



**Secretary:** Alex White  
**President:** Ben Halliday

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23 January 2015

Committee Secretary  
Senate Education and Employment Committees  
PO Box 6100  
Parliament House  
Canberra ACT 2600  
By email: [eec.sen@aph.gov.au](mailto:eec.sen@aph.gov.au)

To the Committee Secretary:

Please accept this submission to the inquiry into the Fair Work Amendment (Bargaining Processes) Bill 2014 on behalf of UnionsACT.

UnionsACT is the peak body representing unions in the Australian Capital Territory. We represent over 30,000 working people and their families.

UnionsACT is deeply concerned at the changes contained in the proposed Bill, and we oppose the Bill.

Although the Government states that the amendments are intended to promote “harmonious, sensible and productive enterprise bargaining”, the effect would be to substantially limit collective bargaining rights for working people, and to further restrict lawful industrial action. It would not promote harmony or productivity, and it is not the product of sensible public policy development.

UnionsACT supports the substantive submission made by the Australian Council of Trade Unions.

Further, we wish to express our opposition to any further restriction on the rights of working people to collectively bargain and take industrial action.

Collective bargaining is already subject to considerable regulation. The Bill proposes to require the Commission to refuse approval of agreements where productivity improvements were not discussed. This creates an incentive for mischievous employers to refuse such discussions and thereby effectively veto the bargaining process. This is an unacceptable legislative change that would have considerable negative consequences for working people.

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It is our view that industrial action is already inappropriately restricted in Australia. Incidence of industrial actions is currently at historic lows. The Bill would go much further in limiting industrial action, and would create considerable administrative burdens for unions and employers.

Again, we wish to express our support for the substantive submission made by the ACTU on this Bill, and to place on record our opposition to the changes the Bill proposes.

Thank you for the opportunity to make a submission to the committee inquiry.

**Alex White**  
Secretary  
UnionsACT