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**Opinion Piece by Heather Ridout,  
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Far from being a vision, the ACTU collective bargaining proposals, released yesterday are a look through the rear view mirror. The proposals are allegedly based on an analysis of overseas bargaining systems, but seek to “cherry pick” elements of those systems in an attempt to enhance union power over workplaces.

It is a union wish list that elevates collective bargaining and the unions’ version of it to the centre of workplace strategies.

The proposals in the union delegation’s report are even worse than the ALP policy outlined by Kim Beazley at the weekend. Under the ALP’s model if the majority of employees in a workplace want to bargain collectively the employer would be forced to. The ACTU proposal goes further in that even a minority in the workplace could trigger obligations on the Australian Industrial Relations Commission (AIRC) to force employers to collectively bargain.

All employees should have the right to enter into an individual agreement with their employer if they wish to. In a male dominated workplace, flexible working arrangements may hold little attraction to the majority of employees but they may be extremely important to a female worker – far more important than a pay rise. In this example, the female worker should have the choice and not have to be subject to “one size fits all” collective bargaining.

Both the ALP and the ACTU’s proposals are a giant leap backwards from the voluntary enterprise bargaining system that the Keating Government introduced in 1993. The Keating model gave all parties the right to pursue a workplace agreement if they wanted one and to take industrial action in pursuit of it. The model also included a comprehensive safety net of minimum conditions for those who did not have a workplace agreement. This approach was tested in the AIRC (in the *Asahi* case) and found to be fair and appropriate.

WorkChoices has preserved the voluntary bargaining system introduced by the ALP. Under WorkChoices the safety net consists of a mix of awards and legislated minimum conditions. The legislated minimum conditions under WorkChoices are generous and have resulted in improved conditions of employment for most employees (such as 10 days sick leave per year, 10 days carer’s leave per year and 8 different types of parental leave).

The influence of the manufacturing and construction unions is evident in the union delegation's report. Over recent years these unions have pursued damaging industry-wide claims for unsustainable improvements in wages and conditions, backed up by industry-wide industrial action. The WorkChoices legislation and the Government's construction industry reforms have stamped out these damaging practices. The new workplace relations system is currently delivering very generous average wage increases, record levels of employment and record low levels of industrial disputation.

The ALP and the ACTU have over-reached on this issue. Compulsory collective bargaining, whether proposed by the ACTU or the ALP, will have no credibility with, and will receive no support from, the business community.

The union delegation's report smacks of a heavy handed return to industry wide bargaining and compulsion which are not in sync with the needs of today's modern, globally engaged workplaces and economy.