



UNION DELEGATES IN ACTION

From advocacy to transformation

AUSTRALIA NEEDS A
Pay Rise

Australian Unions
We're for members



FOREWORD

In every workplace, union delegates play a pivotal role in shaping a fair and collaborative environment. These delegates serve as the voice of workers, advocating for their rights, and fostering constructive dialogue between workers and management.

Union delegates are chosen by their work colleagues to be their representative. They are volunteers who tirelessly dedicate their own time to address their colleagues' concerns and support meaningful conversations with managers to improve working conditions.

The approach to engagement in a workplace greatly impacts the role of union delegates. In workplaces adopting adversarial pluralism, the delegate's role is transactional, representing individual employees in disciplinary matters and negotiations for collective agreements. In such environments, training is essential to equip union delegates with the skills of effective negotiation, legal compliance, and policy rules of the workplace.

In transactional workplaces, union delegates serve as early warning systems, identifying potential problems that could jeopardise the safety or rights of workers, as well as factors that may hinder performance or success. Proactively addressing issues such as underpayment, they effectively prevent major claims and contribute to maintaining workplace harmony.


In contrast, workplaces embracing collaborative pluralism offer union delegates a transformative role. Trusted by employees and valued by employers, these delegates are empowered to be collaborators in pursuing shared objectives. Delegates and employer representatives find amicable compromises when faced with conflicting goals, always acknowledging the legitimacy of each party's interests. Navigating both transactional and transformative roles requires ongoing training to manage competing demands and to develop capacity in the role.

As we explore the experiences of various union delegates throughout Australia, it becomes clear that their commitment to promoting fairness and collaboration is unwavering.

The complexity of union delegates' roles demands specialised skills and subject-matter knowledge, which cannot solely be learned on the job. The provision of accessible and professionally conducted training courses, along with rights to paid training leave, empowers union delegates to enhance their capabilities and make significant contributions to workplace transformation.

As we explore the experiences of various union delegates throughout Australia, it becomes clear that their commitment to promoting fairness and collaboration is unwavering. These advocates for workplace transformation illustrate the significance of delegate rights, underscoring how supporting union delegates can lead to positive change and the development of thriving, harmonious workplaces.

The vast community of delegates, numbering in the tens of thousands, selflessly volunteer their time to ensure the voices of workers are not merely heard but also respected and valued. In a society that upholds the principles of fairness and cooperation, the role of union delegates becomes even more pivotal, as they play a crucial part in shaping better, safer, and more productive workplaces.



Sally McManus
Secretary, ACTU



Having this in place means favouritism is out, climbing the ladder is more transparent and attainable.”

PEPE

NEW SOUTH WALES

Pepe says that, outside of work, she loves having time to make plans. She wants her life to be balanced, and loves hanging out with friends and family, especially her child.

Pepe is a crane operator from Ingleburn, New South Wales. As well as being a union delegate, she is a health and safety representative, seeing both as her way to contribute positively to society and changing the world for the better.

However, being a workplace delegate comes with its own set of distinct challenges; especially when contending with a powerful employer.

When asked if Pepe had ever been targeted for her role as a workplace delegate she quips, "Definitely. I'm black, I'm Māori, I'm a woman. So yeah, I'm a businessman's target."

Though she says this wryly, her message is serious. Without protections for workplace delegates, they're prone to victimisation and prejudicial treatment. Some groups more than others.

The strength and effectiveness of workplace delegates showed itself to Pepe with the addition of a classification structure in their Enterprise Bargaining Agreement (EBA).

"We had no real way to recognise individual skill sets. Having this in place means favouritism is out, climbing the ladder is more transparent and attainable."

Pepe attributes her union involvement to having arrived in Australia and hearing union success stories, like no-expense doctors visits, accessible education with fee help, and the promise of decent wages and work conditions. She views her role as a delegate as her way of contributing positively to society.

"I'm the type of citizen who sees something wrong and does something about it," she says. "Getting involved is just something in my nature, and the unions are a very good tool to make a difference."

She believes in the importance of delegate rights, so that she can continue to use her voice to advocate for those who aren't able to advocate for themselves.

"Our dispute process is something our workers need help with often. In our industry we have many... female migrants [and] lower paid demographics who do not have the confidence to speak up. Delegates give them the confidence once they've seen us do our thing."

Pepe spends 15 hours a week – mostly of her own time – conducting her voluntary delegate duties. With a recent redistribution of Pepe's work hours to three twelve-hour days a week, she sees this 'free time' as more time to fight for her members and better her workplace.



**We need to have the
freedom to speak about
workers' rights."**

RUTE

WESTERN AUSTRALIA

Rute is a social worker in palliative care, from Perth, Western Australia.

When she's not working, Rute enjoys catching up with friends, going to the movies, or as she puts it, "crazy things like skydiving."

Rute's workplace has only two workplace delegates – Rute and one other person.

She says the way that the organisation is structured – where staff aren't situated in one place and are scattered in a few locations – makes it very difficult to do the role of a delegate properly.

She explains the complexities of her industry; how it can even be difficult to communicate to other social workers that they have access to a delegate for workplace support because they're never really in the same place.

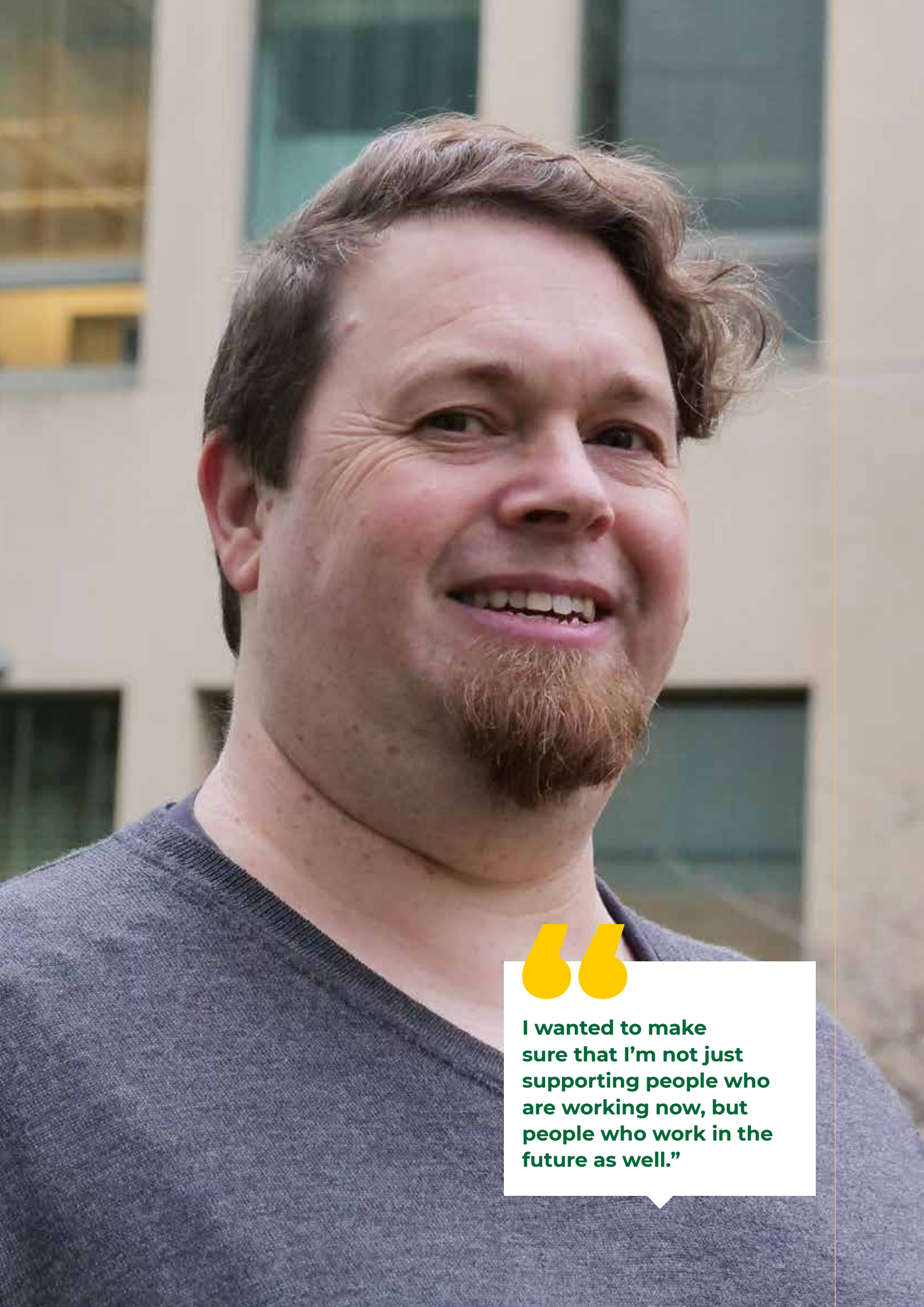
However, Rute has still managed to secure a win for herself and fellow workers with the support of her union, around having access to a car for transportation to and from clients.

"It meant that we weren't using our own car or petrol, our own insurance," Rute explains. "With the union's advice, I got all the social workers together and we did up a letter to upper management, explaining our concerns. The result of that was that all the social workers have a car allocated to them!"

Lately, Rute's workload has been so large that she is finding herself staying back late and doing a lot of overtime. On top of which, she spends three to four hours a week on her duties as a delegate.

Legal rights for workplace delegates are key to workers knowing their rights, Rute says.

"We need to have the freedom to speak about workers' rights, freedom to create that awareness and to engage with other colleagues going through difficult times. It is essentially allowing us the space to exercise a right that is fundamental."



I wanted to make sure that I'm not just supporting people who are working now, but people who work in the future as well."

ADRIAN

TASMANIA

Adrian, lives in Launceston, Tasmania. He's married with one child, and when he's not working, spending time with them is what makes him happiest.

Adrian has been in his current role at a bank for over a decade. He loves his work educating customers in vulnerable situations on issues like scams and fraud.

A few years ago, Adrian threw his hat in the ring to be a delegate, citing the fact he'd seen his union fight so hard for him and others as one of the reasons.

"I wanted to make sure that I'm not just supporting people who are working now, but people who work in the future as well," he says.

Adrian chalks up one of his proudest moments as a delegate to being part of advocating and eventually securing a deal with the bank to not close any regional branches for four years.

"We had people from the FSU [Finance Sector Union] going around to speak to all the meetings for the inquiry out in those local regional areas, getting to not just hear the stories of the people that live in those communities, but the people that work for the bank in those communities."

This incredibly important deal never would have happened without the hard work and campaigning of knowledgeable delegates. That is why the expertise and institutional knowledge of workplace delegates is so important in ensuring a fair future for workers.

"Because of our union's work, we were able to secure a guarantee from CBA that they would not close any regional branches before 2026, keeping this vital service alive for many communities," Adrian explains.

"This was a result of our entire union's work, and delegates played an important role in keeping what can be an abstract exercise in numbers into relatable, real stories from everyday Australians."

As for protections for workplace delegates, Adrian says, "Legal rights for delegates are important because it's one of the strongest ways that we not only protect our workers, but make sure that our workers understand what unions do."



Delegates are doing the job off their own back. It's not a job, they get paid for. They want what's best for the workplace, and their workers."

CHRISTY

NEW SOUTH WALES

Christy says spending time with family is what makes her happy. She is married with three children and lives in Kelso – a suburb of Bathurst, New South Wales.

Christy works as an engineer and electrician and has been with her company for two decades.

Good employers, that respect their workers and the role of unions, do exist. Christy's story illustrates that possibility.

Christy's workplace is harmonious and functions well. On her worksite, work health and safety issues are minimal and there have been very few skirmishes with leadership.

This is because of the mutual understanding between Christy's union and the employer. Management respects the important role played by delegates. In fact, Christy's manager approves paid leave for union activities.

"He wants to have a good relationship between the company and the union. So, he's very open to training and courses," Christy says. "And my time down in Canberra, he allowed me to go to that without loss of pay or having to take leave."

She works in a male-dominated industry and workplace but has fortunately never experienced anything problematic nor been discriminated against.

She says her company has been very good in that respect, conscious of the complexities that women in male-dominated industries can experience, and active in making sure no issues arise.

Her workplace isn't perfect, of course. Though she hasn't had any experience of victimisation because of her role as a delegate, she has seen it before.

Rights and protections for workplace delegates are important, Christy says, because "the delegates are doing the job off their own back. It's not a job, they get paid for. They want what's best for the workplace, and their workers."



I wanted to be in a position where I could help people, but also help the industry as well.”

BEN

QUEENSLAND

When Ben of Brisbane, Queensland, isn't working he's studying law. When he's not doing that, he enjoys spending time with friends and family (especially his nieces and nephews), going to the movies, or watching TV and just relaxing.

Despite the ups and downs – even the complications caused by the pandemic – Ben loves his job as a flight attendant.

"I really like making travel experiences come to life for our people," he says.

He's committed to helping make his industry better and safer. A week has just passed where Ben did 25 hours of voluntary delegate work for his members. This is in his own time.

It is, however, an industry that is susceptible to huge change. It can also be a dangerous and taxing job, rife with potential health and safety hazards.

Knowledge of navigating both issues spurred Ben to join his union, and later to become one of the representatives that could share this knowledge with the next generation of flight attendants.

Ben became a delegate in 2020 – intuiting, as soon as the pandemic began, that upheaval was coming to the aviation industry and that workers were going to be the ones most severely affected.

"I could see this would potentially have some really, incredibly negative effects for the people I work with, and also for the wider industry," he says. "I wanted to be in a position where I could help people, but also help the industry as well."

He feels passionately about rights for workplace delegates, because without them workers are easily taken advantage of by unscrupulous employers.

One of the crucial roles of delegates in a workplace like Ben's – which is such a high-risk environment – is to share knowledge of safe practice.

"The knowledge that's gained from the workplace health and safety reps who are often union delegates at the same time, they have just such a wealth of knowledge they can provide to the airlines," Ben explains.

"By getting the industrial side as well as the workplace health and safety side, we work together, and we can all make something happen that works for both the company and the workers too."

Delegates have developed an allowance tracking and entitlements app in their own time. It allows for flight attendants to type in the trip 'code' allocated to their roster, the app calculates how much allowance they will receive for that trip and when it should be paid by the company, which reduced the complexity of having to double check everything yourself and reduced instances of wage theft.

Ben is on the frontline for his members; having conversations in tearrooms, or wherever necessary, to make sure members feel included in decision making processes and equipped with knowledge of their workplace rights.

In what he felt was his duty, Ben visited members in Perth, hoping to make them feel involved despite their geographic location being a little further away.

"They're so distant over in Perth, I just wanted to make it feel like they're part of something bigger, and they were included, and we're all proud of them and excited for them."



**I think being unionised
has helped us get
improvements in
our conditions.”**



LINDA

NEW SOUTH WALES

Linda says, “outside of work I love to spend time with family and friends, travelling, taking photos and craft.”

She lives in Wollongong and has three adult children and five grandchildren that she adores.

Linda is deeply passionate about her role as an aged care worker. She’s been in her role for over 20 years, and loves making a difference in the everyday lives of her residents.

As well as the day-to-day, Linda loves doing what she can to bring about positive change for a sector that has had a tumultuous few years.

Linda became a workplace delegate because she was told she’d be good at it, and that has proven to be true. She spends 20 hours of her own time, each week, fulfilling her duties as a delegate but is unfazed about this; she loves it! She says the delegates all have a great culture of looking after each other.

When asked what some of her proudest moments as a delegate were, Linda says, “I’m very proud of the times that I’ve been to Parliament House especially. All the campaigns over the years.”

Over time, management have realised that staff discuss issues with the delegates; and positive results can be achieved when management discuss workplace issues with delegates first.

Despite her passion, decency and work ethic, Linda has experienced bullying and harassment because she is a delegate. She is not easily deterred though.

“I joined the union because I believe that it’s the only way to make a difference,” she says. “Unions are a great point of contact especially for pay and work health and safety issues... I think being unionised has helped us get improvements in our conditions.”

As for rights and protections for workplace delegates, Linda adds, “It helps protect workers’ rights and keeps employers honest!”



NABIN

ACT

Nabin is a 27-year-old delivery driver working in the gig economy, originally from Nepal and now living and working in Canberra, ACT.

Nabin has worked for the last 4-5 years delivering food, alcohol, and flowers for the likes of UberEats and DoorDash; companies notorious for exploitative work practices. When asked about his last pay rise, Nabin said his wages tend to decrease, not increase.

Nabin's role as a delegate in this type of work – where there is no set workplace – is extra crucial; it includes the delivery of important information on workers' rights and finding innovative ways of supporting workers.

Nabin's work has virtually no rights and the companies have barely, if ever, been held to account; something Nabin feels should change.

Adding to the complexity of his work as a delegate, most of the people Nabin speaks with are migrant workers, meaning they are fearful of repercussions for asking about, let alone enforcing, their rights as workers.

Nabin works as a delegate, in his own time, putting in ten hours a week talking with gig workers. As the industry is highly unregulated there is no safety net for Nabin or his workmates, including no compensation for injury or even death. As a delegate himself, Nabin could easily be deregistered by platforms with no recourse.

There are no rights for unfair dismissal and algorithm-based payments per job mean Nabin and his workmates are forced to work for longer hours below standard minimum wages, under threat of being dismissed. With the growing costs of operations for delivery drivers – who are technically 'self-employed' – people are working upwards of 70-80 hours per week just to earn a somewhat liveable wage.

As a delegate, one of Nabin's biggest tasks is working as a social campaigner (on top of an industrial champion for his sector) as without stronger rights for delegates and structural change to the gig economy, his work will never be done, no matter how much he puts in. Nabin is proud of the work that's been done in the gig sector so far but knows it's a long road and that stronger rights for delegates, like himself, to organise the industry, are necessary for success.



“

We try to look out for each other as much as we can.”

"I do volunteer work. I'm sort of an arty, crafty, doing things with my hands kind of person," says Zoe of Brisbane, Queensland, when asked what makes her happy in her time outside of work.

Zoe, a remote court monitor, loves her team. It strengthens her resolve to be a workplace delegate. She wanted to help her co-workers open lines of communication between themselves and management.

"We try to look out for each other as much as we can," she says. "Inside my team, it's a lot easier for me to go 'Hey, I can't deal with this. Can I swap courtrooms? Can we shuffle things around?'"

It can be tough, working in legal services. Often staff members are exposed to confronting content that can lead to vicarious trauma.

"One of the big things we've been pushing for is mental health first aiders, more leave for mental health, more support, and a better structure for protecting our mental health...that's an uphill battle as well..."

In her time as a workplace delegate, Zoe's wins have included something that she describes as a "small thing," but incredibly important: the inclusion of trigger warnings to protect the mental wellbeing of people working on difficult cases.

"We have an internal document for all the cases we produce transcripts for. It's like a glossary of names and terms relevant to the case for typists. Coordinating between our delegates, first aid and mental health first aid officers we added a section to that document that included the charges and any trigger warnings. It's been a helpful little thing to reduce production staff getting blindsided by confronting content."

Zoe has witnessed prejudicial treatment of another delegate within her workplace. "One of our delegates got fired ostensibly over some KPI issues, but it's one of those things where nobody meets the KPIs because they're so ridiculously high."

Several workers from across the various offices joined their union in solidarity with delegates who were being unfairly targeted by management.

When asked about her views on the rights of delegates within the workplace, Zoe puts it concisely: "protecting the people who are protecting the workforce is really important."



**You want honesty and
no intimidation of
your delegates.”**



TONY

NEW SOUTH WALES

Tony is a father of three from Sydney, NSW.

When asked what makes him happy outside of work hours, Tony replies, "I'm a bit of a beach bum. Love the surf."

Tony is an owner-driver. As well as being an active workplace delegate, he is also the president of the TWU NSW branch whilst still working.

Tony has been a union member for almost 40 years, and a delegate since 2001. Prior to that he was a health and safety representative for about six years.

Tony's proudest moment as a delegate was being a part of TWU taking Qantas to court twice, for their illegal sacking of around 1700 workers in the middle of the pandemic and winning both times!

When asked why Tony believed legal rights for delegates are important, he says, "You want honesty and no intimidation of your delegates, just because you're standing up and making sure places are safe. There's got to be some more protections around that."

Being a delegate for a union that represents workers in such a dangerous industry can be difficult and complex.

"Just this year alone, 309 truck drivers died on Australian roads," Tony says. "If it were any other industry, there'd be a Royal Commission."

Another pressing issue that Tony is advocating to change is the length of time businesses can take to pay their drivers. "Some of these companies will stretch out the drivers' payments for 160 days."



You should be able to stand there and fight for the things that you believe in.”



LISA

VICTORIA

Lisa loves spending time with friends and family, and relaxing.

“Going to a cafe or out for dinner or just generally being a little bit social,” she adds.

She lives in Victoria with her partner and has three adult stepchildren.

Lisa enjoys her job as a transaction monitoring and financial crime operations manager for a bank. She’s been in the industry for 25 years and loves fostering people’s talent and watching them progress in their careers.

She is also passionate about nurturing a safe working environment for her staff; likely why the role of workplace delegate suits her so much.

Lisa describes herself as introverted in nature, but when it comes to being a fierce representative for her members, the introversion falls away.

“Ironically, when I get on my pony and start to sprout about things that really matter to me, I’m not so quiet,” she quips.

Lisa spends a good 6-10 hours of her time a week on her duties as a delegate. But, like a lot of deeply dedicated workplace delegates, she’s thinking about it all the time.

Lisa often leads workplace stalls where workers can ask questions, find out about their workplace rights, and about their union. Her experience as a delegate and strong relationships with staff means that she can identify common themes amongst workers’ grievances and find solutions.

There have also been instances of work health and safety issues being successfully resolved:

“At one of my workplaces, we were able to get the staff moved out of a dangerous building prior to the lease expiration. [We] couldn’t have done this without being onsite and seeing firsthand what people were experiencing,” Lisa says.

The crucialness of rights and protections for workplace delegates is something Lisa cares about deeply. Delegates, she believes, are the ones effectively sticking their neck out and vocalising real issues happening in their workplace, and they deserve not to be negatively implicated.

“The last thing I would want for our delegates is for an employer to see you fighting for something that is worthwhile, on the news, or through social media, then to tar you with the whole troublemaker brush,” she says. “You should be able to do both. You should be able to stand there and fight for the things that you believe in.”



We still don't have much power, but definitely things are growing. Things are changing, awareness is there."

MADDIE

NEW SOUTH WALES

Maddie is a software engineer and lives in Sydney, New South Wales.

Maddie's journey to becoming a union member – then delegate – started as it often does; speaking out about issues in the workplace and wanting to protect herself against an employer's reprisal.

"I was being a little bit spicy at work, raising some questions that I knew leadership weren't too happy with. I wanted protection so, in case they retaliated, I'd be able to have support."

Maddie loves the freedom and autonomy of her job. She says the company has a good policy of open communication between teams, and dialogue with management. What she doesn't like, nor want to see repeated, is the mass layoffs that have scourged her industry.

Maddie is proud that, through the work that she and her fellow delegates have done, the number of union members in her workplace has gone up from around 20, to 70 about 2 months ago. That number is now close to 100 active members.

Some of the wins, with thanks to the establishment of delegate structures in her workplace, have included a breakthrough in pay transparency.

"We had around 300 folks from my company respond to the [Professional's Australia] PA Salary Survey, several times more than any other company," Maddie says. "We've now got some initial numbers back, giving the first real piece of pay transparency at my company."

"With recent layoffs and redundancies, delegates have been spreading PA contact information as much as we can to those affected to give them some support after their worlds got turned upside down. By connecting these folks to PA, they've been able to get better deals surrounding their severance."

"We still don't have much power, but definitely things are growing. Things are changing, awareness is there."

Delegate rights, Maddie says, would mean increased visibility, but without them it can be hard to attract people to the union, for fear of compromising their jobs and livelihoods.

"To be able to get people in the union in the first place you need those people to be the voice or face of the union, so that they know what the union is and what we can accomplish."



RHYS

ACT

Rhys is a Community and Public Sector Union (CPSU) member and a public servant. He enjoys serving the Australian people and being able to use his knowledge and expertise to achieve a better outcome for people.

He's been a union delegate for four and a half years; he joined the union a week before he started his job and was a delegate about 6 weeks after he started!

He said doing the delegate training gave him a lot of confidence. It gave him an understanding of the legislative underpinnings, Fair Work Act and that sort of thing. As well as a bit of union history.

It also meant that he could use his time more efficiently as he felt he knew everything he needed to know.

He currently dedicates an average of 5 hours a week in work time and 1 hour of his own time to his duties as a delegate. He's on the bargaining team so that takes up some time.

His proudest moments are any time he saves someone's job. He spoke about a time when someone was being performance managed out of the organisation. They sought help from their union who got them an improvement plan instead. The manager's initial view was that the individual wasn't good enough for the role, but within 18 months of the performance plan, they were promoted!

He has also had dozens of cases over the last couple of years where a manager didn't understand a policy, even though they thought they were trying to do the right thing. An example of this is not properly supporting staff members who have anxiety or a stress condition. In these cases, the union was needed to advocate for the staff members – not in an adversarial manner, but rather to explain what best practice was or what had been done before, in the aim of achieving a good outcome for not only the members, but also for the organisation, which was able to maintain valuable staff. Had the union not been present, these staff members would likely have had to take long term sick leave.

On delegate rights, he says that, unfortunately, it's very easy for delegates to have a couple of rights on paper that aren't respected or taken seriously by employers. Instead, the job of a delegate needs a solid, enforceable set of rights to be able to fulfil the role effectively. Delegates can support workers and help to ensure that businesses run well.



“

They get results. On my own, I wasn't really getting anywhere fast.”

PAMELA

NEW SOUTH WALES

Pamela is a midwife from Sydney. She is married with adult children, and when she's not working, she enjoys spending time with her family, travelling ("a lot," she adds), and going to the theatre and museums.

A massive achievement for Pamela and her fellow delegates was the securing of safe staff-to-patient ratios in their new agreement. The hospital had no concrete existing ratio but would operate at around one midwife to nine patients.

The new agreement has secured a ratio of one midwife to every five patients, but it was no easy feat. The workforce went on strike three times and were met with a very resistant employer. The agreement was due to be renegotiated in 2021, and the employer was dragged through the process "kicking and screaming," as Pamela puts it.

The win is huge though.

"It comes down to not only patient safety, but our safety. Our mental health. Our ability to do our job properly. We need a reasonable workload," Pamela says.

Pamela is currently spearheading a campaign to tackle the rampant wage theft at her workplace. One staff member that Pamela is advocating for is owed \$16,500 and, Pamela hopes, is about to successfully receive their due payment.

"They just hoped she wouldn't notice that they didn't pay her backpay."

The union's involvement has been a hugely effective vehicle in driving positive change in Pamela's workplace.

"They get results. On my own, I wasn't really getting anywhere fast. Communication from the hospital was non-existent." Pamela says, "I could send 10 emails and proof of these underpayments and nothing. But I give them all to the union, and the union sends them, and it gets responses."

For Pamela, legal rights and protections for delegates mean being able to speak out without fear of retribution.

"If they're always concerned that they might get sacked for fighting for the workplace they won't be effective. [You] won't speak up [to] somebody when you're afraid you're going to lose your job."



**We know that the
business looks out for
themselves first and
workers second.”**





VICTORIA

Zoe is a lighting professional in the events and entertainment industry, and hails from Melbourne, Victoria.

When asked what she enjoys doing outside of work, Zoe says, "I love travelling, camping, playing netball and finding the best dumplings."

Union involvement runs in Zoe's family. Both parents were part of their unions and instilled the importance of unionism in Zoe.

Zoe has been a delegate since 2018. She cites the fact of wanting to be involved in the bargaining process as the reason.

Her proudest moment as a delegate was running a series of campaigns to garner support for Arts, Entertainment and Cultural venues from the Victorian Government, when the Federal Government had left the industry out during the height of the pandemic.

"The Andrews Government gave our union a seat at the table, which meant we could ensure policies were written to include our workers, who would have missed out otherwise," says Zoe.

Without delegates, Zoe says employers would be flouting EBAs much more often. In her workplace, the delegates have been able to flag problems when a new EBA has come into effect.

"As a delegate I would compile the issues and get the systemic issues fixed, whereas an individual would only get their issue fixed each time it happened."

She can spend up to five hours a week on her delegate duties; more if there's a large campaign going on.

Being a delegate has its challenges.

"I have delegate friends who have had to stop being delegates because they couldn't do their work, as their managers wouldn't speak to them, even about their work, due to their role as a delegate."

In Zoe's eyes, the importance of delegates' rights is very clear:

"We know that the business looks out for themselves first and workers second," says Zoe.

"Currently there is no way for Fair Work to enforce many things without going to a Federal Court, which is costly and takes potentially years to happen." She says, "This keeps businesses in a position where they're able to treat people however they like. Stronger delegate rights will help to equalise the imbalance."

DELEGATES & WORKER VOICE

What the research tells us

By: Professor David Peetz

Summary:

- union delegates tend to be the part of the union with which members have the most contact, and are most satisfied;
- many managers actively seek to rid the workplace of union delegates, yet those delegates are often the key to cooperative union-management relations;
- employees desire a cooperative relationship between the union and management at the workplace, and higher commitment to the organisation is positively correlated with higher commitment to the union;
- to maintain their position, delegates need to behave cooperatively, but employees do not expect that to continue if management itself is uncooperative;
- the net impact of delegate presence and union membership on workplace productivity is heavily contingent on the extent of adversarialism or cooperation and employee voice in labour-management relations;
- workplace unionism and hence delegates represent the only form of employee voice in Australia that cannot be easily removed by management;
- delegates can potentially play an important role not only in democratising workplaces but also in democratising unions.

A union delegate is as an employee chosen to represent union members in dealings with management. Delegates are volunteers who perform their union duties on an unpaid basis in addition to their normal job at work. They are sometimes known as a 'workplace union representative'. A union delegate can be elected by the members or (much less commonly) selected by the union.

Delegates spend their time undertaking vital tasks for workplace representation, including: handling individual grievances; dealing with queries about award conditions; participating on joint consultative committees; negotiating wages, physical working conditions and work practices; and negotiating workplace or enterprise agreements.¹

Having a voice brings important benefits for workers. For example, unionisation is known to improve health and safety by reducing the incidence of traumatic injuries and fatalities in coal mines, while leading to increased reporting of non-traumatic injuries that are more likely to be glossed over in non-union workplaces.²

There is a curious paradox in the relationship between management and union delegates. Many managers actively seek to rid the workplace of union delegates, and will sometimes go to illegal lengths to do so.³ Yet union delegates are often the key to cooperative union-management relations.

This is because, in most countries where the issue is studied including Australia, employees report that they desire a cooperative relationship between the union and management at the workplace.⁴ This 'dual commitment' of union members to their right to a voice through their union, and to supporting management to ensure a successful workplace is a widespread phenomenon that has been recognised in the industrial psychology literature for well over half a century.⁵

Research shows that employees expect both their union and management to act cooperatively to solve workplace problems. Detailed questioning has revealed that, to workers, cooperation means management sharing power and authority with unions, not some sort of sham whereby management leads and the union cooperates by following.

1 Ron Callus et al., *Industrial Relations at Work: The Australian Workplace Industrial Relations Survey* (Canberra: AGPS, 1991):109; Alison Morehead et al., *Changes at Work: The 1995 Australian Workplace Industrial Relations Survey* (South Melbourne: Longman, 1997):167

2 Alison D Morantz, "Coal mine safety: Do unions make a difference?," *Industrial and Labour Relations Review* 66, no. 1 (2013).

3 Tony Dundon, "Employer opposition and union avoidance in the UK," *Industrial Relations Journal* 33, no. 3 (2002); "Union delegate unfairly denied labour-hire job at Patrick: AIRC," *Workplace Express*, 30 July 2004, https://www.workplaceexpress.com.au/nl06_news_selected.php?act=2&stream=1&selkey=23777; David Peetz, *Brave New Workplace: How Individual Contracts are Changing our Jobs* (Sydney: Allen & Unwin, 2006).

4 Richard B. Freeman, Peter Boxall, and Peter Haynes, eds., *What Workers Say: Employee Voice in the Anglo-American World* (Ithaca NY: ILR Press, 2007); David Peetz, "Workplace cooperation, conflict, influence and union membership," in *Contemporary Research on Unions: Theory, Membership, Organisation and Non-standard Employment*, ed. G Griffin, Monograph No 8 (Melbourne: National Key Centre in Industrial Relations, 1996).

5 L R Dean, "Union activity and dual loyalty," *Industrial & Labor Relations Review* 7, no. 4 (July 1954); T V Purcell, "Dual allegiance to company and union: Packinghouse workers," *Personnel Psychology* 7 (1954); Daniel G Gallagher, "The relationship between organizational and union commitment among federal government employees," *Academy of Management Proceedings* 44 (1984); Cynthia V. Fukami and Erik W. Larson, "Commitment to company and union: Parallel models," *Journal of Applied Psychology* 69, no. 3 (Aug 1984 1984), <http://proquest.umi.com/pqdweb?did=1152711&Fmt=7&clientId=13713&RQT=309&VName=PQD>; Harold L. Angle and James L. Perry, "Dual commitment and labor-management relationship climates," *Academy of Management Journal* 29, no. 1 (Mar 1986 1986), <http://proquest.umi.com/pqdweb?did=1908385&Fmt=7&clientId=13713&RQT=309&VName=PQD>; John M. Magenau, James E. Martin, and Melanie M. Peterson, "Dual and Unilateral Commitment Among Stewards and Rank-and-file Union Members," *Academy of Management Journal* 31 (1988); P A Bamberger, A N Kluger, and R Suchard, "The antecedents and consequences of union commitment: A meta-analysis," *Academy of Management Journal* 42, no. 3 (June 1999); Ed Snape and Andy W Chan, "Commitment to company and union: Evidence from Hong Kong," *Industrial Relations* 39, no. 3 (July 2000), <http://proquest.umi.com/pqdweb?did=56237480&Fmt=7&clientId=13713&RQT=309&VName=PQD>.



Thus, while two thirds of Australian union members wanted unions to cooperate more with management, they were even more vigorous in demanding that management cooperate more with unions (with 82% saying that). They were almost unanimous in wanting unions to continue to vigorously defend their interests.⁶

Efforts to undermine or remove union delegates thus undermines a basic institution through which cooperative voice can be expressed.

Of course, not all managers are antagonistic to union delegates. Many employers prefer dealing with unions, as this reduces their transaction costs in employee relations. And not all delegates are cooperative with management, but if they are out of step with the union's membership, either they will be voted out, or the union will lose its members.

Evidence from empirical studies of the relationship between unionism and productivity shows that productivity is no higher in non-union than unionised

workplaces, despite any former potential for 'featherbedding' or union restrictions on use of technology. This is because such negative effects are frequently outweighed by the potential positive impacts of worker voice on productivity, for example, by encouraging employees to identify better ways of doing things, or motivating them to optimise their effort. The net impact, it appears, depends on circumstances.⁷ As Appelbaum, Gittel & Leana found in a 2011 study, 'neither highly adversarial battles over union organizing nor ongoing adversarial labor-management relations are conducive to... achieving positive results'. They added that...

'Labor-management partnerships based on mutual respect for worker, union, and employer rights and responsibilities have been shown to achieve high performance by facilitating employee participation and related high-performance work practices and by creating social networks within and across organizations'.⁸

6 Julian Teicher et al., "Employee Voice in Australia," in *What Workers Say: Employee Voice in the Anglo-American World*, ed. Richard B. Freeman, Peter Boxall, and Peter Haynes (Ithaca NY: ILR Press, 2007).

7 J. Addison and C. Belfield, "Union Voice," *Journal of Labor Research* 25 (2004); B.T. Hirsch, "What do unions do for economic performance?," *Journal of Labor Research* 25, no. 3 (2004); R. Freeman and M. Kleiner, "The Last American Shoe Manufacturers: Decreasing Productivity and Increasing Profits in the Shift from Piece Rates to Continuous Flow Production*," *Industrial Relations: A Journal of Economy and Society* 44, no. 2 (2005); Bruce E Kaufman, "What do unions do?—Evaluation and commentary," *Journal of Labor Research* 26, no. 4 (2005). Sandra E. Black and Lisa M. Lynch, "How to compete: the impact of workplace practices and information technology on productivity," *The Review of Economics and Statistics* 83, no. 3 (2001).

8 Eileen Appelbaum, Jody Hoffer Gittel, and Carrie Leana, "High-Performance Work Practices and Sustainable Economic Growth," (memo to Obama Administration, Brandeis University, 20 March 2011).



There are fewer studies on the specific impact of workplace delegates, but one recent Portuguese survey using matched employee-employer records found that a one percentage point increase in the proportion of members who were union representatives increased firm performance by at least 7 per cent.⁹ The author suggested that the result was likely driven by increased training investments by employers in such firms, as workers' voice is potentially made more cohesive through the intermediation of union reps and the resulting dialogue with employers can become more effective.¹⁰

A voice mechanism is employee-controlled if management cannot unilaterally terminate an arrangement for voice. In Australia, by far the most common form of such arrangements is trade unionism. Overseas, trade unionism also exists, but employee-controlled voice may also encompass 'works councils' (found in parts of Europe), and some non-government organisations (NGOs), mainly in developing countries. By contrast, almost all other

forms of 'employee participation' are management-constrained, that is, they can be terminated if management so decides.

One major study pointed to the key role union delegates can play, not only in democratising workplaces, but also in democratising unions themselves. Unions perceived as democratic by delegates had more power at the workplace. This was, in this study, the strongest predictor of union power at the workplace.¹¹ When delegates did not have a strong upward say in the union, the union typically had little power in the workplace. Without union delegates, unions lack influence in the workplace, and members lack influence in the union.

9 Pedro S. Martins, "The Microeconomic Impacts of Employee Representatives: Evidence from Membership Thresholds," *Industrial Relations* 58, no. 4 (2019).

10 *Ibid.*

11 David Peetz and Barbara Pocock, "An analysis of workplace representatives, union power and democracy in Australia," *British Journal of Industrial Relations* 47, no. 4 (December 2009).



AUSTRALIA NEEDS A

Pay Rise

Australian Unions
We're for workers