



Senate Education and Employment Legislation Committee Inquiry into Fair Work (Registered Organisations) Amendment (Ensuring Integrity) Bill 2019

Catholic Religious Australia (CRA), represents over 140 religious congregations across Australia with approximately 5,500 Catholic religious, women and men throughout the nation. CRA members and our colleagues serve in education, health care and social services and have grass-roots knowledge of the needs of First Australians, refugees and asylum seekers, people struggling to survive on the margins of society and many others in need of assistance.

The members of CRA are deeply concerned that the Ensuring Integrity Bill will have a most destructive impact on the working people of Australia. Catholic Social Teaching, a bedrock of principles which uphold the common good, has always emphasised the importance of the Union movement in supporting workers and protecting the most vulnerable. Writing in 1971 Pope Paul VI stated: *The important role of union organizations must be admitted: their object is the representation of the various categories of workers, their lawful collaboration in the economic advance of society, and the development of the sense of their responsibility for the realization of the common good.* **Octogesima Adveniens (“A Call to Action”)** Pope Paul VI, 1971, #14. And, writing some years later Pope John Paul II described unions as *engaged in the struggle for social justice ...a struggle for the common good, and not against others.* At a recent inter-faith meeting the participants noted that what binds the Union movement and faith communities together is an over-riding concern for the common good. Unions provide one of the pillars of democracy.

From the perspective of social justice and the common good this Ensuring integrity Bill strikes at the very heart of the Union movement – namely the ability of the workers to organise and run their own unions determining who leads them. Given much of the media coverage and the political discourse one could be forgiven for seeing the union movement as defined by the CFMEU and John Setka. But these do not define the union movement, just as the most extreme actions of the left or right do not define political parties. In fact, the largest union is the Nurses’ union, allied with no political party.

Given the current instability of much of Australia’s contemporary work scene – increasing casualisation of jobs, regional unemployment, seasonal work, stagnating wages, 457 visa holders, unequal pay for women and a variety of global influences the support and protection of unions is paramount. CRA urges the Senate Inquiry to consider the key components of this bill in relation to the impact they will have on the most vulnerable workers. Of great concern to us are the following:

- The reduction in the rights of the representative body which is an attack on the very fundamentals of democracy – the right of working people to have a voice in their conditions of work and rates of pay. In a functioning democracy unions must be free to ensure just rates of pay and safe working conditions.
- The power given to Government, employers and other parties deemed to have “self - interest” to:
 - apply to deregister a union
 - disqualify a person from office

- exclude certain members
- impose an administrative structure.

In essence this Bill allows for significant political, corporate and judicial interference in what should be the free and democratic functioning of a union. Such interference would not be accepted by any corporation or business.

- Similarly, the “public interest test,” as outlined in the Bill, will be applied to proposed mergers in a way no corporation would accept. This “test” allows Government, lobby groups and large corporations to seek to block a union merger, even if the members agree and takes into account a much wider range of factors than the Corporations Act requires of businesses. CRA is concerned with the double standards when applied to unions but not to corporations.

Recent revelations in regard to the exploitation of franchise employees, visa-holders and backpackers, the increase in stone masons reporting silicosis and the ever-present risks to miners and construction workers, Australians, and the government, should welcome and encourage Unions to support and protect workers who are vital not only to the economy but to the whole structure of society.

The members of CRA ask the Senate Inquiry to consider the effects of imposing this unnecessary, limiting and undemocratic Bill on the working people of Australia.

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for Catholic Religious Australia
Social Justice Committee
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