

**STRONGER
TOGETHER**

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The Research Director
Legal Affairs and Community Safety Committee
Parliament House
George Street
Brisbane Qld 4000

Via Email: lacsc@parliament.qld.gov.au

Dear Sir/Madam,

RE: Industrial Relations (Transparency and Accountability of Industrial Organisations) and Other Acts Amendment Bill 2013

The Australian Workers' Union of Employees, Queensland (AWUEQ) makes the following limited comment with respect to the abovementioned Bill.

Division 1B Requirements for spending for political purposes

By the operation of the *Industrial Relations Act 1999*, registered employee and employer organisations (hereafter "employee unions" and "employer unions") are required to operate in accordance with the principles of democratic control, accountability and transparency. This includes the timing and conduct of elections for office bearers as well as the internal management structures and obligations of the organisations.

Employee and employer unions are also required to undertake independent auditing of organisational accounts, which must be submitted to the Industrial Registrar annually. The audited accounts must also be appropriately published for the attention of the organisation's members.

As a registered employee union, the AWUEQ is required to comply with all of these particular obligations in order to maintain registration in the Queensland industrial relations system. This is no different to the requirements that also apply to registered employer unions, such as Commerce Queensland, Master Builders and Clubs Queensland.

For the above reasons, the professed purpose for this part of the Bill is otiose. Employee and employer unions already submit themselves to the control of their respective memberships, and are already accountable for all expenditure incurred, whether for a political purpose or not.

Secretary: Ben Swan

The Australian Workers' Union of Employees, Queensland.
The Australian Workers' Union, Queensland Branch.

www.awu.org.au

Industrial Relations
(Transparency & Accountability
of Industrial Organisations)
Submission 008

As with many of the things legislated by this Government around the field of industrial relations, the political motivation to attack organised labour is palpable. If the issue were not so serious, it would be laughable that in proposing to legislate this way, the Government will also inflict significant collateral damage on employer unions registered in the State.

If the proponents of this Bill could be bothered to understand history or even examine the registered rules of most (if not all) registered organisations, it would be readily apparent that the objects for which such organisations are established include political activities, political lobbying and/or political campaigning. This applies equally in the case of employee unions and employer unions.

In the field of industrial relations, it is difficult to imagine many (or any) circumstances where the industrial interests or material welfare of members would not involve some degree of political consideration. For instance, minimum wage entitlements, superannuation, the creation of industrial awards and agreements and workplace health and safety are all industrial matters that are governed extensively by legislation and which are often fertile ground for political parties of all persuasions to publicly contest throughout the electoral cycle.

With respect to political activity, the Bill imposes an additional obligation where none need exist. For example, by freely joining the AWUEQ, members have already authorized the union to provide and distribute funds for political purposes in accordance with the registered rules.¹ If a member disagrees with the decisions made by the democratically elected management body of the union, the member is free to resign from the union at any time. Equally, an individual is free not to join the union in the first instance. In either case, that is a choice entirely at the election of each individual, which in turn is the quintessential characteristic of a free, accountable and democratic organisation.

Aside from being completely unnecessary, the Bill represents an affront to the principles which underpin participatory democracies. It deliberately establishes significant financial and logistical barriers to the manner by which important social and industrial issues can be publicly debated and contested and, in doing so, strikes right at the heart of why individuals choose to freely form and join employer and employee unions in the first place.

Far from representing true liberal values and good public policy, this Government is legislating its way through the industrial landscape in a radical and extreme fashion, and is doing so in a manner that may unleash unintended consequences for all concerned - not just employee unions.

Yours faithfully,



BEN SWAN
SECRETARY

¹ AWUEQ Rules – rule 3(e)