

6 Reasons we need to Change The Rules.

Our workplace laws are broken. The power is stacked in favour of employers – we need an even playing field that is fair for workers and their unions. We could make a list a mile long about things that need to change – but here's 6 priorities:

1 Union Rights on Site

- **Union entry rights to workplaces**
- **Protect the right to organise**
- **Protect the right to strike and the right to take industrial action**

Our current workplace laws unfairly restrict unions' rights on site and our rights to enter sites and to organise and take industrial action.

There are heavy restrictions on when and how workers can take action, and current laws allow employers to sue workers and their unions and seek compensation for lost revenue.

For example, Anthony Pratt, chairman of VISY and Australia's richest man, is worth \$12.6 BILLION. But last year he sued AMWU members at his factory in Dandenong after they allegedly took industrial action to protect a delegate.

Without stronger union rights on site, industrial disputes become intractable as they have no way to resolve issues through arbitration. Workers are stripped of their power and leverage.

2 Fight for Bargaining Rights

- **Remove restrictions on what we are allowed to bargain for**
- **Bring back industry-wide bargaining**

We must **fight to remove restrictions on what unions are allowed to bargain for** – there should be no limit to what workers can fight for.

The rules used to be much more open and give unions the flexibility to bargain for issues across a huge range of issues that affected workers.

In addition, workers and unions are no longer legally able to join together **across employers** to bargain for better conditions across an **entire industry**.

Being able to do so would strengthen our power and lead to better outcomes for workers.

Our union is fighting for the right to bargain across an entire industry, lifting conditions for all workers and at the same time levelling the playing field.

We used to do this before the laws changed – and it was industry-wide bargaining that led to entitlements like superannuation and long service leave being introduced in Australia.

We're fighting to be able to bargain across industries again – to join together to lift the conditions for everyone.

3 End the Unilateral Termination of Agreements

Employers are using a loophole in the Fair Work Act to unilaterally terminate expired enterprise agreements, returning their wages and conditions back to the award.

For example, Unilever, the company that owns **Streets ice cream**, tried to use the termination of enterprise agreements to cut their workers' pay by 46%. It took a nation-wide boycott to get them to stop. AMWU members at Griffin coal in **Collie, WA** had their pay cut by 43% when their enterprise agreement was terminated.

This behaviour is corporate greed at its worst.

By threatening workers with gigantic cuts to pay and conditions, this loophole gives employers a nuclear option in bargaining and undermines your right to negotiate fairly with your employer.

These laws must be changed so agreements can't be terminated **unless workers agree** – not just employers.



4 Stop Sham Workplace Agreements

We are seeing a number of employers introduce 'sham' agreements where a small number of workers are used to vote on collective agreements that end up covering thousands of workers.

We saw this at CUB in Victoria, when the maintenance workers at Carlton United Brewery were sacked and offered their jobs back with up to 65% less pay because of an enterprise agreement voted on by six casuals in WA. The 200 maintenance workers at the Esso gas plant in Gippsland, Victoria also had their pay cut by 15-30% and had a new, family-unfriendly roster forced on them.

These tactics are a deliberate attempt to take negotiating power away from working people. Employers are targeting strongly unionised sites to break agreements. We need a comprehensive fairness test for agreements that protects EBAs.

We need laws that protect workers' democratic right to vote on pay and conditions, and to negotiate fairly with employers.

5 Fight Unnecessary Casualisation and Rampant Labour Hire

The casualisation of the workforce has meant that fewer Australians have access to good steady jobs.

In particular, we have seen many employers use labour hire as a way to cut conditions and undermine the bargaining power of permanent employees.

It's estimated that over 600,000 Australians are employed through labour hire firms, and manufacturing uses labour hire more than any other industry.

While manufacturing employs 7.2% of Australian workers, it uses 19% of Australia's labour hire workers.

We need automatic conversion rights for casuals across every industry. By taking away the incentives to use labour hire workers and give casual workers the right to become permanent if they want to, we can give more workers the stability they deserve.

6 Defend Penalty Rates and Shift Entitlements

For decades, many employers and their conservative mates have been trying to take away weekend and public holiday penalty rates. They have been using an industry by industry strategy to take money out of the pockets of workers.

They argue that we're in a 24-7 economy and it shouldn't matter when you work.

They've already attacked retail and hospitality workers, and we know they are going after trades like hairdressing and potentially even **vehicle retail, service and repair** next. No industry is safe.

The Australian Industry Group represents employers across the manufacturing industry.

Last year, they led the campaign to strip 800,000 retail and hospitality workers of their Sunday penalty rates.

Losing penalty rates would have a huge effect on AMWU members. As just one example, **25.5% of workers in the food manufacturing industry rely on penalty rates.** We need a system that defends penalty rates from greedy employers.

