

A NEW WORKPLACE RELATIONS ARCHITECTURE

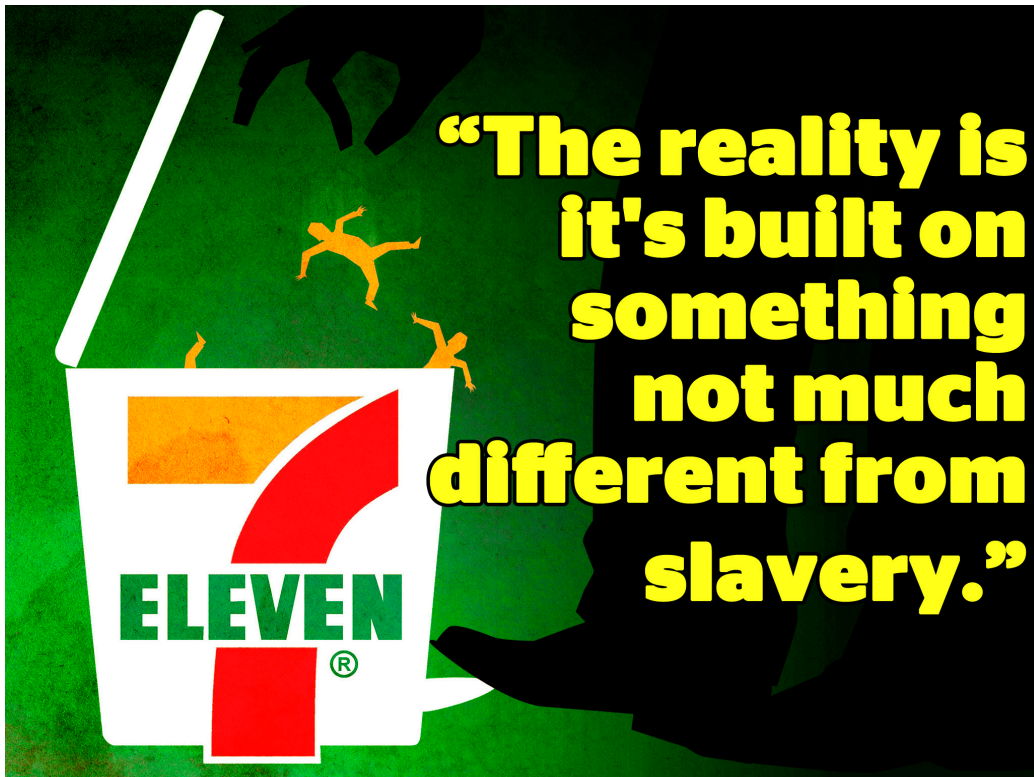
Clare Ozich
Executive Director
AIER

About AIER



- Founded in 2005
- Works in the public interest to promote the recognition and implementation of the rights of employers and workers in a cooperative industrial relations framework.
- AIER is independent of government or any particular interest group.
- Engages some of Australia's finest and most respected experts in industrial law and industrial relations.
- The governance structure is based on the principle of tripartite representation of employees, employers and independent persons, as exemplified by the International Labour Organisation of the United Nations.

A unique voice

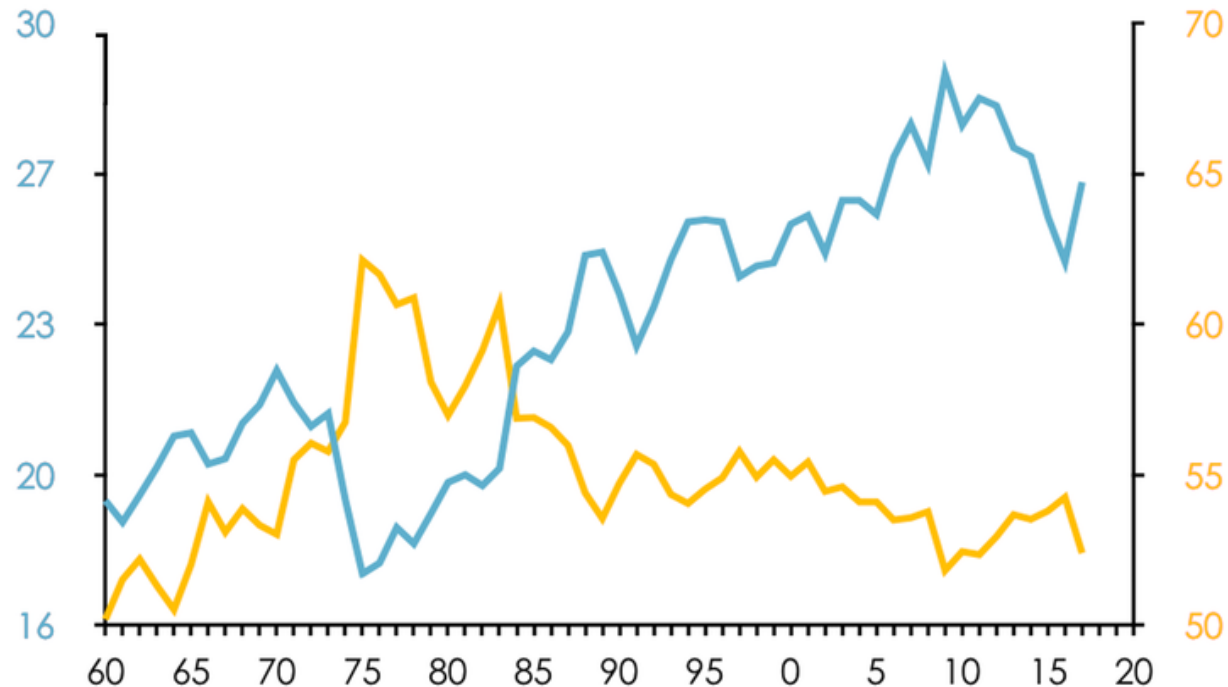


**7-Eleven: Investigation exposes
shocking exploitation of convenience
store workers** The Age, 29 August 2017

Wage and profit shares of national income

Profits as a % of GDP*

Wages as a % of GDP**



Source: ABS National Income, Expenditure and Product (5206.0)

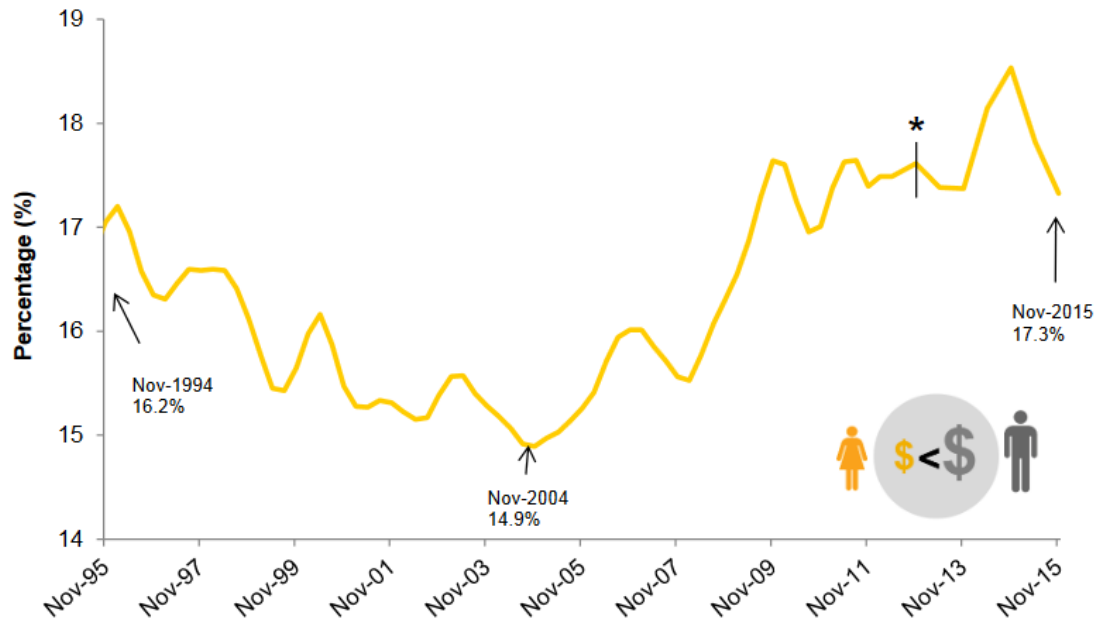
**"Profits" is the gross operating surplus of corporate trading and financial enterprises.

** "Wages" is the compensation of employees.

**Source: "Is faster profit growth essential for a pick-up in wages growth?",
Saul Eastlake, The Conversation, 4 October 2017**

Based on data collected in November 2015, the gender pay gap stood at 17.3%.⁶

Figure 1: Gender Pay Gap, Australia, November 1995 – November 2015⁷



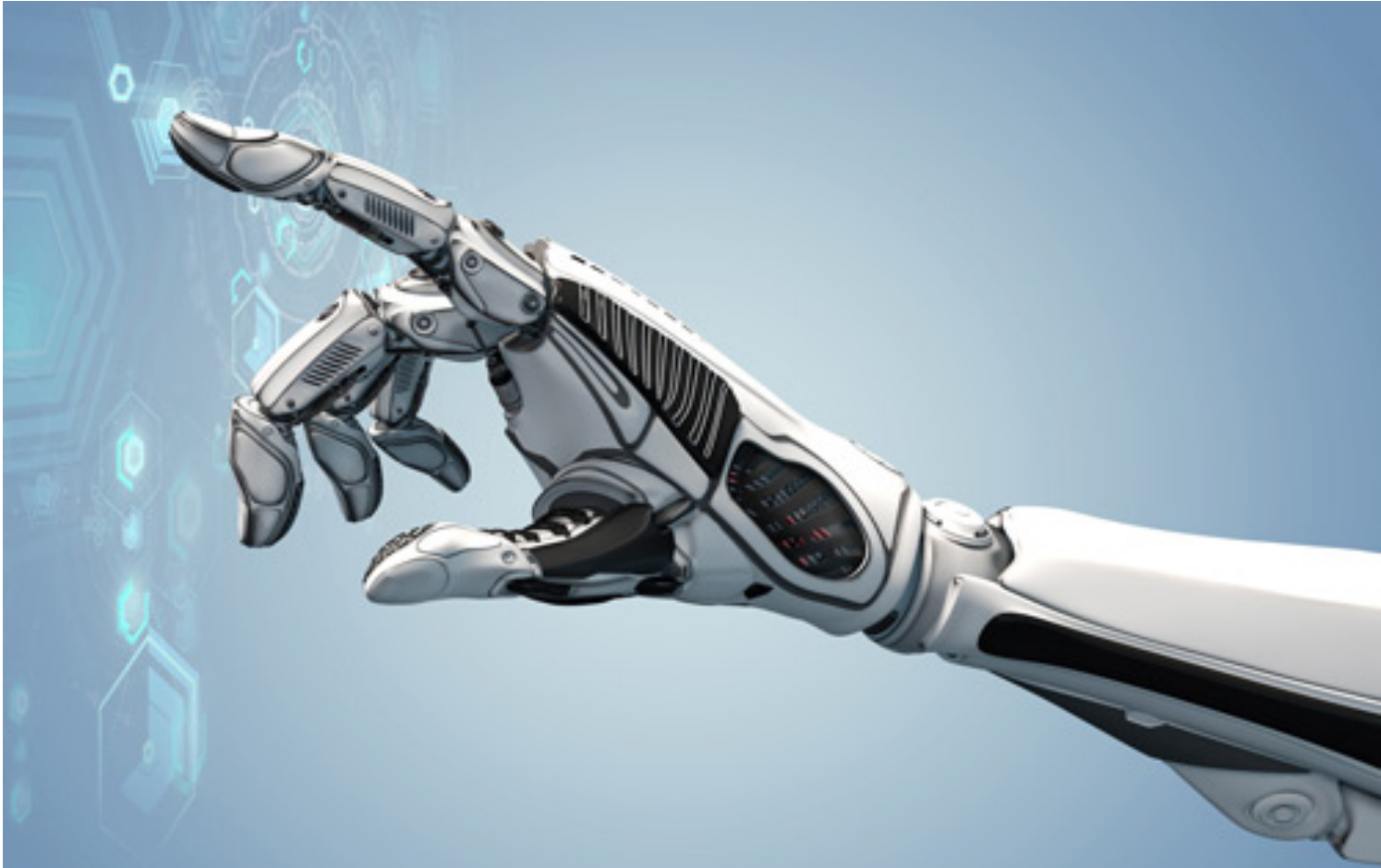
Source: ABS (2016), *Average Weekly Earnings, Nov 2015*, cat. no. 6302.0, viewed 26 February 2016, <http://www.abs.gov.au/ausstats/abs@.nsf/mf/6302.0>

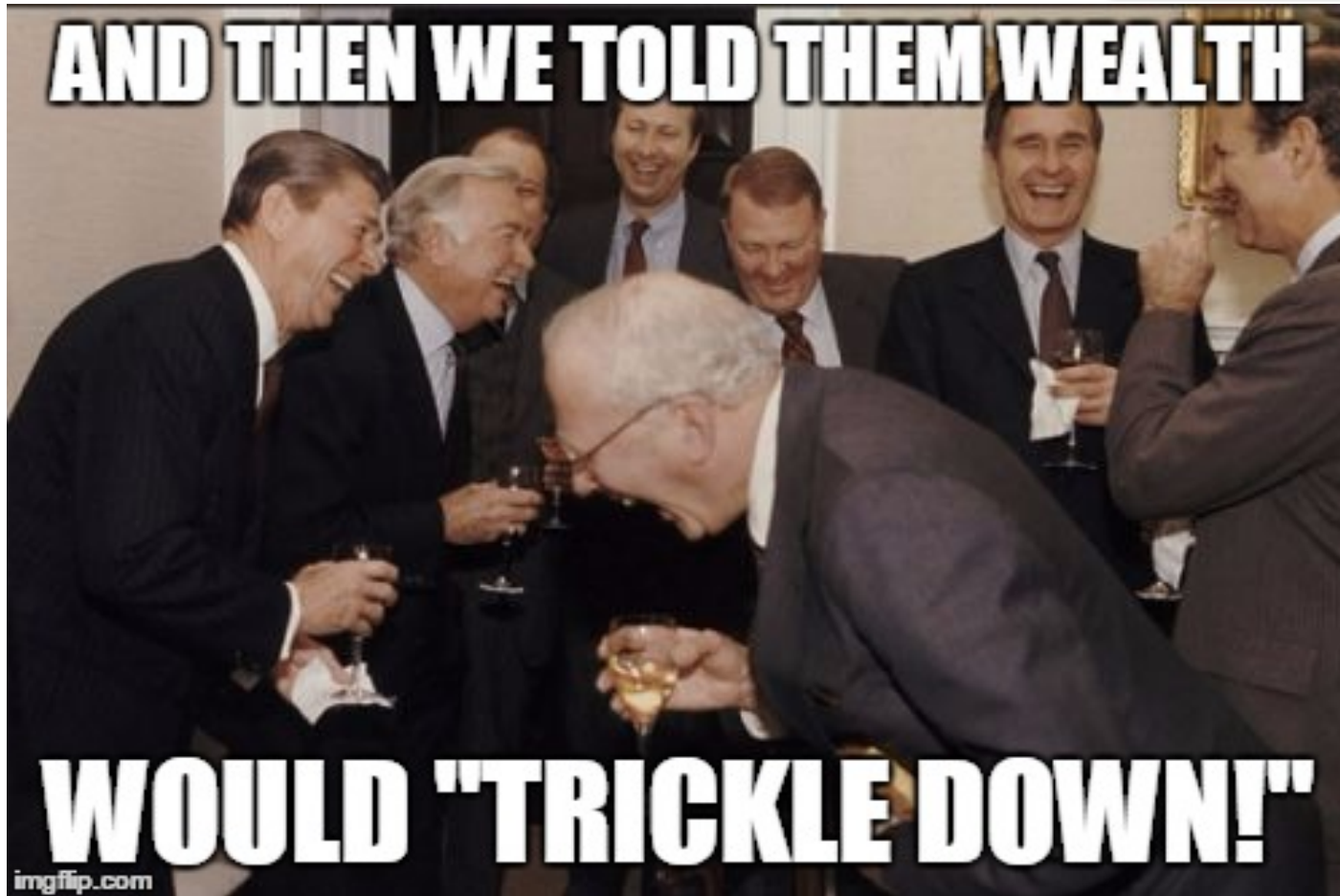
Note: Data is based on Full-Time Adult Average Weekly Ordinary Time Earnings, and based on November as the reference period.

* The release frequency changed from quarterly to bi-annual in November 2012.

Source: Gender Pay Gap Statistics, Workplace Gender Equality Agency, March 2016

Future of Work?





“Employment is now the bearer of
inequality and unfairness.”

Professor John Buchanan, “A new model for fairness in employment”,
Australian Options, 2014

A New Workplace Relations Architecture

AIER's new project seeks to envisage what a new workplace relations architecture could look like

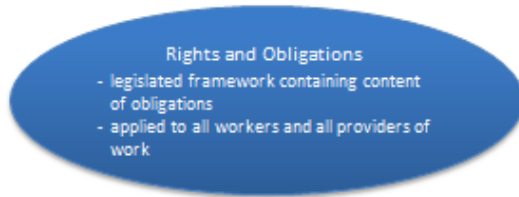
Australian Charter of Employment Rights



- Good Faith Performance
- Work with Dignity
- Freedom from Discrimination & harassment
- A safe & healthy workplace
- Workplace Democracy
- Union membership & representation
- Protection from unfair dismissal
- Fair minimum standards
- Fairness & balance in industrial bargaining
- Effective dispute resolution

Proposed Modules

Module 1



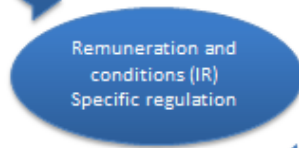
Module 2



Module 3



Module 4



Module 5



Module 1

Rights and Obligations

- Overarching framework
- Applied to all workers and all providers of work (and/or facilitators of work eg Uber)
- If we were to draft a model contract for the performance of work, what would the content be?

Module 2

Minimum Standards

- Who do they apply to – employees, all workers?
- Content of standards
- Portability
- Who sets the standards and how?

Module 3

Workplace Democracy

- What does freedom of association look like in the 21st century
- What changes are needed to bargaining
- Unions in crisis – consequences for system
- Other mechanisms for workers to act collectively in their interests - cooperativism

Module 4

Specific Regulation

- How do the principles and ideas formulated in the previous modules inform specific regulation of industrial relations, OHS and anti-discrimination.
- What elements of the current system remain relevant and what needs to change?

Module 5

Access to Justice

- Is equal access to less formal justice possible?
- What needs to change in the area of enforcement?
- What should be the role of arbitration?

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