give a voice to Aboriginal and Torres Strait Islander CDP workers in remote communities. It is a one-stop-shop for workers and unions and is a conduit to connect Aboriginal and Torres Strait Islander workers that seek to join a union. It is a resource for unions to use in the following ways:

- To assist in mapping their Aboriginal and Torres Strait Islander members
- For assistance setting up support structures
- To provide advice on culturally safe and inclusive workplaces
- To provide advice on cultural protocols and connections to culture and country

The FNWA is the conduit for unions and their members wanting to actively support Aboriginal and Torres Strait Islander social and justice campaigns. It provides direct access to organisers and can inform on any protocols that need to be acknowledged. It also provides unions with access to FNWA resources, assistance to recruit Aboriginal and Torres Strait Islander workers, guidance to set up support structures ensuring unions are culturally safe and understand cultural protocol and connections to culture and country.

Some examples of Unions working with FNWA include:

- United Voice NT accessed FNWA to recruit members on mass to end the Community Development Program (CDP).
- The Maritime Union of Australia (MUA) sent Aboriginal and Torres Strait Islander members to desert communities in the NT to help the FNWA speak with and recruit CDP workers.
- The NTEU passed a motion at their national council that all divisions and branches become part of the FNWA, raising much-needed funding for the 'Wage Justice' campaign.
- Australian Education Union (AEU) NT division invited FNWA to join them in their tour to remote Aboriginal communities through West Arnhem, allowing FNWA access to communities they previously could not access.

These collective actions have not only seen Aboriginal and Torres Strait Islander workers wanting to join their unions but has grown the campaign to end the CDP, resulting in the Government making changes to the CDP program in 2019, and now committing to abolishing and replacing the CDP program in 2023.

Today, Australian unions have increased their participation in Aboriginal and Torres Strait Islander workplace issues and in social and justice issues. Union members turned out in the hundreds on Invasion Day, they marched for climate justice and for the Black Lives Matter (BLM) movement and Aboriginal deaths in custody. They do more than fight for workers' rights – they are a catalyst for social change.

Key facts:

- The 2016 median adjusted weekly household income among all Aboriginal and Torres Strait Islander Australians aged 15 and over was \$623 compared with \$935 for non-Aboriginal and Torres Strait Islander Australians (ABS 2019). This indicates that the Aboriginal and Torres Strait Islander median weekly income was 33% lower.
- Aboriginal and Torres Strait Islander Australians aged 15–64 are 1.9 times as likely to be unemployed compared to non-Aboriginal and Torres Strait Islander Australians. In 2018 the Aboriginal and Torres Strait Islander employment rate was around 49% compared to around 75% for non-Aboriginal and Torres Strait Islander Australians.
- In 2015-2017, life expectancy at birth was 71.6 years for Aboriginal and Torres Strait Islander men, 8.6 years less than non-Indigenous men, and 75.6 years for Aboriginal and Torres Strait Islander women, 7.8 years less than non-Indigenous women.
- There have been 474 Aboriginal deaths in custody since the Royal Commission into Aboriginal Deaths in Custody delivered their final report in 1991.
- Where the CDP operates in remote Aboriginal and Torres Strait Islander communities, workers are required for 530 hours more than JobActive workers, which operates everywhere else.

- The CDP will be replaced by an alternative training program by 2023. The current coalition government has said it will be developed under a co-design process but are most likely not going to include local community organisations or people. FNWA will need to continue their work with remote workers and communities to ensure another harmful program is not implemented.
- 3444 participants have completed the Voice Treaty Truth Advocacy course over 24 sessions.
- 12 new short courses are being developed by FNWA. Six courses are tailored for Aboriginal and Torres Strait Islander workers and will deliver skills and training on being a union member. The other six courses target union members in general and include cultural content to help members organise Aboriginal and Torres Strait Islander workers and members.

Australian Unions believe:

- We need to lead with a clear and simple values statement about equality and anti-racism.
- All workers should be paid a wage for the work they do, and paid at least the minimum wage, have access to working conditions, such as leave entitlements and have a safe workplace with access to Workcover and workers compensation, regardless of whether they come under the Social Security Act –everyone should have rights equal to other workers.
- Racism is unacceptable and is a WH&S issue, which impacts a workers’ mental health. Australian Unions supports the ‘No place for racism’ campaign established by the Human Rights Commission (Congress 2012).
- The CDP was a racist and punitive program, and any replacement program should not be harmful to participants or their communities. A new program should be about job creation and appropriate training that leads to sustainable jobs.

Action Plan 2021-25

Australian Unions will work together on the following priorities:

- Australian Unions will be strong allies to Aboriginal and Torres Strait Islander peoples by participating in and supporting social justice campaigns on Aboriginal and Torres Strait Islander issues and prioritising workplace issues affecting Aboriginal and Torres Strait Islander,
- Support and participate in the FNWA ‘Wage Justice’ campaign, which advocates for real, sustainable employment and job creation on country for remote workers, and will campaign against any employment program that erodes workers’ wages and working conditions,
- Support the First Nations Workers Alliance to be a voice for vulnerable remote Aboriginal and Torres Strait Islander workers on CDP that don’t have union coverage,
- Address the issues raised by The Gari Yala survey – a survey of Aboriginal and Torres Strait Islander workers across the country from many different industries. This survey gave some revealing statistics and recommend ten truths to centre Aboriginal and Torres Strait Islander voices to create workplace inclusion. Australian unions commit to including these ten truths when addressing issues affecting Aboriginal and Torres Strait Islander workers,

- Commit to unearthing and acting on workplace truths – however uncomfortable this may be.
- Ensure any Aboriginal and Torres Strait Islander-related work is Indigenous-led and informed.
- Develop organisational principles to make it clear how Indigenous community engagement and employment should work in practice.
- Focus on workplace readiness (cultural safety) rather than worker readiness
- Recognise identity strain and educate non-Indigenous staff about how to interact with their Indigenous colleagues in ways that reduce this.
- Recognise and remunerate cultural load as part of an employee's workload.
- Consult with Indigenous staff on how to minimise cultural load while maintaining organisational activity.
- Focus on sustainable careers and career development, rather than just short-term appointments.
- Take action to address workplace racism.
- Look to high-impact initiatives – those that research shows are linked to better wellbeing and retention for Indigenous staff.
- Continuing to work with FNWA on union membership growth of Aboriginal and Torres Strait Islander workers and setting up culturally safe structures to support those workers.
- Supporting FNWA education programs, including the highly successful Voice, Treaty, Truth Advocacy Course or any replacement course following the outcomes of the Voice Co-Design process. Experience has shown that Aboriginal and Torres Strait Islander members are more likely to participate in training when it is facilitated by Aboriginal and Torres Strait Islander educators. FNWA can facilitate this training and create culturally safe