



# Year in Review

*2016*

Australian Institute of  
Employment Rights Inc.

*2016 has been a year of consolidation for the AIER. Promoting our latest publication, making submissions and attending various public events to communicate our vision of decent workplaces.*

## Employment Rights Now

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At the end of 2015 AIER celebrated ten years of promoting fair and decent workplace rights for all.

Combined with the launch of our new book, [Employment Rights Now: Reflections on the Australian Charter of Employment Rights](#), AIER held a public forum at the end of 2016 to mark our ten-year anniversary.

After AIER's President Michael Harmer welcomed the assembled audience and made some introductory remarks noting the unique perspective and balanced approach of the Institute, Justice Mordy Bromberg recalled the context and impetus for establishing the organisation back in 2005. In particular in the context of the WorkChoices debate there was the need to have a principled-based approach to workplace relations that took precedence over the swings of the political pendulum. Justice Bromberg also singled out for thanks a number of people who have been important to the AIER over the last decade, including our first Director, Rob Durbridge, our former President, Paul Munro, long serving Executive Director, Lisa Heap and current President, Michael Harmer.

Following these reflections on the history of the Institute, there was a panel discussion on the state of employment rights now featuring Professor Joellen Riley from Sydney University (a strong supporter of the Institute), Professor

Keith Ewing from Kings College in London (also from the Institute of Employment Rights in the UK) and Lisa Heap, former AIER Executive Director.

It was a wonderful evening that highlighted the AIER's contributions to public debate on workplace relations and the need for our unique approach to continue.

## Insecure work

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The rise of insecure work and its relationship to growing income and wealth inequality was a focus for the AIER's work this year.

From the increasing "uberisation" of work to the use of labour hire enabling greater control over workers to increasing use of various mechanisms for employers to avoid entitlements, work is becoming increasingly insecure and unfair.

Our [submission](#) to the Victorian Inquiry into the Labour Hire Industry and Insecure Work highlighted the AIER's previous argument that Australian workplace relations laws need to be recast so that every worker has access to a suite of minimum entitlements and rights, with no ability to contract out of such entitlements and rights.

We also supported calls for the establishment of a licensing regime for the labour hire industry, raised the issue of unpaid internships and reiterated our call for greater freedom of association rights.

The rise in insecure and precarious work is a global trend that needs to be addressed through creative solutions based on fundamental labour and human rights. Solutions to the problems associated with insecure work can only be found in a multipronged, multilayered approach.

## 6<sup>th</sup> Annual Ron McCallum Debate

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The 2016 Ron McCallum debate focused on inequality and insecurity. Ron McCallum provided the take home message when he reminded us to think big and out of the box when responding to challenges such as these.

The Institute's sixth Debate in the Justice at Work series was a great success. Former FWC and AIRC President Geoff Giudice chaired the debate, with the following speakers:

- Emeritus Professor Ron McCallum
- Caterina Cinanni, NWU
- Kate Carnell, ASBFEO
- Joanna Howe, University of Adelaide
- Jacqueline Phillips, ACOSS
- Alex Malley, CPA Australia

It was a robust debate, which covered:

- the experiences of workers in insecure work;
- the reality faced by small and medium businesses in today's economy;
- the regulatory deficiencies that provide the conditions for the exploitation of temporary migrant workers;
- the importance of education and leadership in building a strong society; and
- some of the causes of and solutions to rising economic inequality.

Like previous years, the AIER produced a substantial [discussion paper](#) for the debate that provides a comprehensive overview of the key issues. Audio of the Debate and a summary is available on the AIER [website](#).

## Conferences

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AIER attended the Working Revolutions, Revolutionising Work conference in Berlin in April this year.

It was the annual 2016 International Labour Process conference with over 300 academics from around the world gathering to present and listen to papers on themes such as precarious work, voice and participation, the digital workplace and the implications for work of the politics of austerity.

Reconfiguring work, increasing precarity and the role of unions was a theme through a number of presentations.

The keynote address of the conference was delivered by Joanna Briggs on her recent book "All Day Long: a portrait of Britain at work". Briggs talked about some of the people she interviewed for the book about their work. She finished by suggesting that resistance to how we work now – how it overwhelms our lives – is essential.

Further [reflections](#) on the conference can be found on our website.

AIER also addressed the International Employment Relations Association Conference delivering a paper titled "[Democracy Power and Work](#)".

The paper focuses on freedom of association and workplace democracy as two key elements needed to address growing insecurity of work and the perceived crisis in our democracies and government policy and decisions that privilege business interests over the interests of workers and the community.

## Federal Election

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The Turnbull government called a double dissolution election on the basis of the Senate's rejection of IR Bills.

2016 was a federal election year and as in previous elections AIER released an analysis of the workplace relations policies of the three major political parties, with a focus on policies to address insecure work.

Using the Australian Charter of Employment Rights to assess the industrial relations policies of the Coalition, Labor and the Greens, the AIER concluded that none of the major parties offered any substantial policies to address growing concerns around the changing nature of work and increasing insecurity.

Despite the election being called on the basis of the Senate's rejection of the ABCC and Registered Organisations Bills, workplace relations did not feature prominently during the campaign.

The most visible industrial relations issue during the campaign was the potential change to Sunday penalty rates.

AIER's analysis concluded that a Coalition government would shift workplace regulation further away from the principles espoused in the Charter of Employment Rights, while the policies of Labor and the Greens better reflect the Charter principles.

## AIER Out and About

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AIER revitalised our online presence this year.

We upgraded our website in 2016, shifting to a more versatile design that allows us to better highlight our work.

We continued communicating with our members and supporters through our regular newsletters. Keeping people engaged with what we are doing along interesting, relevant and useful material from other sources.

AIER also established a social media presence in 2016 with a Facebook page and Twitter account:

- <https://www.facebook.com/aierights/>
- @AIERights

We have also continued to attend various public forums on relevant issues, meet with experts in the field and connect with like-minded organisations.

We were also very pleased to moderate a panel on the Future for Young Workers at the Young Workers Conference in Melbourne.

## AIER governance

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Our Executive Committee is based on the principle of tri-partite representation of employees, employers and independent persons, as exemplified by the International Labour Organisation (ILO).

The following were members of the Executive throughout 2016

Michael Harmer – President

Fiona Hardie – Vice President - Employer

Elizabeth Barrett – Vice President Employee

Sean Reidy – Vice President Independent

Mark Perica – Treasurer (resigned August 2016)

The Honourable Paul Munro AM – Ordinary Member

Trevor Clarke – Ordinary Member

Tim Gunstone – Ordinary Member

Clare Ozich – Executive Director

## Funding

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The AIER is a membership organisation, independent of government or any particular interest group. Membership is open to individuals and organisations

The financial future of the AIER is assured for the coming year thanks to the generous support of Michael Harmer and Harmers Workplace Lawyers.

We are indebted to our members whose ongoing financial support is vital to the running the organisation.

In addition AIER would like to acknowledge the generous support of the following organisations:

Harmers Workplace Lawyers

Civil Air

National Union of Workers

Hardie Grant Publishing

Australian Education Union

## Our staff

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AIER has a small team of highly dedicated skilled employees and contractors.

The Executive Committee would like to recognise and thank the AIER team

Clare Ozich – Executive Director

Jane Ponton – Business Manager

Keith Harvey – Senior Researcher

## Making Contact

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