

# **AUSTRALIAN GREENS SENATORS' DISSENTING REPORT**

1.1 The Australian Greens oppose the Fair Work (Registered Organisations) Amendment Bill 2014 [No. 2] (the bill) in its entirety.

## **Registered organisations are not corporations**

1.2 The Minister for Employment and other supporters of the bill claim that it puts corporations and registered organisations on even footing, implying that unions and other registered organisations ought to be treated in the same way as corporations because they are fundamentally the same. This is not the case. Unions are required under the Fair Work (Registered Organisations) Act 2009 and other legislation to be democratic organisations, while corporations are not. Unions are required to publish their accounts and financial returns every year online, but proprietary limited companies are not.

1.3 The government fails – or refuses – to understand that employee organisations do not exist for the same reason as businesses. Businesses exist to make profit: that is their sole purpose and the measure of their success. Company directors are legally required to act in the best interests of their shareholders and continue to make a profit.

1.4 Unions exist to advance the interests of their members, and in doing so, help all workers. Unions advise people of their rights and entitlements at work and ensure those entitlements are honoured. Unions ensure that the lowest paid workers enjoy something approaching what others take for granted: a decent income and quality of life. Unions fought for shorter working weeks. Unions are responsible for the existence of the weekend. It is thanks to unions that workers are entitled to annual leave and penalty rates. These things were not granted to workers by benevolent corporations; unions fought for every single one.

1.5 Unions drive changes to our workplace laws not for their own benefit, but for the benefit of their members and all Australian workers. Unions receive no direct financial advantage from their work. Registered organisations are fundamentally different to profit-making corporations and they must be treated differently.

## **The bill is unnecessary and unfair**

1.6 The bill is unnecessary: current laws prevent officers of registered organisations from using their positions for their own personal benefit and those that do are prosecuted. Rather than extending the current requirements demanded of unions to corporations, the bill allows the government to micromanage unions in a way that would be unthinkable of private companies, while still imposing the same penalties on unions as apply to publicly listed companies.

1.7 The bill is simply another stage of the government's attack on workers' rights. Just as successive budgets have revealed the true callousness of this government, the bill reveals the government's hidden anti-worker agenda.

1.8 The government may insist that WorkChoices is dead, buried and cremated, but it has simply learned that such blatant attacks have real electoral consequences. With this bill, the government is undermining Australians' rights at work in a far more subtle and underhanded fashion.

### **Conclusion**

1.9 The bill works on one simple principle: 'we will come for the unions first so that there is no-one left to protect the workers when we come for them'. It is a transparent attempt to burden workers and their unions with unnecessary red tape in order to prevent them from advancing the interests of the people they exist to protect.

### **Recommendation 1**

**1.10 The Australian Greens recommend that the Senate reject the bill.**

**Senator Janet Rice  
Australian Greens**