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SUBMISSION TO THE SENATE EDUCATION AND EMPLOYMENT LEGISLATION COMMITTEE

Fair Work (Registered Organisations) Amendment (Ensuring Integrity) Bill 2017

1. Unions Tasmania is the peak body for trade unions in Tasmania. We are also the local branch of the Australian Council of Trade Unions (ACTU). With 25 affiliate unions, we represent approximately 50,000 union members across industry, in both the public and private sector.
2. Unions Tasmania welcomes the opportunity to make a submission to the Committee. We note that the Australian Council of Trade Unions has made a comprehensive submission. Our submission will be brief as we support all the arguments advanced by the ACTU.
3. Union Tasmania opposes this Bill on the basis that it is politically motivated and goes beyond the recommendations of the Trade Union Royal Commission (TURC) which was itself a politically motivated exercise. Furthermore, the characterisation of industrial organisations and corporations as comparable is inappropriate and misunderstands the fundamental nature of unions. We are also concerned that this Bill will place an additional burden on small unions in Tasmania.
4. Unions Tasmania believes this Bill to be politically motivated. The clearest evidence of this is the amendments with regard to union amalgamations. It appears that aspects of these amendments are targeted at preventing the merger of the Construction, Forestry, Mining and Energy Union (CFMEU), the Maritime Union of Australia (MUA) and the Textiles, Clothing and Footwear Union of Australia (TCFUA). Such a narrow political objective should not be the basis for legislative change.
5. To the extent on which this legislation relies on the recommendations of the TURC, it must be noted that the TURC itself should not be used a basis for change given it was a political exercise that concluded without having any real understanding of the role and purpose of unions.
6. Unions are not for profit, member driven organisations who not only act to service members as a legal provider or wage negotiator but also help workers build their collective voice around a broad range of social, political and economic issues. Critical to their operation is the democratic participation of the rank and file union member. This democratic nature of unions is enshrined in international law. The opportunities this Bill creates for legal interference by the Minister, the Commissioner or other persons such as employer organisations removes the rights of union members to have a voice and a say in the running of their union.
7. The branches of Tasmanian unions are often small compared to those in larger States. This means Tasmanian unions particularly value the close collaboration and involvement of their members.
8. Given their smaller size and resources, Tasmanian branches are particularly reliant on members joining their committees of management on a voluntary or honorary basis. It is ludicrous in the extreme to attempt to place comparable obligations – or even more onerous obligations - on a school cleaner or aged care worker who works full time in their chosen industry (but also volunteers with their union’s management committee) as is placed on a company director.