

Integrity and Justice in Employment Relationships

The Assembly resolved to adopt the statement 'Integrity and Justice in Employment Relationships'.

Integrity and Justice in Employment Relationships

The Uniting Church in Australia Assembly

1. affirms that all people are entitled to just remuneration and equitable conditions of employment in their working lives, and dignity in unemployment;
2. notes the Inaugural Assembly's 1977 *Statement to the Nation*, which committed the Church to:

challenge values which emphasise acquisitiveness and greed in disregard of the needs of others and which encourage a higher standard of living for the privileged in the face of the daily widening gap between the rich and poor;

3. affirms the Sixth Assembly's statement that trade unions are of importance in the overall democratic process and play a role in protecting those who are vulnerable in society, and reminds all Uniting Church members of its resolution that:

synods, Assembly agencies, and other Church bodies be requested to encourage employees to join and be active in an appropriate trade union and/or professional association.¹

4. affirms the importance of bearing witness to the Uniting Church's public role in the life of the nation by conducting our actions as an employer in line with our public affirmations of principle;
5. requests the Assembly Standing Committee to appoint a task group to progress the development of a national approach in the area of just and ethical employment within the Uniting Church by
 - (a) convening a consultation among the synods and Assembly to
 - (i) share together the way in which each is seeking to ensure that their employment practices are consistent with Uniting Church statements on the role of employers and the rights of employees,
 - (ii) consider identifying minimum expectations of employing bodies in the church and/or guidelines by which the employment practices of

¹ *Trade Unions, Professional Associations and Employer Associations* Resolution of the 6th Assembly, Uniting Church in Australia, 91.14.17

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- the church may be measured against our commitment to social justice principles and our public statements on the role of employers and the rights of employees;
- (iii) determine an appropriate timeframe for this undertaking, taking into account the immediate need created by the entry into effect of the *WorkChoices* legislation in March 2006;
- (b) reporting to the ASC on the results of the consultation and related actions and bring any recommendations for further action.

RATIONALE

This proposal reminds the Uniting Church in Australia of its past commitments, and requests the Assembly Standing Committee (ASC) to form a task group to progress a nationally co-ordinated approach to employment practices in light of the *WorkChoices* legislation. This process would begin with a national consultation during which synods will be invited to come together to share their experiences and their work in this area and how they are responding to the challenges of the new legislation. This process would enable the input of various Church stakeholders, taking seriously the complex and diverse nature of the Church's employing bodies.

The proposal is a response to work already begun in some synods, agencies and networks within the Church to develop proposals, statements, and policy principles in response to Australia's new industrial relations system. It is intended to be a helpful initiative, inviting the various parts of the Church into conversation together to reflect theologically and institutionally on our responsibilities as church. It arises out of a commitment to consistency and integrity across the Church in our response to Federal Government legislation. UnitingJustice Australia believes that this need for consistency and integrity necessitates a whole of Church national strategy for just employment.

Any resulting principles would serve Church employers as guidelines for ethical relationships between employers, employees and trade unions and employer organisations. They would take into account the ethos, history and operational structure of the Uniting Church, and would bear witness to its mission as a social justice church and as a group of large and smaller employers. They would also take into account the relevant international human rights instruments, including the *International Covenant on Economic, Social and Cultural Rights* which Australia has ratified.

The need for considering a national set of principles has been precipitated by certain aspects of the federal *WorkChoices* legislation, which came into effect in March 2006. In the past, Uniting Church employers and employees have been bound by the system of awards and legislated minimum entitlements, which has provided a comprehensive set of base employment conditions. These minimum conditions of employment have been used as a guide by Uniting Church employers against which offers of employment and ongoing contractual negotiations are undertaken.

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However, *WorkChoices*' minimum basic provisions for employees are potentially substantially less generous overall than those of its predecessors. The legislation allows individual and collective contracts to undercut certain awards by eliminating award conditions that significantly affect actual pay, and places heavy restrictions on traditional trade union activities. Unfair dismissal procedures have been removed for small and medium-sized businesses.

As such, *WorkChoices* legislation was and continues to be strongly opposed by Uniting Church leaders and agencies, in consideration of both its effects on the low-paid and vulnerable, and on the Church's operations as an employer. Broadly, these changes have the potential to impact heavily on society's vulnerable, the low paid, casual workers and new entrants to the workforce, as their basic minimum entitlements are now less generous. Of perhaps more immediate concern to many Church operations, it will become increasingly difficult to balance market competitiveness, funding requirements and client satisfaction with appropriate care for the wellbeing of staff and attention to the social justice mission of the Uniting Church in an environment where less scrupulous competitors are able to take advantage of these laws to reduce staffing costs.

This tension between client demands and employee welfare is already well recognised within Church operations. In the past, individual synods have formulated *Church as Employer* principles, with the aim of creating sound policy to negotiate such tensions. These documents have proven an important and worthwhile initiative, recognising the extraordinary traditions of service and volunteerism often attached to Church service providing entities. One such document, formulated by the Synods of Victoria and New South Wales, comments:

A church community service agency or other employing body often aims to provide high quality service for the least cost, believing that this is in the best interests of the client group. However, in fulfilling its mission, the church becomes a *sign* to the Kingdom of God. Therefore, service and justice must both be honoured. Often a culture can develop which values staff, both paid and volunteer, giving of themselves to the utmost extent, regardless of the personal cost. This can lead to exploitation, and is both unwise and unjust.²

While it is clear that there are outstanding issues as to the applicability of the *WorkChoices* legislation to individual Church employers, this initiative would not be designed merely to capture those employing bodies which are within its reach. Rather it invites consideration of the development of a substantial, coherent and consistent set of base employment principles designed to assist all Church employers as they strive to live out our call to serve God in the world.

² *Uniting Church as Employer: Theology and Principles*, Synods of Victoria and New South Wales