Are Australian Trade Unions Part of the Solution, or Part of the Problem?

David Peetz, Griffith University

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To answer the question in the title, we must first identify ‘the problem’? The following sections of this article then ask: How have Australian unions contributed to the solution in the past? How are they now part of the problem? And how can they now be part of the solution? In doing this, I seek to bring together research by various people (including myself) over the best part of two decades about the past and present of unions, to help us understand whether they have a future.

1. **What is the problem?**

In recent years, there has been growing recognition of the failure of the modern economy to deliver widespread benefits for all. Instead, since the 1980s Australia, like many other advanced industrialised countries, has experienced rising inequality and a growing concentration of income, wealth and power in a small group sometimes referred to as ‘the one per cent’ or, more accurately, ‘the 0.1 per cent’.¹ The profit share of national income has consistently risen at the expense of the wages share since the 1980s, in Australia and elsewhere,² while top incomes including CEO salaries have outpaced wages and contributed to widening inequality.³ Before the global financial crisis, members of the financial elite spoke of the rise of ‘plutonomy’, an economy ‘powered by the wealthy’, particularly in the English-speaking industrialised societies.⁴ In countries with high shares of income going to the very top, inter-generational mobility is lower,⁵ child poverty is higher,⁶ and health and social problems are worse.⁷ In this world, ordinary workers – those in the middle and lower parts of the income ranges – have limited access to resources and even more limited effective say.
Within the workplace, from the 1980s working hours increased in Australia and some other countries,\(^8\) the intensity of work has increased,\(^9\) and work-life balance has been under strain\(^10\) with adverse implications for health and family wellbeing\(^11\) and many people in many countries wanting shorter full-time working hours.\(^12\) As female participation in the labour market has increased, we have not seen a reduction in care demands on women or in hours demanded of male employees but rather an increase in demands on women’s time.\(^13\) ‘Overemployment’ has thus grown alongside unemployment and underemployment. Insecurity has expanded in most countries, including through the spread of casual work, ‘independent’ contracting or other forms of peripheral employment,\(^14\) leading to the growth of the ‘precariat’ – workers in informal or casual jobs.\(^15\) Greater flexibility is demanded of employees, shifting risk from capital to labour.\(^16\) Monitoring in some industries enables supervisors to manage workers’ activities to seconds\(^17\) while in others managerial efforts to ‘strengthen’ or control ‘culture’ within organisation have sought to manage what workers think, not just what they do.\(^18\) Worker power is reduced. Managers often restrict employee say in decisions to that narrow range of issues where they foresee gains in profitability from increased employee input.

This growing redistribution of incomes and power has accompanied the spread and adoption to varying degrees of ‘market liberal’ or ‘neoliberal’ economic policies in almost all industrialised countries. The stated aim has been to improve economic efficiency and performance, through boosting growth in productivity and per capita gross domestic product (GDP). Yet over this period, there has been no noticeable improvement in productivity, either in Australia or globally.\(^19\) During the WorkChoices years, when ‘neoliberal’ reform reached its maximum potential (though still with extensive state controls over what employees or their organisations could do),\(^20\) productivity growth slumped.\(^21\) Productivity growth has moved closer to long term trends under the Fair Work Act, but there is no sign of our sustainably surpassing the rates achieved in the years preceding market liberal reforms of awards, labour markets and product markets. Meanwhile, and curiously, public debate in Australia proceeds as if there were a fiscal ‘mess’ in Australia comparable to that in Europe. Yet none exists: net public debt as a proportion of GDP is one sixth the average across advanced industrialised countries.\(^22\) Still, workers and others outside ‘the one per cent’ are expected to pay to ‘clean’ up this ‘mess’.

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2. How have unions contributed in the past to the solution?

The situation as described above was not always so. Through much of the twentieth century from the 1910s, and particularly in the three decades up to the 1970s, inequality and the share of the ‘one per cent’ declined. The profit share was relatively stable (in Australia, aside from a shift caused by the ‘wages explosion’ of the early 1970s). The ratio of CEO pay to workers pay was stable or even narrowing. And, importantly, union membership was high.

Through much of the 20th century, Australian unions helped maintain workers’ share by campaigning for wage increases and improvements in conditions of employment by making strategic use of the arbitration system. A portion of the unionised workforce would successfully agitate for improvements in wage or conditions, either through direct negotiation with employers or through advocacy in a tribunal, and then use the tribunal system to spread the gains through the rest of the workforce. Gains might be achieved through national tribunal cases, often building on precedents in particular sectors. Unions also used their links with the Australian Labor Party (ALP), originally created by unions in the 1890s, to secure passage of legislation or the creation of administrative arrangements favourable to workers when the ALP was in government at state or federal level. Conversely, union ties to the ALP made unions vulnerable to legislative attack if a conservative government saw this as a means of weakening its political opponent. Overall, though, the membership levels and the industrial and political strategies of the unions gave workers – both members and non-members – substantial gains through much of the 20th century.

These contributed to the moderation of inequality through this period. A series of studies showed that, across countries, higher union density tended to be associated with lower levels of inequality, by affecting wages, especially for lower-paid workers and also such things as the adoption of equal opportunity practices within firms. It is likely that other factors are relevant too. For example, a society with a strong ethos of egalitarianism is likely both to encourage governments to enact policies that reduce inequality and to permit or facilitate the emergence of a large,
effective trade union movement. On the other hand, social values do not emerge from nowhere, and it is also likely that powerful union movements play a role in promoting egalitarian values.\textsuperscript{29}

In the early 1980s, in response to the persistence of ‘stagflation’ (simultaneous inflation and unemployment) the ALP and Australian unions negotiated a prices and incomes Accord that would shape wages policy and many other areas through the ALP’s 1983-1996 term in government. During this period, however, there were also concerted attacks on unions by employers and conservative state governments, as in many other countries, in no small part due to employer responses to changes in product markets arising from market liberal reforms. Structural change in the 1980s had shifted employment away from union-dense industries. In the 1990s this force was outweighed by the influence of government and employer actions, with the new conservative Howard government weighing in during the second half of the 1990s.\textsuperscript{30}

A long-successful solution became the problem. Unions’ highly developed capacities for industrial advocacy and for doing politics – at least politics with the ALP, with which they had deep financial and membership links – became a liability in a system where wage fixing had shifted from awards to ‘enterprise bargaining’ and the workplace, not the tribunal, became the centre of action. By the end of the 1990s, union density had slumped to less than half its level of the 1960s or 1970s.\textsuperscript{31}

In response to this decline, unions sought to reorganise themselves, with varying degrees of enthusiasm and incomplete effects, devoting more resources to the workplace and sometimes to the training or education of delegates, and diverting resources away from tribunal advocacy and ‘servicing’ of members.\textsuperscript{32} Enthusiasm and success varied between and within unions and union branches. This reorganisation boosted the power in unions in some workplaces but the external environment continued to be highly unfavourable. Still, unions were able in 1998 to withstand a co-ordinated attack – probably a ‘conspiracy’ at law, as claimed by union lawyers, though this was only partially tested in the courts – involving the federal government and a major waterfront employer. The attack involved mass redundancies and the replacement of the unionised workforce, and was aimed at crippling the iconic Maritime Union of Australia (MUA). Although the settlement involved several hundred redundancies, the MUA survived, partially achieving the
employer’s objective of increased productivity but denying the government’s objective of waterfront deunionisation.  

A major success of the union movement came in 2006-07, through its *Your Rights at Work* campaign, which ultimately was a key factor in the defeat of the Howard government. The government had taken advantage of an unexpected majority in the Senate and enacted ‘WorkChoices’ legislation with effect from early 2006, designed to remove many aspects of the safety net for workers, both on pay and dismissal protection, and critically weaken trade unions. The Australian Council of Trade Unions (ACTU) designed and coordinated a campaign combining elements of the workplace organising principles of industrial campaigning it had been developing with sophisticated polling, marketing and publicity techniques. The campaign was aimed at building up sufficient opposition to WorkChoices to defeat the government at the 2007 election. In this it succeeded, and in defeating an incumbent government the Australian union movement achieved what few other union movements since the turn of the century have achieved (or, to be fair, needed to achieve). In this the union movement became a central part of a solution to some of the problems identified above – albeit briefly. But it was not to last.

3. How are unions now part of the problem?

If unions were once part of a solution, then their decline and the problems they face in arresting that decline now constitute part of the problem itself – their situation is a barrier to redressing the growth in inequality. Although many unions have undertaken internal reforms, few have been transformed. In the 1990s Barbara Pocock referred to ‘institutional sclerosis’ within unions and, while it is important not to understated the changes that unions have undergone, it is also important not to underestimate the magnitude of the even greater changes demanded of them.

Unions remain a shadow of their former selves, now representing approximately 17 per cent of the workforce. Although the membership decline was stabilised by the early 2000s, it subsequently failed to grow at a sufficient rate to match the growth in the workforce, so density has continued to ease. For a while it appeared that density might start to increase, but the latest estimates published by the ABS, based on a
large household survey, suggest a further decline. Sampling error, and the movement of this collection from annual to biennial, make it difficult to interpret this most recent movement against the previous trend.

With low density, Australian unions are in a limited position to counter the causes of rising inequality and declining worker power. The increase in inequality in several countries has been linked in part to the decline in union density, including through unions’ reduced role ‘in the workings of government’. Changes in US union density closely track changes in the share of the top 1 per cent, but the relationship is less striking in Canada or Australia. It is now claimed that US unions no longer do four key things they once did: equalise incomes, counteract racial inequality, help assimilate migrants, or give lower income earners a voice (Fox 2014).

Here, it is clear that Australian unions are in a much weaker situation than during the Accord years. In an economy with many areas where product markets were poorly competitive, especially in relation to overseas-produced goods, there were opportunities for parts of both labour and capital to extract ‘rents’ – incomes above what perfectly competitive markets would deliver. This competition for rents became a spiral that heightened the problems of simultaneous unemployment and inflation. That is what prompted the Accord: unions’ ability to influence rents and macroeconomic outcomes gave them a central seat at the national bargaining table in the 1980s.

These days rents are still being extracted, but by different groups – principally extremely high income earners, the chief executive officers, directors and managers of top firms, and parts of the finance sector. In an economy characterised by more competitive product markets and weaker union density, unions do not play a major role in rent extraction any more. Yesterday’s problem of general price and wage inflation (and of responding to it) has been superseded by the narrower inflation of executive remuneration and of the incomes of the rich (especially the top 0.1 per cent) and asset price bubbles. Market liberal ‘reforms’ have not solved our economic problems and delivered an acceleration of our growth in wellbeing. They have just changed the problems, and in doing so made life more difficult for many workers.
By the Rudd-Gillard years, unions were relegated to the role of just another interest lobby group. In negotiating and finalising the drafting of the Fair Work Act, unions had a role neither larger nor smaller than that of organised business groups. Within the parameters of Labor’s election promises, the final version of the legislation included some good outcomes for unions but as many for business (including a breach of the election promise to allow agreements to cover all matters). By contrast, when the Brereton Industrial Relations Reform Act 1993 was being written, unions were at the table in a formal working group established under the Accord processes; business was a lobby group whose interests merely had to be taken into account.

Unions have maintained their links with the Labor Party, links that originated with the party’s formation. Yet after 2007 unions were often ignored by the ALP government, particularly by comparison with the Accord period of the 1980s and 1990s. The ALP government acted as if it figured, fairly rightly, ‘where else could unions go?’ Overall, that government probably spent considerably more time courting business than unions. A noticeable part of the time of union officials is taken up with internal ALP politics. A noticeable part of ALP leaders’ time is put into managing debates about whether and perhaps how union influence within the ALP should be contained.

Unions’ narrower focus – it was not always so narrow – and their ties to the Labor Party – once part of the solution – appear now part of the problem. Unions put resources into the ALP, which badly needs the resources but does not want the unions, rather than putting resources into alternative institutions for advancing their interests (which might be left-leaning research bodies, social movements, political parties or coalition building amongst these and others).

Unlike the 1950s, where unions had viable choices as to whether they aligned their interests with the ALP or outside (in particular, with the Communist Party), there is no such alternative today readily used by unions. Very few have links to the Greens and where they do it is controversial, while many in the Greens hesitate to align themselves too closely with an interest group that has been seen in the past to place jobs ahead of the environment. Meanwhile some in ALP leadership roles detest the Greens – as illustrated by Prime Minister Kevin Rudd’s eventually fatal refusal to negotiate with them over an emissions trading scheme – and this places further barriers between them and unions, especially the blue collar unions who have
predominantly belonged to the ALP. This is not to argue the benefits of closer unions-Greens links, but simply to critique the narrow range of options unions provide themselves.

Unionism is no longer a primarily male, blue-collar affair. Women are now slightly more likely to belong to unions than men, and soon there will be more female unionists than male unionists. White-collar unionists now out-number blue-collar unionists by two to one. In 1992, professionals accounted for only about 16 per cent of trade union members. By 2013, they accounted for 32 per cent and were, by far, the biggest occupational group amongst trade unionists (next were ‘Technicians and trades workers’ and ‘Community and personal service workers’, both with 13 per cent). The biggest factor in the growth of union professionals was the rise of education and health professionals, whose combined share of unionists expanded from 14 per cent in 1996 to 25 per cent in 2013. Many (78 per cent) are women. At the same time, the combined share of labourers, machinery and plant operators and drivers has fallen from around 27 per cent to 19 per cent. Many (83 per cent) are men.

Manufacturing, once seen as the heartland of unionism, now accounts for only around 7 per cent of unionists. The share of unionists employed in health care and social assistance has grown from 11 per cent in 1996 to 19 per cent in 2013. It is now the largest industry group. Education's share has also grown, albeit less spectacularly, from 13 per cent to 18 per cent.

The composition of the union movement is changing in other significant ways. In 1990, only around 13 per cent of unionists were part-time workers; by 2013, 25 per cent of unionists were. Women’s higher density than men’s reflects their higher share of public sector employment (where density is higher), more than offsetting the effect of women’s over-representation amongst casual employees. Women’s growth in their share of unionists has occurred despite the shrinking of the public sector and the levelling of casual and part-time employment growth, but alongside the growth in female labour force participation and the greater decline in male density.

All these changes in composition are important for union policy and strategy. Many
of what once were considered the ‘heartlands’ of unionism are no longer so. And wherever the heartland of unionism is, it cannot be said that unionism is the heartland of the workforce.

Governance remains an issue. While the degree of misbehaviour amongst union leaders and officials might be no worse than in the corporate or not-for-profit sectors (we really cannot tell), any instances have been highlighted by the government and media and portrayed as representing a generalised problem across unions. Considerable union resources have been tied up with the ‘Royal Commission on Union Corruption’ and more will be devoted to responding to the policy and publicity fall-out. There are well-argued claims that the Commission’s proceedings demonstrate bias against unions, though there is also no doubt that some corruption existed within some unions. To the extent that certain union officials enriched themselves and disenfranchised members, this anti-democratic activity would have weakened workplace unionism, given the importance of perceptions of democracy for building workplace union power. In the broader public, the annual Roy Morgan survey of perceptions of honesty and ethical behaviour in professions, found a one-third drop in positive scores for ‘union leaders’ over three years (from 18 per cent of respondents giving ‘high’ or ‘very high’ ratings in 2011 to 12 per cent in 2014), following a sustained period of improvement in perceptions of union leaders after the lows of the early 1980s. On the other hand, trust in ‘trade unions’, as measured by Essential Media, has not changed much over three years. The challenge for governance of unions is how to be demonstrably pure without also appearing impotent. This is in part because the genesis of the Royal Commission appeared part of a broader attack by the conservative parties upon the power of trade unions.

All this has happened against the backdrop of a need for major rethinking of economic and social policy, in Australia and overseas. When the global financial crisis pushed millions out of work globally, the rationale for market liberal policies was demolished. Yet the ideas behind market liberalism have persisted – like zombies. Within two years Europe was plunged into austerity politics as market liberals successfully persuaded policy-makers that governments, not banks, were to blame and that workers, not the beneficiaries, needed to endure years of austerity to
pay for other people’s fiscal mess. Even in Australia, with its small public debt, the rhetoric of austerity retains salience. More than anything else, this demonstrated the remarkable failure of civil society – in particular, unions and other bodies representing workers, children, the environment and the poor – to develop and articulate an alternative policy vision to challenge the failed market liberal paradigm. It was a great moment lost.

4. **How can unions be part of the future solution?**

The problems that workers face are not processes that can continue indefinitely. Eventually increases in work intensity or working hours become unsustainable. Resistance grows, some of it providing opportunity for coordination though unions and industrial action, some of it remaining unorganised but causing problems for employers through absenteeism, quits, losses in loyalty, problems in quality of output, even possibly sabotage.

Even the effects of globalisation are not set in stone. On the one hand it promotes economic development and the growth of employment, incomes and job security in developing and other countries. On the other hand it promotes greater competition between corporations and nation states and through that greater demands for flexibility and downward pressure on wages and job security. The net effect of these two tendencies depends on the policy choices taken by states and the mobilisations by employers, unions and other parts of civil society that determine the conditions under which globalisation proceeds. But how much capacity will unions have to shape these economic forces and mobilise workers’ responses?

*Power resources and capabilities*

Some of the major research on union renewal has been amongst Canadian academics. From there, Lévesque and Murray point out, the ‘key factors currently challenging union power clearly cut across the different national institutional arrangements in which unions are embedded’. Australian unions are not unique in the problems they face, though specific national factors (such as the former reliance
on arbitration) have exacerbated the problems here. Levesque and Murray\textsuperscript{51} identified four key ‘power resources’ for unions:

- internal solidarity (sufficiently cohesive identities to pursue their goals; and ‘deliberative vitality’—the participation of members in the life of their union);

- network embeddedness (the degree to which unions are linked to their own and other union organisations, community groups, social movements or other types of actors);

- narrative resources (the range of values, shared understandings, stories and ideologies that aggregate identities and interests, translate and inform motives and create a sense of efficacy)\textsuperscript{52}, that frame understandings and union actions; and

- infrastructural resources (material, human, processes, policies and programs).

However, as Levesque and Murray\textsuperscript{53} point out resources alone are not enough—unions must be capable of using them as the context changes. For example, intensified competition and globalisation has weakened pattern bargaining and links to political processes so that ‘external solidarity resources derived from previous patterns of network embeddedness are not providing the leverage on which past patterns of union action relied’.\textsuperscript{54} This increases the importance of the workplace, while highlighting unions’ need to develop new ways of organizing beyond the workplace and articulating back to it including through developing new forms of networks. One illustration is the increasing (though still limited) use by unions of social media\textsuperscript{55} and online actions.\textsuperscript{56} As ‘understanding … union resources and capabilities is critical to an understanding of efforts to enhance union power’, Lévesque and Murray identified key four strategic \textit{capabilities} required for union power.

The first is framing—the ability to put forward an agenda that can be more or less inclusive and can be part of a broader social project. A major element of the successful ‘Your Rights at Work’ campaign was the way it was framed in terms of ‘rights’,\textsuperscript{57} but one of the major failings of progressive groups has been in adequately
framing political debate and union rhetoric about inequality. Framing is a major challenge when the media are replete with stories – some beat-ups, some fictional and some based on grim facts – about poor union governance, misbehaviour or corruption.

The second key capability is to intermediate between contending interests to foster collaborative action and to activate networks. On this matter, the Your Rights at Work campaign failed in one of its more ambitious objectives. While much has been said about the importance of community campaigning,\textsuperscript{59} and the emphasis given this in the Your Rights at Work campaign,\textsuperscript{60} the campaign failed to deeply engage community groups and build strong linkages with them.\textsuperscript{61}

The third capability is learning – the ability to reflect on and learn from past and current change in contexts, and organisational practices and routines, in order to anticipate and act upon change, and to spread these lessons throughout the organisation. Years of observing unions suggest to me that, while many individuals there are great learners, it is not so clear that the organisations as a whole fit that category – an observation seemingly still salient since Pocock made similar remarks not long after the start of unions’ reform process.\textsuperscript{62}

The fourth is to articulate actions over time (short term versus long term) and over space (managing the multiple levels at which unions seek to exert an influence and how they develop the interactions between these levels). Critical here is the link between the paid and unpaid levels of the union – between the office and the workplace. Effective union mobilisation requires power and capabilities on many levels. But perhaps the first of these, the foundation, is the workplace.

*Building workplace organisation and democratisation*

Workplace power for unions requires workplace activism. Workplace activism requires effective delegates; it was workplaces without active delegates that were most likely to be deunionised during the period of most rapid union decline, in the early to mid 1990s.\textsuperscript{63} Activism also requires delegates with a sense of efficacy, as confidence and self-belief is a strong predictor of activism, even stronger than self-
assessed skill levels. Workplace power requires support by the union office, particularly organisers, for workplace delegates. While unions are more than just a form of workplace social capital, workplace power requires delegates have access to networks, internal and external to the workplace, formalised or informal, that provide support, information and ideas. And it requires that delegates, and members, have a sense that they can and do influence what the union itself does. Democracy within unions is a precondition for success. It is not just a question of a union’s power for its members depending in part on power over its members; in a world without wage arbitration, workers cannot have power in the workplace if they don’t have power in the union.

Some of the implications, of what unions need to do to value and empower delegates, are obvious but not always easy. The research shows that activism is severely hampered unless workplace delegates are trained. Setting aside resources for education promotes learning within and by organisations. Training enhances not only the skills but also the confidence of delegates for engaging in activism. Delegates need to be trained on how to spread the load, to make use of other potential activists in the workplace who may have different but complementary capabilities or interests. The research also shows that formal training of delegates is almost wasted if resources are not also put into the follow-up of training, to imprint the lessons. The formal and the informal are two very important sides of the training coin. Devoting resources to training is expensive but not so controversial; the structural changes needed to ensure it is followed up and complemented can be both. The provision and facilitation of opportunities for networking is as important for developing supportive networks for delegate networks as is the provision of training itself.

To be capable and motivated, delegates require both training and meaning from the union. By ‘meaning’ I refer to a sense of what the union stands for, through an articulation of union values through the union organisation. I also refer to a sense of real say in the decisions that affect delegates and members, both direct participation in decision-making (influencing the day to day decisions about work as a member and delegate) and indirect participation (influencing the decisions of the union itself).
Democratisation, in this context, is not just about having elected structures. Generally and on average, elected structures are good. However they do not have much impact if people are elected to positions unopposed, along factional lines. Sometimes, some forms of elected positions (such as elected organisers in some unions) can retard reform processes within unions and maintain the status quo.

Democratisation is more about how much ability members and delegates have, to shape what the union does. It is about how a union functions, and how open it is to members' preferences and their diversity. The correlates of perceived democracy within unions suggest it is closely related to a willingness of the union to embrace and respond to broad constituencies, both inside and outside, such as those representing women's interests.  

**Unions in society**

An effective response to the workplace and national problems and tendencies we experience requires a new way of doing things and of thinking about things – a new vision and new policy approaches. Unions, other social movements representing women, the underprivileged, community groups and the environment, and intellectuals need to be drawn together into a major conversation if an alternative vision is to be developed, articulated and implemented. The prominence given to Thomas Piketty’s *Capital in the 21st Century* is not so much a reflection of a great new revelation as it is a reflection of the fact that the book ‘suits the mood of the times’.  

In Australia the almost forgotten Accord between unions and the government of the 1980s was many things, some of which are now irrelevant, but most importantly it was an alternative vision of the economy, a challenge to the liberal market orthodoxy of government departments of the day. The need to develop an alternative vision of what the economy, society and workplace should look like is greater now than ever before.

But can unions mobilise outside labour? Are they capable of engagement in the ‘big conversation’ about alternatives to status quo thinking? It would require a change to
‘insider’ thinking – but that is precisely what the Accord did when pensioners and poverty became industrial issues. It would require confronting the anti-environmental image unions have had – but already many unions are actively engaged in environmental and climate issues, in activities ranging from workplace ‘climate heroes’ to regional development alliances with environmental groups through to a remarkably active stance in tackling climate change issues by the coal miners union.75

Indeed, unions are probably the only group in Australia with the resources, the breadth of membership, and the organising capability to draw together the disparate groups and the individuals concerned with developing an alternative. In that way, they could be central to the solution.

In the end, if unions are to be part of the solution, there is much to be done. It requires action in developing and empowering workplace delegates and members, democratising processes with unions, strengthening articulations between levels, developing better framing capabilities, managing governance properly, becoming learning organisations, deepening links and networks with other organisations and movements in the community and civil society, and using such links to develop and articulate an alternative vision of society that reflects progressive values. It is a huge task. But if unions do not do this, who will?

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