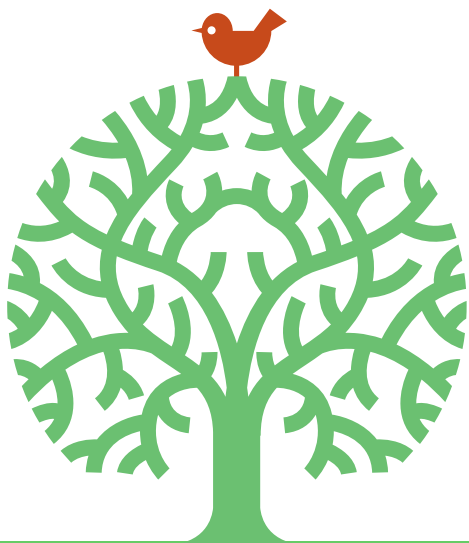


# Issues Paper



work justice: dignity and fairness in  
employment and unemployment



federal election 2007  
*your faith, your vote, your voice*

Uniting Church in Australia  
National Assembly



# work justice: dignity and fairness in employment and unemployment

## OUR VISION

*“Why do we fast, but you do not see?  
Why humble ourselves, but you do not notice?”  
Look, you serve your own interest on your fast day,  
and oppress all your workers...”*

*Is this not the fast that I choose:  
to loose the bonds of injustice,  
to undo the thongs of the yoke...*

(Isaiah 58:3, 6)

Christian teachings on work and employment are founded in our understanding of the beneficial and special nature of work. Work is a sacred practice; God is often depicted as a ‘worker’: as shepherd, potter, builder, weaver, farmer, midwife and many more.<sup>1</sup> Meaningful work is each person’s contribution to building a sounder world, and is a reflection of the creative force of God.

Christians believe that we are called by Jesus to a particular task – to participate in God’s mission in the world – and so those who are able have a responsibility to work, both in order to support ourselves and our families, and so that we can serve others and help to build a just and peaceful society. A Christian vision of a nation at work is of a community where all people, including those most vulnerable, are supported to contribute to their own wellbeing and to broader society, through meaningful work – in the workplace, home or broader community, paid or unpaid. In the performance of their work, each person is entitled to dignity and to respect from the community; similarly, our work should support our families and communities to flourish.

## THE ISSUES WE FACE

While official unemployment figures are at record lows, the issue of underemployment is an emerging concern, especially for low-paid workers. The Australian Bureau of Statistics<sup>2</sup> indicates that:


- while unemployment is officially around 5%, another 5% of the labour force is underemployed – meaning they want to work more hours per week;
- 20% of all part time workers want to work more hours per week;
- more than one third of all under employed part-time workers were young people between the ages of 15-24.

Most of these people are women, reflecting the high proportion of women in part-time work or out of the workforce due to family responsibilities. As well, around 20% of the workforce work as casuals, without any leave entitlements or security in their hours of work. Garment outworkers are another very vulnerable group of people – mostly women - often working for far below the minimum wage, in an unregulated environment with few checks and balances, outworking is a practice that is often undertaken by whole families rather than by the single worker.

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<sup>1</sup> see Robert Banks, *God The Worker*, Albatross: Sutherland, NSW, 1992

<sup>2</sup> ABS Cat 6265.0, *Underemployed Workers, Australia*, September 2006



Paradoxically, we are facing a skills shortage, with many essential industries finding difficulty in recruiting appropriately skilled staff from within Australia. In a situation where many Australians are underemployed or unable to find work, an underinvestment in essential skills and various population factors has meant that tens of thousands of jobs are unable to be filled.

There are also growing indications that Australian people are finding it difficult to balance work and family commitments, with long hours and weekend work becoming an accepted and necessary part of each household's schedule.

In addition, recent legislative change has reduced the base entitlements of employees, especially those on individual Australian Workplace Agreements (AWAs). Employers can avoid remunerating employees appropriately for overtime worked or provide penalty rates, which impacts heavily on take-home pay for the low-paid; and most workers are now no longer able to apply for relief in case of unfair dismissal. While the Government recently made some changes to the law to allow workers to receive compensation for trading away overtime and penalty payments, these rights are not guaranteed where the business claims it is in financial distress. In addition, the changes to the law do not extend to the hundreds of thousands of working people who have signed AWAs before these changes were made.

Combined with recent "Welfare to Work" legislation, which penalises the unemployed and their families for not accepting offered work by 'breaching', or withdrawing welfare payments, this means that low paid workers are far less able to negotiate a decent rate of pay.

## **GROWING A NATION OF HOPE**


Growing a nation of hope requires a foundation of security for its people, and an understanding that relationships must be founded on the principles of respect and mutuality. Employment relationships require give-and-take; the employment relationship often involves an unequal power balance – especially for employees who are low-skilled or whose skills are in low-demand.

All people in a healthy society should be supported to contribute, each according to their capacity. Each person must be entitled to basic protections which recognise the truth that human beings are entitled to dignity and respect. The living and working conditions of the most vulnerable should reflect our understanding that human beings are precious, and that labour is much more than a commodity to be bought and sold. We seek industrial relations policy that recognises this truth, and which acts to protect the interests of both parties in a balance of fairness – all the while recognising that the most valuable resource of society is its members, and that our common humanity must underpin our relationships with each other.

## **THE POLICIES WE SEEK**

The Uniting Church has a very particular stance on the validity of certain approaches to industrial relations and economics, born from the Christian tradition of support and advocacy for those most vulnerable in our society.

We seek industrial relations policies that foster strong communities and protect the most vulnerable people in our society. These include working people on low incomes, people who are unemployed, and people who are dependent on the incomes of others – including children and the elderly – to maintain a decent standard of living. We advocate for policies that support dignity in both employment and unemployment, and provide a decent basic wage.



Industrial relations has become a keystone issue of this federal election, with every political party outlining radically different agendas for reform. Australia's policies must focus on producing an economy that works for people, and not against them; that serves the interests of all in the community, providing a higher standard of living without sacrificing our most vulnerable in the service of capital gain.

### **protecting the vulnerable**

Justice in employment and support in unemployment is one of the most fundamental signs of a society which values its people, and which recognises that the basic needs for survival are a non-negotiable human right. Policies that punish the unemployed and their dependents for their failure to undertake under-paid work by revoking their access to basic necessities are unnecessarily harsh, and betray a fundamental misunderstanding about the value of human life and dignity. Australia must ensure that unemployed and under-employed workers are supported to an adequate standard, and that their dependents are never left without the basic necessities of life.

All working people must be supported in obtaining just employment, through the provision of an equitable base wage that keeps pace with the cost of living, and basic 'safety-net' conditions of employment that enable a dignified balance between work and home life. Trade unions have historically been an important force in improving living conditions in Australia and around the world, and fair industrial relations policy should recognise unions' legitimate right to be active in support of their members.

Casual workers and outworkers must also be protected, as these are two of the most vulnerable groups in the workforce. Government must institute adequate national protections for garment outworkers, ensuring that supply chain practices are ethical and calling businesses to account in treating these workers fairly. We seek better legislative protections for low-paid casual employees, and policy shaped by the recognition that casual employees often suffer disadvantage at the workplace.

### **balancing work and family priorities**

Family and community involvement is one of the most fundamental joys in life. Rest and leisure are fundamental ways that we regenerate ourselves emotionally and spiritually and bring enjoyment to our lives. These concepts must underpin good industrial relations policy, and thought should be given to ways that well-shaped policy can support working people to become more engaged in community life.

Entitlements like paid leave for family and caring responsibilities, as well as parental leave—both paid and unpaid—should be protected and promoted. In addition, a whole-of-government approach should be taken to formulate policy that enables working families to function properly – better availability and pricing for childcare facilities, re-examination of the ways that welfare benefits interact with earnings, and creative ways of funding paid parental leave and supporting parents with very young children in the workplace.

Promoting flexible work practices is a very important aspect of ensuring true gender equity in the workplace, and creating a family-friendly working culture. True family-friendly flexibility is about creating mutually acceptable compromises on issues like hours of work and overtime, timing of leave and, if practical, practices like reduced working hours, job-sharing and telecommuting. 'Flexibilities' which erode workers' pay and conditions for the benefit of the employer, and 'flexible' work practices which require employees to work anti-social hours, are not 'family-friendly' benefits. True family-friendly flexibility results from negotiation between employers and employees and agreement on mutually beneficial compromises.

## providing for the future

Ensuring that all people are able to obtain dignified employment is an important part of good economic and social policy. Full employment must be a fundamental goal of economic and industrial relations policy. Full employment must be achieved through means that preserve and encourage human rights and dignity in employment, in line with International Labor Organisation standards.

We must also ensure that Australia's skills and education policies are in step with our social needs. By gathering, analysing and releasing statistical and qualitative information about our workforce, we provide the basis for public discussion and sound policy formulation on these issues. By increasing funding to skills education and providing incentives for training in vital industries such as nursing, teaching and various trades, we can ensure that our society's future needs are met.

## WITHIN THE UNITING CHURCH

The Uniting Church in Australia has made several key statements on the equitable distribution of wealth, the role of employers and the rights of employees, seeking equitable relationships and social structures that protect the vulnerable. In 1988, the 5<sup>th</sup> National Assembly of the Uniting Church in Australia called upon all members of the Uniting Church

to work together for the elimination of poverty through a more equitable distribution of wealth, including access to services and resources.<sup>3</sup>

In 1991, the 6<sup>th</sup> National Assembly recognised:

the role trade unions and professional associations play in protecting those who are weaker in society, and the need for people to stand together in solidarity against injustice

In 1994 the 7<sup>th</sup> National Assembly adopted the statement *A Call for Justice Concerning Employment* which stated, among other things:

Australia should adopt the goal of paid employment for all who seek it, providing adequate income and safe working conditions, in the context of a socially just and ecologically sustainable economy, and adopt appropriate measures to ensure that this goal is met, through the cooperation of government, business and unions.

In 2006, the 11<sup>th</sup> National Assembly adopted the statement *Dignity in Humanity*, which states:

No rights are possible without all that is necessary for a decent life, including the rights to work with just pay and conditions, adequate food and health care, adequate, appropriate and accessible housing and a safe environment, education for the full development of the human potential and the right of people to participate fully in decision-making about their common future.

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## FURTHER INFORMATION

Find out more about the Uniting Church's advocacy on *WorkChoices* visit UnitingJustice Australia's website at:

<http://nat.uca.org.au/unitingjustice/transformingsociety/economicsforpeople/index.htm>

For more information on UnitingCare Australia's advocacy on the Welfare to Work legislation, visit their website at <http://www.unitingcare.org.au/index.cgi?tid=165>

For further information about the *WorkChoices* legislation, you might like to visit the Government's website at [www.workchoices.gov.au](http://www.workchoices.gov.au). Broader Government information about workplace policy can be found at <http://workplace.gov.au/>.

For more information about the role of unions in the workplace, visit the Australian Council of Trade Unions (ACTU) at [www.actu.asn.au](http://www.actu.asn.au).

If you are interested in gender equality and discrimination in the workforce, you might find the Human Rights and Equal Opportunity Commission's (HREOC) website useful. The Office of the Sex Discrimination Commissioner has produced excellent resources on work and family issues, which can be found at [http://hreoc.gov.au/sex\\_discrimination/index.html](http://hreoc.gov.au/sex_discrimination/index.html).

Information on unemployment and poverty can be found at the website of the Australian Council of Social Services (ACOSS), at <http://www.acoss.org.au/Publications.aspx?displayID=2&subjectID=8>.

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