

# **DEFEND FAIR BARGAINING**

# **Don't risk DUTTON**

The Albanese Government has introduced enterprise bargaining reforms to level the playing field in negotiations, eliminate unfair employer tactics and empower workers to fight for their rights.

Here are 6 ways the Labor Government has made bargaining fairer:

## **1. MULTI-EMPLOYER BARGAINING**

Where there is a common interest and certain requirements are met (as determined by the Fair Work Commission), workers across multiple employers can join together and collectively bargain for an Enterprise Agreement.

This lifts wages and conditions by giving workers in small or isolated workplaces more bargaining power.

## **2. ENDING THE 'SMALL COHORT AGREEMENT' DIRTY TRICK**

This was a trick widely used by labour hire companies in the mining industry – where a handful of workers would vote up an agreement intended for a different or much larger cohort.

New 'genuine agreement' requirements mean an agreement must be voted on by a representative group of workers.

## **3. FIVE-YEAR WINDOW**

Unions can now commence bargaining upon request if a relevant Enterprise Agreement has expired within five years, removing the cumbersome requirement for a majority support determination. This change has seen BHP required to come to the bargaining table for a new agreement for iron ore production workers in the Pilbara.

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### **Unions launch push for rare deal with Pilbara iron ore giant**

Unions and BHP will soon start negotiating their first agreement in more than a decade in Western Australia's Pilbara iron ore mines, using a window opened by changes to industrial laws by the Albanese Labor government.

# **STRONGER BARGAINING LAWS ARE DELIVERING HIGHER WAGES**



## EBA coverage hits five-year high of 2.2 million

### 4. ABOLISHING LOW-PAY 'ZOMBIE' AGREEMENTS

Outdated 'Zombie' agreements created under Howard Government laws before the establishment of the Fair Work Act 2009 containing lower wages and less rights have been automatically terminated.

### 5. STOPPING EA TERMINATION THREATS IN BARGAINING

Employers can no longer threaten workers with unilaterally terminating their Enterprise Agreement during bargaining, to pressure them into accepting substandard or unfair deals. This was a tactic routinely used by mining and energy employers. Agreements can no longer be terminated during bargaining.

Better bargaining laws have led to more Australians being employed on Enterprise Agreements, which are required to contain better pay and conditions than Award minimums.

There was a 27% increase in the number of employees covered by a collective agreement between September 2022 and September 2024.

### 6. RESOLVING 'INTRACTABLE' BARGAINING

The Fair Work Commission now has the power to intervene and issue orders when negotiations between workers and employers reach a stalemate. This power can prevent employer obstinance from derailing the bargaining process and finalising an Enterprise Agreement.

**Labor's workplace laws have delivered:**

- \$6.3 billion boost to wages
- 3.7% average wage growth - almost double the 2.1% average under the previous Liberal National Government

## STRONGER BARGAINING LAWS ARE DELIVERING HIGHER WAGES

