

ITUC OnLine

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### **Australia: Time to Improve Workers' Rights and to Empower Women and Indigenous Peoples**

Brussels, 04 April 2011 (ITUC OnLine): The state of fundamental workers' rights in Australia is disclosed in a new report by the ITUC, published to coincide with the World Trade Organisation's (WTO) review of its trade policies.

"In several areas there continue to be serious implications for workers' and union rights on a daily basis, including ongoing restrictions on the level of bargaining, industrial action and the content of collective agreements," said ITUC General Secretary Sharan Burrow. "The Fair Work Act 2009 requires further improvements so as to ensure employees benefit fully from their rights in conformity with ILO Conventions 87 and 98."

The enactment of the Fair Work Act of 2009 restored many of the rights taken away under the WorkChoices Act of the former government in Australia. However, the ITUC report finds that certain aspects of the right to join and form unions, to bargain collectively and to strike are not in line with Conventions 87 and 98.

The situation is especially serious in the building and construction industry, where special laws continue to operate despite being in breach of international standards on freedom of association. Furthermore, workers cannot take industrial action when bargaining with multiple employers unless they form a single interest group.

ACTU President Ged Kearney explained, "There's no doubt that the Fair Work Act has brought Australia closer to compliance with ILO standards on freedom of association and collective bargaining. But there are still key areas of workplace rights where Australia is not up to scratch."

"We will not rest until the discriminatory laws applying to the building and construction industry are abolished and there is one law for all workers.

"Restrictions on multi-enterprise bargaining should be removed and the right to take industrial action must conform to ILO Conventions.

"We also believe the limits on the contents of collective agreements should be removed so workers can bargain over key issues that matter to them such as job security and access to union help in the workplace."

The report also finds that Australia has laws on racial, ethnic, disability and sexual orientation discrimination that generally conform with international standards. However, the government needs to do more to make sure that women's equal rights are respected in practice, as women face a significant pay gap and are underrepresented in senior positions.

Indigenous people continue to face substantial disadvantage and discrimination in employment.

Read the full report: <http://www.ituc-csi.org/report-for-the-wto-general-council,8824.html>

The ITUC represents 175 million workers in 305 affiliated national organisations from 151 countries and territories. Website: <http://www.ituc-csi.org> and <http://www.youtube.com/ITUCCSI>

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