

INDUSTRIAL CONDITIONS

INDUSTRIAL REGULATION

Jurisdictions

Introduction

The regulation of wages and conditions of employment in Victoria is in part made pursuant to Federal legislation and in part the result of State law. The division between State and Federal jurisdictions applies also to Public Service employees. Both State and Federal regulations are overwhelmingly seen in the form of awards or orders of industrial tribunals which may be made by consent or by arbitration and which have the force of law. Latest figures show that Federal awards covered 43.6 per cent of Victorian employees compared with 40.1 per cent under State awards. Federal coverage of male employees (54.6 per cent) and State coverage of females (58.5 per cent) were higher than the overall figures.

In general terms it may be said that Federal regulation applies to industries which lend themselves to national organisation and provision of uniform rates and conditions, e.g. banking, textile, and vehicle industries. Other industries which are organised and operated on a purely local basis are dealt with under State jurisdiction, e.g. hospitals, shops, and restaurants. The interdependence between the operation of the two systems ensures that wages and conditions have a high degree of correlation.

Many key areas of employment for which the Victorian Government is responsible come under the Federal jurisdiction. Notable among such groups are those providing a direct service to the public, e.g. electricity, railway, tram, and bus employees. Disputes in these areas are widely reported. In 1977, a ten week stoppage by maintenance workers employed by the State Electricity Commission was described as the most serious strike occurring in Victoria since the Second World War.

The relationship between the Victorian and Commonwealth systems depends on the distribution of legislative powers between the Commonwealth and Victorian Governments. Under the Commonwealth of Australia Constitution Act, the Commonwealth Government's power over industrial matters is limited to 'conciliation and arbitration for the prevention and settlement of industrial disputes extending beyond the limits of any one State'.

The limitations have been accorded a generous interpretation by the High Court with the result that the Federal system has gradually become predominant in the sphere of industrial regulation throughout Australia. A Federal award supersedes an inconsistent State determination or statute. In addition, the Victorian legislation contains a number of provisions designed to encourage substantial uniformity of prescriptions with those of the Federal tribunal. In 1983 the Commonwealth Government appointed a Committee of Review to examine and report on all aspects of the Federal system and its inter-relationship with the systems operating in the various States. The Committee delivered its report on 30 April 1985.

Major changes occurring in recent years have flowed from the Federal to the State system without significant delay or qualification. These changes include the replacement of a two component award wage with a unitary system known as the total wage (1967), the introduction of equal pay (1972), the adoption of a wage fixation system based on indexation for price movements (1975) and its abandonment (1981), the application of a wages freeze (1982), and the reintroduction of wage indexation (1983).

Federal jurisdiction

The Federal tribunal was first established pursuant to the *Conciliation and Arbitration Act 1904*. The Act was extensively amended in 1956 and this amendment altered the structure of the arbitration machinery by separating the judicial functions from the conciliation and arbitration functions. The Commonwealth Industrial Court was established to deal with judicial matters, and the Commonwealth Conciliation and Arbitration Commission was assigned the functions of conciliation and arbitration. For details of the composition and jurisdiction of the Australian Conciliation and Arbitration Commission and that of other Federal tribunals see *Year Book Australia*.

The Commission comprises the President, twelve Deputy Presidents, and twenty-seven Commissioners. Although the President and most Deputy Presidents have the same qualifications and designation as Judges, provision now exists for appointment as Deputy Presidents of other persons having special qualifications, experience, or standing in the community. Since 1972, the industries serviced by the Commission have been divided into panels. Each panel is administered by a Presidential member with the assistance of two or three Commissioners.

Where a dispute is notified or otherwise comes to the attention of the Presidential member concerned, it will be dealt with by way of conciliation unless that course is deemed inappropriate. The same approach is utilised for applications to vary existing awards. If conciliation is exhausted, arbitration on the outstanding matters will take place. Although objection may be taken to the same member of the Commission moving from conciliation to arbitration, such objections are not common. Provision is made for the certification of agreements arrived at between the parties subject to certain conditions.

Coincidental with the introduction of the panel system, there has been a tendency for proceedings to be shorter and less formal. Many matters are determined in conference. A discussion forum enables the parties to have a greater influence on the eventual solution of the issues in dispute.

Single members of the Commission deal with a wide-ranging variety of disputes. Although the jurisdiction of the tribunal is circumscribed in many ways, both unions and employers use the Commission as a general clearing house for any dispute which is not otherwise resolved.

Full Benches of the Commission determine appeals from decisions of single members, test case issues, and other matters of particular importance in the public interest. Recent amendments to the Act have facilitated references to Full Benches of matters being dealt with by a single member and have extended rights of appeal against single member decisions. A Full Bench consists of three or more members of the Commission, at least two of which must be Presidential members.

Prior to its election in March 1983, the Australian Labor Party concluded an 'Accord' on prices and incomes with the Australian Council of Trade Unions (ACTU). A feature of the Accord was agreement between the parties for a return to a centralised system of wage fixation. The new Commonwealth Government convened a National Economic Summit Conference in April 1983 at which employers added their agreement for a return to a centralised wage fixing system.

On 23 September 1983 the Commission signified the end of the wage pause by granting the ACTU claim for a wage increase of 4.3 per cent based on movements in the Consumer Price Index (CPI) for the March and June quarters 1983 and establishing Principles for the operation of a new wage fixation system.

The guidelines provided that national adjustments to wages and salaries could emanate from two sources – CPI movements and national productivity – while increases outside the national wages must constitute a very small addition to labour costs. Unless persuaded to the contrary, the Commission stated that it would adjust award wages and salaries every six months in accordance with movements in the CPI, while any claim relating to national productivity would be considered, upon application, in 1985. As a condition of the receipt of a national wage adjustment, unions would be required to give an undertaking that no extra claims would be pursued outside the scope of the Principles.

Consistent with the newly established Principles, the Commission on 4 April 1984, granted a 4.1 per cent national wage increase, reflecting the CPI movements for the September and December quarters 1983.

The CPI for the March and June quarters 1984 showed a negative movement of 0.2 per cent. On 5 September 1984, the President of the Commission announced that agreement had been reached in a conference between the parties that no immediate claim would be made in respect of that movement. In the national wage case decision of 3 April 1985 the Commission awarded a 2.6 per cent increase reflecting movements in the CPI over the 12 months to December 1984. On 4 November 1985 the Commission granted a 3.8 per cent national wage increase in respect of CPI movements for the March and June quarters 1985.

A landmark decision was delivered by a Full Bench of the Commission on 2 August 1984. The decision provided Federal award employees with protection against unfair dismissal, extended periods of notice on termination of employment, and rights to severance pay in redundancy dismissals. In addition, the decision required that employers of Federal award employees provide information and consult with unions about major changes in production, organisation, structure, technology, and pending redundancy situations. This decision is expected to flow through to State awards.

Federal Court of Australia

On 1 February 1977, a new court, the Federal Court of Australia was established. The Court consists of a General Division and an Industrial Division. The latter division deals with those matters of industrial law formerly dealt with by the Industrial Court. The principal powers and functions are:

- (1) enforcement and interpretation of awards;
- (2) registration of organisations and disputes as to union rules; and
- (3) appeals from State courts, exercising Federal jurisdiction pursuant to the Conciliation and Arbitration Act.

The Federal Court is also empowered to grant injunctions under the Trade Practices Act against secondary boycotts imposed by unions. Successful applications for interim injunctions under the relevant provision, section 45D, have been the subject of widespread industrial action.

Victorian jurisdiction

Introduction

In 1896, the Victorian Parliament introduced a system of Wages Boards with the object of determining wages and conditions of work in 'sweated' industries. This legislation was originally of a social character, but over time has developed into an industrial relations system including procedures for settling industrial disputes.

The general recognition of the necessity of securing the health, comfort, and safety of workers has been expressed in many legislative enactments of the Victorian Parliament since 1873. The earliest attempt at regulating the conditions of labour in Victoria was made by the passing of an Act dated 11 November 1873 forbidding the employment of any female in a factory for more than eight hours in any day.

Industrial relations in Victoria are in the main regulated by various tribunals established under Federal and State legislation with certain minimum condition entitlements being set by State statute. The functions of the major tribunals and their role within the Victorian industrial relations system is explained in the following paragraphs.

The *Industrial Relations Act 1979*, which came into force on 1 November 1982, significantly changed the Victorian industrial relations system. It established an integrated wage fixing system through the Industrial Relations Commission of Victoria which replaced the Industrial Appeals Court described in earlier *Year Books*. The system of Wages Boards was retained as a separate and distinct tier in the system, although the Boards became known as Conciliation and Arbitration Boards.

Conciliation and Arbitration Boards

The Boards are the primary unit in the award making and disputes settlement process in the Victorian industrial relations system. They are appointed by the Commission in Full Session for any trade, branch of a trade, or group of trades. Each Board is comprised of a chairman and an equal number of employer and employee representatives. The number varies according to the Board but it is generally three employer and three employee representatives. In January 1986 there were 208 Boards and four chairmen.

Industrial Relations Commission of Victoria

The Industrial Relations Commission consists of a President and two Commissioners. The Commission operates at three levels:

Commissioner sitting alone. A Commissioner may hear and determine, at the direction of the President, any industrial dispute or any industrial matter referred to the Commission in Full Session by the Minister for Employment and Industrial Affairs, a board, or a chairman of a board. A Commissioner may also be required to deal with any other matter as required by the Act or as required by any other Act.

Court Session. The President sitting alone may hear and determine any appeal against a conviction by a Magistrates' Court for an offence against the Act and certain other prescribed Acts; an application for a decision requiring a chairman to convene a meeting of a board; an appeal against a decision of the Secretary under the *Labour and Industry Act 1958* refusing to register or cancelling the registration of any factory, shop, or market site; appeals relating to the operating of the Construction Industry and Long Service Leave Act; and any other matter which the President is required by statute to hear and determine.

Full Session. The Commission in Full Session is comprised of the President and the two Commissioners. The Commission in Full Session may hear and determine any application for the constitution or abolition of a board; for the jurisdiction of a board to be increased or reduced; for the interpretation of the provisions of an award or a registered agreement; any industrial matter referred to it by the Minister for Employment and Industrial Affairs, a board or the chairman of a board; an appeal against an award made by a board; approval of industrial agreements; and any matter relating to the recognitions of an industrial association. It may also deal with any matter not expressly assigned to the Commission in Court Session or any other matter which it is authorised or required to hear and determine.

Relationship between the various tribunals' jurisdictions

Employees who are not covered by a Federal award or do not come within the jurisdiction of the other Victorian industrial tribunals are generally subject to the jurisdiction of the Victorian Industrial Relations Commission which makes common rule awards. In the making of awards the Victorian Industrial Relations Commission in its various forms is required to have regard to relevant decisions of the Australian Conciliation and Arbitration Commission.

DETERMINATIONS OF WAGE RATES AND LEAVE CONDITIONS

Legal minimum wage rates are generally prescribed in awards or determinations of Federal and State industrial arbitration tribunals, in collective agreements registered with these tribunals, or in unregistered collective agreements.

Wage rates are determined by the Commonwealth Conciliation and Arbitration Commission for those industries which extend beyond the boundaries of any one State, and by Victorian Conciliation and Arbitration Boards for industries which do not extend beyond the State boundary.

Wage and condition fixing principles

Victorian industrial tribunals have adopted, in some cases with alterations to suit the requirements of their jurisdiction, the principles set by the Australian Conciliation and Arbitration Commission in the September 1983 National Wage Case decision. These principles were set for a two year period and were due to expire in September 1985 but were extended by six months to allow a review to be conducted of them by the Australian Conciliation and Arbitration Commission. This review commenced on 2 December 1985.

The Wage and Condition Principles must be seen in the context of the Accord between the Australian Government and the Australian Council of Trade Unions which was negotiated in February 1983 and renegotiated in September 1985. This agreement provides for a centralised wage fixing system in which general wage increases shall be restricted to regular increases in line with price increases. In the September 1985 renegotiation, it was agreed that in return for an income tax adjustment payable in September 1985 a 2 per cent discount of the CPI for the effects of devaluation would be supported in the February 1986 National Wage Case. The agreement provides for the distribution of increased productivity on a general basis from July 1986 in the form of superannuation schemes.

While the current Wage and Condition Principles (see the *Victorian Year Book 1985* for details) provide for wage indexation and for a national productivity review they do not specify the form in which productivity will be distributed, if at all. The amount and form of a productivity adjustment will be decided by the Australian Conciliation and Arbitration Commission in 1986.

National Wage Cases

The major source of wage increases since 1983 to employees covered by awards of the Victorian Industrial Relations Commission and determination of the other Victorian industrial tribunals has been the indexation of wage rates and allowances to the Consumer Price Index (minus the Medicare levy). These increases have been in accordance with the National Wage decisions by the Australian Conciliation and Arbitration Commission.

Equal pay

For details of Equal Pay Cases conducted in 1969, 1972, and 1974, see page 271 of the *Victorian Year Book* 1976.

VICTORIAN INDUSTRIAL RELATIONS COMMISSION,
STATE WAGE CASES

Date operative (a)	Adult males		Adult females	
	General increase in weekly award total wage	Minimum weekly wage	General increase in weekly award total wage	Minimum weekly wage
	per cent	\$	per cent	\$
1980 – 4 January	4.5	129.40	4.5	129.40
14 July	4.2	134.80	4.2	134.80
1981 – 9 January	3.7	139.80	3.7	139.80
7 May	3.6	144.80	3.6	144.80
1983 – 6 October	4.3	151.00	4.3	151.00
1984 – 6 April	4.1	157.50	4.1	157.50
– 5 September (b)				
1985 – 6 April	2.6	161.60	2.6	161.60
4 November	3.8	167.70	3.8	167.70

(a) Operative from the beginning of the first pay period commencing on or after the date shown.

(b) No National Wage Case was conducted by the Australian Conciliation and Arbitration Commission as the Consumer Price Index for the March and June quarters 1984 was -0.2 per cent (once the effect of the Medicare levy was taken into account). The treatment of these quarters was held over to the next National Wage Case, where it was subsequently held that the combined four quarter CPI movement for the March, June, September, and December quarters of 1984 should be discounted from 2.7 per cent to 2.6 per cent.

Department of Employment and Industrial Affairs

The establishment of the Department of Employment and Industrial Affairs on 21 March 1985 brought together the three State government administrative units most closely associated with labour matters in Victoria — the Ministry of Employment and Training, Ministry of Industrial Affairs, and the Department of Labour and Industry. The Department also has responsibility for youth affairs.

The Department's major functions are: to develop employment and training opportunities for the labour force; promote the equitable access of all young people to the resources, opportunities, and socio-economic structures of the State; promote industrial harmony; and advance the well-being of people in the workplace.

Victorian industrial jurisdiction outside the Industrial Relations Commission

The following Victorian tribunals operate in the Victorian public sector:

- (1) The Hospitals Remuneration Tribunal established under the *Hospitals Remuneration Tribunal Act* 1978 sets the salaries and conditions of employment in respect of medical practitioners and senior administrative staff in hospitals.
- (2) The Public Service Board established under the *Public Service Act* 1974 (as amended) sets the salaries, conditions, and gradings of Victorian Public Servants employed pursuant to the Public Service Act in permanent, exempt, and temporary positions. In addition to its function as an industrial tribunal the Public Service Board is required to perform a management role in the Victorian Public Service.
- (3) The Police Service Board is established under the *Police Regulation Act* 1958 and sets the salaries and conditions of employment for the Victoria Police.
- (4) The Post Secondary Education Remuneration Tribunal is established under the *Post Secondary Education Remuneration Tribunal Act* 1980 and sets the salaries and conditions of employment of academic, teaching, and administrative staff employed in colleges of advanced education and in the technical and further education service.
- (5) The Victorian Teaching Service Conciliation and Arbitration Commission is established under the *Teaching Service Act* 1981. It sets the salaries and conditions of employment of primary, secondary, and technical teachers.

Conditions of employment

The major change in general conditions of employment in Victoria in recent years has been the reduction in standard hours from 40 to 38 hours per week. The movement to the 38 hour week has been on an award by award basis regulated by the principles initially set by the Australian Conciliation and Arbitration Commission when it ratified the Metal Industry Agreement on 18 December 1981 and subsequently formalised in the September 1983 National Wage Case. The essential requirements have been agreement between the parties and for the costs associated with the reduction in standard hours to

be offset by savings negotiated between unions and employers. Reduction below 38 hours are not permitted.

Conciliation and Arbitration Boards, unlike Full Benches in the Federal Commission, have been responsible for determining 38 hour week matters in the Victorian jurisdiction. At 1 January 1985, 106 State awards had implemented a 38 hour week which compares with 109 awards at 31 October 1984. This reduction is due to the amalgamation of certain metal trades awards and the abolition of some awards.

The *Victorian Year Book* 1985 contains a summary of current provisions in respect of annual leave and long service leave.

The *Industrial Relations Act* 1979 was amended in 1983 in respect of harsh, unjust, and unreasonable dismissals by the *Industrial Relations (Further Amendment) Act* 1983 which came into operation on 14 December 1983. This Act empowered Conciliation and Arbitration Boards to hear and determine matters in respect of alleged harsh, unjust, and unreasonable dismissals. In the period up to 31 October 1984, 375 such applications were lodged with the Registrar of the Victorian Commission.

Information and enforcement of legal standards

The Department of Employment and Industrial Affairs provides an industrial information service to employers and employees on their rights and obligations under State awards and legislation. It also provides an enforcing mechanism for ensuring the observance of legal standards of wages, non-physical conditions of employment, i.e. award and legislative conditions of employment apart from occupational health and safety, the investigation of complaints and, where necessary, prosecution of offenders. For a brief history of labour conditions, refer to page 235 of the *Victorian Year Book* 1985. Summary findings from the last survey on working conditions are published on page 210 of the *Victorian Year Book* 1982.

Surveys of annual leave and long service leave taken

Surveys conducted in February 1969, August 1974, and April 1979 by the Australian Bureau of Statistics obtained information about the amount and timing of paid annual leave taken by wage and salary earners during a twelve month period. In May 1984, a survey was conducted by the Australian Bureau of Statistics in order to obtain information about the amount and timing of paid annual leave and long service leave taken by employees during the period from May 1983 to April 1984. Findings from this survey appear in the Australian Bureau of Statistics publication *Annual and Long-Service Leave, Australia, May 1983 to April 1984* (6317.0).

AWARD RATES OF PAY INDEXES AND HOURS OF WORK

Incidence of industrial awards, determinations, and collective agreements

Set out below are details of the award coverage of employees obtained as a part of a sample survey conducted in May 1983. The survey was designed primarily to provide statistics of the distribution and composition of weekly earnings and hours of employees. The award coverage estimates shown are based on responses to a question which asked if employees had coverage under an award, determination, or registered collective agreement.

Employees covered by awards etc. are employees whose rates of pay and conditions of work are normally varied in accordance with variations in a specific Federal or State award, determination, or collective agreement or a specific unregistered collective agreement (unregistered collective agreements dealing only with over-award pay are not included). Employees not covered by awards, etc. are those employees whose rates of pay and conditions of work are not varied in accordance with variations in a specific Federal or State award, etc.

For details of the major results from similar surveys conducted in April 1954, May 1963, May 1968, May 1974, and May 1976, see pages 227-8 of the *Victorian Year Book* 1980.

INCIDENCE OF AWARDS, ALL EMPLOYEES, VICTORIA, MAY 1983

Employees	Number of employees	Covered by awards, determinations, and collective agreements			Not covered by awards, etc.
		Federal	State	Total (a)	
	'000	per cent	per cent	per cent	per cent
Males	809.0	54.6	26.9	82.2	17.8
Females	577.3	28.2	58.5	88.1	11.9
Persons	1,386.3	43.6	40.1	84.6	15.4

(a) Includes small numbers of employees covered by unregistered collective agreements.

Award rates of pay indexes

The award rates of pay indexes are based on a representative sample of award classifications and are designed to measure trends in rates payable under awards. The indexes are based on the occupation structure existing in May 1976. The base period chosen for the indexes is June 1976. Estimates of minimum award rates of pay for each component of the series are expressed as index numbers with June 1976 = 100.0.

More detailed information including explanatory notes, definitions, etc., used in the indexes is contained in the monthly publication *Award Rates of Pay Indexes, Australia* (6312.0).

AWARD RATES OF PAY INDEXES (a)

Year (b)	Australia			Victoria		
	Weekly wage earner series	Weekly wage and salary earner series	Hourly wage earner series	Weekly wage earner series	Weekly wage and salary earner series	Hourly wage earner series
ADULT MALES						
1983	188.0	186.1	192.0	189.8	187.8	194.7
1984	205.3	203.1	210.2	206.5	204.4	212.8
1985	210.5	208.5	216.1	212.2	210.0	219.1
ADULT FEMALES						
1983	185.8	184.6	187.5	186.9	186.3	188.9
1984	202.8	201.6	206.4	203.3	202.6	209.0
1985	208.6	207.4	213.1	209.0	208.4	215.6

(a) Base: weighted average minimum award rate, June 1976 = 100.0

(b) At June.

WAGE AND SALARY EARNERS: INDEXES OF WEEKLY AWARD RATES OF PAY (a)
BY INDUSTRY GROUP, VICTORIA

Industry group	June —					
	1980	1981	1982	1983	1984	1985
ADULT MALES						
Mining	140.7	157.2	174.7	181.2	196.6	201.7
Manufacturing —	138.7	157.0	184.0	189.8	206.4	212.2
Food, beverages, and tobacco	135.8	154.7	170.9	180.5	197.1	203.0
Metal products, machinery, and equipment —	140.6	158.2	189.8	193.1	209.8	215.2
Basic metal products	139.2	158.4	172.3	183.8	(b)	(b)
Fabricated metal products, other machinery, and equipment	142.8	161.2	194.2	196.4	213.1	218.6
Transport equipment	138.2	154.8	186.8	190.4	207.1	212.5
Other (c)	138.7	157.2	180.2	189.2	205.5	211.7
Electricity, gas, and water	138.6	155.2	180.8	191.1	207.5	212.8
Construction	140.0	160.8	184.4	193.0	209.7	215.1
Wholesale trade	137.9	157.0	178.1	187.7	205.9	211.7
Retail trade	138.0	156.6	177.3	186.2	203.4	208.7
Transport and storage	136.9	153.8	175.6	184.2	200.9	206.5
Communication	137.1	157.2	179.8	187.7	203.8	209.8
Finance, property, and business services	135.6	153.3	172.9	182.9	199.2	204.4
Public administration and defence (d)	135.7	152.8	171.8	181.8	197.9	204.1
Community services	134.1	152.7	176.0	186.7	203.0	208.2
Recreation, personal, and other services	136.8	155.5	173.7	184.2	200.1	205.3
All industries (e)	137.6	156.0	179.7	187.8	204.4	210.0
ADULT FEMALES						
Manufacturing —	135.4	156.5	177.5	186.9	202.7	208.5
Food, beverages, and tobacco	132.5	153.9	174.7	181.7	194.9	202.5
Textiles, clothing, and footwear	133.3	155.1	170.9	185.0	200.9	206.1
Metal products, machinery, and equipment	140.9	160.5	190.1	194.3	211.0	216.6
Other (c)	136.5	157.4	175.9	186.9	203.5	208.8
Wholesale trade	134.1	155.2	177.7	186.0	202.3	208.1
Retail trade	132.6	154.8	173.0	182.2	201.5	206.8
Transport and storage	135.3	153.3	175.4	183.9	199.6	207.6
Communication	135.2	151.4	167.0	177.7	193.0	204.4
Finance, property, and business services	135.6	154.5	172.8	183.9	199.7	204.9

WAGE AND SALARY EARNERS: INDEXES OF WEEKLY AWARD RATES OF PAY (a)
BY INDUSTRY GROUP, VICTORIA - *continued*

Industry group	June —					
	1980	1981	1982	1983	1984	1985
Public administration and defence (d)	136.3	152.8	168.1	181.6	197.2	204.7
Community services	133.7	150.6	178.9	189.1	205.8	211.1
Recreation, personal, and other services	135.6	154.7	175.7	186.0	202.0	207.2
All industries (e)	134.8	154.2	176.4	186.3	202.6	208.4

(a) Base: weighted average minimum weekly award rate, June 1976 = 100.

(b) Subject to sampling variability too high for most practical purposes.

(c) Includes ASIC subdivisions 25, 28, and 34.

(d) Excludes employees in the defence forces.

(e) Excludes employees in the defence forces, agriculture, services to agriculture, and employees in households employing staff.

Frequency of pay

In August 1974, 1976, 1977, 1978, and annually since 1981, special surveys were conducted by the Australian Bureau of Statistics of the frequency of pay (whether weekly, fortnightly, or monthly) of wage and salary earners employed, by industry and occupation.

EMPLOYED WAGE AND SALARY EARNERS, FREQUENCY OF PAY, VICTORIA, AUGUST 1985

Particulars	Frequency of pay						Total (a)	
	Weekly		Fortnightly		Monthly			
	'000	per cent	'000	per cent	'000	per cent	'000	per cent
Males	498.2	55.3	294.3	32.7	95.3	10.6	901.4	100.0
Females	308.7	51.2	250.8	41.6	31.0	5.1	603.3	100.0
Persons	806.9	53.6	545.2	36.2	126.3	8.4	1,504.7	100.0

(a) Includes individuals paid at other intervals.

NOTE. For further information, see Australian Bureau of Statistics publication *Weekly Earnings of Employees (Distribution)*. Australia, August 1985 (6310.0).

Standard hours of work

Introduction

In the fixation of weekly wage rates most industrial tribunals prescribe the number of hours constituting a full week's work for the wage rates specified. In 1914, the 48 hour week was the recognised standard working week for most industries.

In 1927, the Commonwealth Court of Conciliation and Arbitration granted a 44 hour week to the Amalgamated Engineering Union and intimated that this reduction in standard hours of work would be extended to industries operating under conditions similar to those in the engineering industry. However, the subsequent economic depression delayed the extension of the standard 44 hour week until improvement in economic conditions made possible a general extension to employees under Australian awards.

40 hour week

Soon after the end of the Second World War, applications were made to the Commonwealth Court of Conciliation and Arbitration for the introduction of a 40 hour week. The judgement, given on 8 September 1947, granted the reduction to 40 hours from the start of the first pay period in January 1948. In Victoria, the Wages Boards incorporated the shorter working week in their determinations. From the beginning of 1948, practically all employees in Australia whose conditions of labour were regulated by industrial authorities had the advantages of a standard working week of 40 hours or, in certain cases, less.

In the 1952-53 Basic Wage and Standard Hours Inquiry, the employers sought an increase in the standard hours of work per week claiming it to be one of the chief causes of inflation. (See Commonwealth Arbitration Report, Vol. 77, page 505.) The Court found that the employers had not proved that the existing economic situation called for a reduction of general standards in the matter of the ordinary working week.

In 1961 the Full Bench of the Australian Conciliation and Arbitration Commission dismissed an application from metal employers for an increase in standard hours from 40 to 42 hours for four years

only. In the period 1975 to mid-1981 reductions in standard working hours were pursued primarily through the concept of productivity bargaining.

On 18 December 1981 the Full Bench of the Australian Conciliation and Arbitration Commission ratified an agreement between employers and unions in the metal industry for a reduction in standard working hours to 38 hours per week. On 9 March 1982 the Victorian Commission in Full Session varied State metal industry awards to provide for a 38 hour week subject to certain exceptions.

Some awards provide for less than 38 hour weeks (for example, the Coal Industry Tribunal awarded a 37½ hour week effective from August 1970 and a 35 hour week from August 1971). A 35 hour week operated in the oil industry in mid-1974 and was ratified in 1976.

In 1983 the Australian Conciliation and Arbitration Commission adopted Federal wage fixing principles which provided that in 'dealing with agreements & unopposed claims for a reduction in standard hours to 38 hours per week, the cost impact of the shorter week should be minimized. Opposed claims should be rejected. Claims for reduction in standard weekly hours below 38, even with full cost offsets, should not be allowed'. The State industrial tribunals adopted a similar principle.

Standard weekly hours of work

The number of hours constituting a full week's work (excluding overtime) differs in some instances between various trades and occupations and between the same trades and occupations in the several States. The following table contains estimates of standard weekly hours of work. The estimates refer to the weighted average standard weekly hours of work where the weighting is based on the weights used for the construction of the award rates of pay indexes. The table includes all wage earners and only those salary earners where standard hours of work are included in the award, etc.

WAGE AND SALARY EARNERS: WEIGHTED AVERAGE STANDARD WEEKLY HOURS OF WORK (a), ADULT PERSONS BY INDUSTRY GROUP, VICTORIA

Industry group	June —					
	1980	1981	1982	1983	1984	1985
Mining	39.87	39.71	39.71	38.68	38.68	38.68
Manufacturing —	39.92	39.89	39.16	38.95	38.58	38.54
Food, beverages, and tobacco	40.00	40.00	39.95	39.71	39.55	39.30
Textiles, clothing, and footwear	40.00	40.00	39.96	39.89	38.17	38.17
Paper, paper products printing, and publishing	39.82	39.82	38.63	38.52	38.52	38.52
Chemical, petroleum, and coal products	39.91	39.71	38.91	38.91	38.91	38.91
Metal products, machinery, and equipment —	39.85	39.85	38.57	38.38	38.37	38.37
Basic metal products	39.61	39.61	38.55	38.25	38.25	38.25
Fabricated metal products, other machinery, and equipment	39.87	39.87	38.49	38.36	38.35	38.35
Transport equipment	39.86	39.86	38.66	38.41	38.41	38.41
Other (b)	40.00	39.88	39.45	38.90	38.64	38.64
Electricity, gas, and water	39.06	38.92	38.50	38.36	38.36	38.27
Construction	39.67	39.67	39.21	38.68	38.68	38.68
Wholesale trade	39.92	39.88	39.67	39.38	39.11	39.04
Retail trade	40.00	40.00	39.89	39.68	39.00	39.00
Transport and storage	39.48	39.48	39.48	39.48	39.31	39.26
Communication	37.38	37.35	37.35	37.35	37.35	37.35
Finance, property, and business services	39.55	39.55	39.44	38.96	38.92	38.92
Public administration and defence (c)	37.94	37.94	37.94	37.75	37.75	37.75
Community services	38.88	38.88	38.86	38.80	38.68	38.30
Recreation, personal, and other services	39.88	39.88	39.88	39.58	39.58	38.89
All industries (d)	39.46	39.44	39.09	38.88	38.65	38.55

(a) Weighting is based on the weights used for the construction of the award rates of pay indexes.

(b) Includes ASIC subdivisions 25, 28, and 34.

(c) Excludes employees in the defence forces.

(d) Excludes employees in the defence forces, agriculture, services to agriculture and, employees in private households employing staff.

Work patterns of employees

A special survey conducted by the Australian Bureau of Statistics in February to May 1981 obtained information about the work patterns of employed wage and salary earners, including the number of days worked in a week, the days on which they worked, and the incidence of weekend work. Findings from the survey appear in the Australian Bureau of Statistics publications *Working Hours Arrangements, Australia, February to May 1981* (6338.0) and *Working Hours Arrangements, Supplementary Tables, Australia, February to May 1981* (6339.0).

Average weekly earnings

Statistics on average weekly earnings are produced quarterly, and since the September quarter 1981 have been based on employment and earnings information obtained from a sample survey of employers. Prior to September 1981 estimates on average weekly earnings were derived by the Australian Bureau of Statistics from particulars of employment and of wages and salaries recorded on payroll tax returns, from other direct collections and from estimates of the unrecorded balance. A summary of the main differences in concepts, methods, and coverage of the old and the new earnings series is available in the publication *Information Paper: Average Weekly Earnings – New Series to Replace Former Payroll Tax Based Series* (6336.0), issued 24 March 1982.

AVERAGE WEEKLY EARNINGS OF EMPLOYEES (a)
(\$)

Period	Males		Females		Persons	
	Victoria	Australia	Victoria	Australia	Victoria	Australia
1982-83	332.70	338.00	225.80	222.00	289.90	292.00
1983-84	362.90	366.50	249.80	242.30	317.90	316.70
1984-85	389.70	391.40	272.80	258.70	343.70	338.50

(a) Includes, in addition to wages at award rates, earnings of salaried employees, overtime earnings, over-award and bonus payments, payments made in advance or retrospectively during the period specified, etc.

Surveys of wage rates, earnings, and hours of employees

Since 1960, regular surveys have been conducted by the Australian Bureau of Statistics in order to obtain information on wage rates, actual weekly earnings, and hours of work. Summary details of most of the surveys have been shown in previous editions of the *Victorian Year Book*, for example on pages 223–6 of the 1979 edition. Surveys are currently conducted each quarter (March, June, September, and December), supported by surveys conducted every August and every second May which provide more detailed information on the characteristics of the earnings of employees, and particulars of individual surveys are available in separate publications issued by the Australian Bureau of Statistics.

Survey of employment benefits

During the periods from February to May 1979, and from August 1983 to August 1985 special surveys were conducted by the Australian Bureau of Statistics in order to obtain information about a range of employment benefits provided by employers to employees. An employment benefit was defined as a concession, allowance, or other privilege, etc., received in addition to wages or salary and award, etc., minimum provisions under which a person was employed. All types of wage and salary payments, including bonuses, payments for leave of various kinds, and over-award payments, as well as emoluments received in accordance with award, etc., provisions (e.g. safety clothing), were not considered to be benefits for the purposes of the survey. The mere availability of or entitlement to a benefit (as defined) was not sufficient reason for its inclusion in the information collected; only those benefits which were used or taken up were actually counted.

Findings from the surveys appear in the Australian Bureau of Statistics publication *Employment Benefits Australia* (6334.0).

ALL EMPLOYEES, TYPE OF BENEFIT RECEIVED,
VICTORIA, AUGUST 1984
('000)

Type of benefit	Males	Females	Persons
No benefits	41.9	87.6	129.4
One or more benefits	830.1	480.5	1,310.7
Total	872.0	568.1	1,440.1
Holiday expenses	34.0	14.0	48.0
Low-interest finance	34.7	7.5	42.2
Goods and services	194.8	128.8	323.6
Housing	34.3	5.9	40.3
Electricity	19.1	5.3	24.4
Telephone	103.4	17.1	120.5
Transport	104.6	19.1	123.8
Medical	35.3	15.3	50.6
Union dues	31.3	4.2	35.5
Club fees	22.6	(a)	25.8
Entertainment allowance	56.2	8.7	64.9
Shares	18.4	(a)	21.3
Study leave	17.3	8.7	26.1
Superannuation	447.4	148.1	595.5
Children's education expenses	(a)	(a)	4.1
Sick leave	789.7	426.9	1,216.6
Annual leave	795.2	425.6	1,220.8
Long service leave	660.5	320.2	980.7

(a) Subject to sampling variability too high for most practical purposes.

INDUSTRIAL CONDITIONS

Industrial disputes

The collection of information relating to industrial disputes involving stoppage of work was initiated by the Australian Bureau of Statistics in 1913 and estimates have been published regularly since then.

For the purposes of these statistics an industrial dispute is defined as a withdrawal from work by a group of employees or a refusal by an employer or a number of employers to permit some or all of their employees to work; each withdrawal or refusal being made in order to enforce a demand, to resist a demand, or to express a grievance. Stoppages of work not directly connected with terms and conditions of employment (e.g. political matters, and fining and gaoling of persons) are included in the statistics.

The statistics relate only to disputes involving stoppages of work of ten man-days or more *in the establishments where the stoppages occurred*. Effects on other establishments because of lack of materials, disruption of transport service, power cuts, etc., are not measured by these statistics.

The statistics of industrial disputes are compiled from data obtained from the following sources: (1) direct collections from employers and trade unions concerning individual disputes; (2) reports from government departments and authorities; (3) reports of Commonwealth and State industrial authorities; and (4) information contained in trade journals, employer and trade union publications, and newspaper reports. Particulars of some stoppages (e.g. those involving a large number of establishments) may be estimated and the statistics therefore should be regarded as giving a broad measure of the extent of stoppages of work (as defined).

An industrial dispute occurring in more than one State is counted as a separate dispute in each State. A dispute involving workers in more than one industry group in a State or Territory is counted once only in the number of disputes – in the industry group that has the largest number of workers involved; but workers involved, working days lost, and estimated loss in wages are allocated to their respective industry groups. Disputes not settled at the end of a year are included as new disputes in the statistics for the following year.

INDUSTRIAL DISPUTES (a), INDUSTRY GROUPS, VICTORIA

Year	Mining	Manufacturing	Construction	Transport (b)		Other industries	All groups
				Stevedoring	Other		
NUMBER OF DISPUTES							
1979	4	182	40	17	22	60	325
1980	7	155	45	27	30	51	315
1981	4	207	34	19	46	66	376
1982	6	137	36	21	12	54	266
1983	5	109	29	13	15	60	231
1984	6	103	21	11	26	56	223
WORKERS INVOLVED (DIRECTLY AND INDIRECTLY) ('000)							
1979	4.3	243.1	52.0	10.3	82.0	269.8	661.5
1980	4.9	271.7	14.8	9.3	57.8	179.8	538.3
1981	5.3	214.3	47.9	11.8	39.0	86.5	404.9
1982	0.4	80.7	10.8	6.2	1.8	17.4	117.2
1983	0.8	26.2	17.2	3.9	23.6	32.0	103.7
1984	0.5	35.7	4.4	3.0	9.1	19.2	71.8
WORKING DAYS LOST ('000)							
1979	20.2	701.9	173.6	23.7	199.4	367.4	1,486.1
1980	15.8	687.0	49.2	22.2	85.2	256.0	1,115.4
1981	22.2	755.6	106.2	23.1	140.2	188.2	1,235.5
1982	4.5	252.7	60.6	5.4	2.6	42.2	368.0
1983	8.8	74.4	47.2	4.1	49.4	73.8	257.7
1984	2.9	119.8	17.0	2.9	10.4	33.3	186.4

(a) Refers only to disputes involving a stoppage of work of ten man-days or more.

(b) Transport and storage; communication.

NOTE. These statistics are compiled according to the Australian Standard Industrial Classification (ASIC) and are not comparable with those published in *Victorian Year Books* before the 1977 edition.

Occupational health and safety

The regulation of the physical conditions of work in Victoria affecting the welfare of the State's labour force was fundamentally changed in 1985. An integrated approach to the identification of dangerous and unhealthy work situations, the elimination and control of these work situations, rehabilitation of injured workers, and accident compensation was adopted by the Victorian Government. It is known as WorkCare.

WorkCare (Victoria)

Three Acts of Parliament were passed in 1985 which dramatically altered the whole approach to work related injuries: The *Accident Compensation Act* 1985, the *Occupational Health and Safety Act* 1985, and the *Dangerous Goods Act* 1985.

The passage of these Acts allowed the WorkCare programme to begin operation on 1 September, 1985. The objectives of WorkCare are:

- (1) to reduce the number of industrial accidents and diseases in Victoria by a minimum of 10 per cent within ten years with an optimal target of 20 per cent reduction within ten years;
- (2) to provide suitable systems for the effective rehabilitation of injured workers;
- (3) to provide suitable and just compensation to injured workers;
- (4) to speedily and efficiently decide claims for compensation and deliver compensation to injured workers; and
- (5) in this context, to reduce the cost to the Victorian community of accident compensation.

Accident prevention

The Occupational Health and Safety Act sets industry safety standards and the Dangerous Goods Act promotes safety for all Victorians working with dangerous goods.

The Occupational Health and Safety Commission was established with representation from employers, employees, and the Victorian Government, to prevent workplace accidents by identifying potential problems and developing workplace safety standards.

The Occupational Health and Safety Division of the Department of Employment and Industrial Affairs is responsible for the implementation, inspection, and supervision of the established safety standards.

Employers are actively encouraged to improve safety at work by advice on risk management and a system of bonuses and penalties on their WorkCare levies which will depend on their claims record. These variations to levies are administered by the Accident Compensation Commission.

Compensation

The Accident Compensation Commission (ACC) was set up under the WorkCare legislation to administer compensation to injured workers. ACC Board members represent employers, employees, medicine, finance, the Victorian Government, and the community.

Nine claims agents from the private insurance sector were appointed to accept or dispute claims from injured workers and administer payment of benefits on behalf of the Accident Compensation Commission.

The Accident Compensation Tribunal adjudicates on disputed claims and has a deadline of two years to clean up the backlog of disputed claims which occurred before the introduction of WorkCare. A mandatory conciliation procedure was introduced to speed up the settlement of all disputed claims.

Employers with total wages bills of more than \$10,000 per annum are liable for the payment of the first five days an injured worker is unable to work and the first \$250 of medical and rehabilitation costs.

Under WorkCare, injured employees who are unable to return to work owing to their incapacity receive a weekly benefit from the ACC of 80 per cent of weekly earnings averaged over the preceding twelve months. The benefits are limited to a maximum of \$400 per week. The minimum payment is \$196 per week with additional benefits for dependants. The total must not exceed pre-injury weekly earnings.

Injured workers who return to work can still receive weekly benefits if they suffer a loss of earnings. These workers receive a benefit equal to 85 per cent of their loss of earnings up to a maximum income of \$400 per week. Provided current certificates of incapacity are provided, these benefits will continue until retiring age or the worker returns to work.

Under WorkCare, lump sum payments are made for impairments under the Table of Maims, in addition to weekly benefits. Employees will retain the right to take Common Law action for pain and suffering only.

Rehabilitation

The Victorian Accident Rehabilitation Council was set up under WorkCare legislation with the objective of returning injured employees to work whenever possible. The Council is made up of representatives of employers, employees, the ACC, and the Victorian Government.

The Council plans to set up rehabilitation centres throughout Victoria and draw on existing resources in the private and public sectors to supplement its own services. It assists in finding suitable employment for injured workers and, where appropriate, give financial assistance to employers to enable injured workers to return to work.

Industrial accidents statistics

The official collection of data on industrial accidents in Victoria was first undertaken by the Australian Bureau of Statistics when regulations under the Workers Compensation Act were amended in 1957. Comprehensive details in respect of the year 1974-75 can be found on pages 233-5 of the *Victorian Year Book* 1979.

However, publication of Victorian *Industrial Accidents and Workers Compensation* bulletins was suspended from 1975-76 until 1983-84 following investigations into the quality of these statistics undertaken by the Australian Bureau of Statistics. Details regarding the reason for the suspension can be found on page 239 of the *Victorian Year Book* 1985.

A new system for collecting the data was instituted by the *Workers Compensation (Amendment) Act* 1981 and the Workers Compensation (Amendment) Regulations 1982 commenced from 1 January 1983.

An ABS information paper entitled *New Industrial Accidents Collection, Victoria* was released during 1984. The paper provides some background on the new system and describes the conceptual, definitional, and methodological features. The paper also presents a summary of industrial accidents occurring in Victoria for the six months ending 30 June 1983, and the limitations users should consider in analysing and interpreting the statistics. This has been followed by a new publication entitled *Industrial Accidents and Diseases, Victoria, 1983-84* (6303.2) which was released in May 1985.

**ACCIDENTS BY INDUSTRY, DISABILITY CATEGORY,
TOTAL TIME LOST AND COST OF CLAIMS, VICTORIA, 1983-84**

Industry	Disability category				Total accidents	Time lost (weeks)		Cost of claims (\$'000)	
	Fatal	Permanent total	Permanent partial	Temporary		Number	Average per accident	Amount	Average per accident
Agriculture, forestry, fishing, and hunting	1	—	27	802	830	4,372	5.3	3,503	4.2
Mining	1	—	8	153	162	1,096	6.8	1,298	8.0
Manufacturing	7	45	563	12,204	12,819	92,680	7.2	103,490	8.1
Electricity, gas, and water	—	—	4	922	926	5,261	5.7	3,271	3.5
Construction	1	3	45	2,640	2,689	17,194	6.4	16,128	6.0
Wholesale trade	—	3	35	1,413	1,451	8,962	6.2	7,903	5.4
Retail trade	1	3	43	2,721	2,768	14,472	5.2	15,191	5.5
Transport and storage	3	5	33	2,557	2,598	14,012	5.4	11,142	4.3
Finance, property, and business services	2	2	22	584	610	3,691	6.1	3,586	5.9
Public administration	—	—	13	2,688	2,701	11,812	4.4	7,368	2.7
Community services	—	1	30	6,350	6,381	32,419	5.1	20,676	3.2
Recreational, personal, and other services	1	1	32	1,383	1,417	10,081	7.1	8,090	5.7
Total	17	63	855	34,417	35,352	216,051	6.1	201,644	5.7

Industrial Training Commission

The Industrial Training Commission of Victoria is established under the *Industrial Training Act 1975*. The legislation is designed to utilise the knowledge, ability, and experience of representatives of employers and employees, together with the Victorian Government, in supervising the training of persons undertaking pre-apprenticeship courses, apprenticeship, and adult training courses, and in co-ordinating the training in skilled trades both in technical schools and industry.

The Commission consists of fourteen members comprised of a full-time president, a deputy president nominated by the Minister for Employment and Industrial Affairs, a nominee of the Minister of Education (with expertise in technical and further education), a nominee of the Commonwealth Minister of Employment and Industrial Relations, five members representing employers, and five members representing the Victorian Trades Hall Council.

The duties of the Commission are to keep under review the requirements of Victoria for skilled tradesmen and technicians; the availability of skilled tradesmen and technicians to meet those requirements; the availability of young people for training in skilled trades or as technicians; the availability of vacancies for apprentices, pre-apprenticeship trainees, adult trainees, pre-vocational trainees, trainee technicians, and the extent to which employers are participating in the training of such apprentices, trainees, and trainee technicians; the adequacy of the training of apprentices, pre-apprenticeship trainees, adult trainees, pre-vocational trainees, and trainee technicians in employers' workshops, technical schools, or elsewhere, and measures which can be taken to improve that training; the adequacy of the apprenticeship system as a means of training skilled tradesmen and the desirability of modifying that system or of providing other systems of training for skilled occupations; and with respect to any further or continuing training or re-training — which skilled tradesmen or technicians may undertake after completion of an apprenticeship or a course of training as a technician (as the case may be) — the adequacy of such further or continuing training or retraining in employers' workshops, technical schools, or elsewhere and measures which can be taken to improve that training.

The Commission is assisted in its functions by trade committees which are appointed for a trade or group of trades and by Industry Training Committees. These committees provide specialist advice and make recommendations to the Commission.

A number of programmes are in place to maximise the quality and level of training and to increase access by disadvantaged groups. These include the Commonwealth Rebate for Apprentice Full-time Training; rebates of payroll tax and accident compensation levy for apprentices and approved trainees by the Victorian Government; group apprenticeship, and the State Additional Apprentice Scheme.

Consistent with the Victorian Government's desire to maintain an adequate and skilled labour force, provision has been made for the Commission to issue tradesmen's certificates to persons who have not completed in Victoria, in any apprenticeship trade, an apprenticeship or a course of training

as an adult trainee. The Commission must be satisfied that the person's skills, experience, or qualifications gained through his employment in Victoria or elsewhere provide him with the skills or expertise necessary for the performance of the work ordinarily performed by a skilled tradesman in that apprenticeship trade in Victoria.

NUMBER OF PROBATIONERS AND APPRENTICES EMPLOYED, VICTORIA

Trade	At 30 June -					
	1980	1981	1982	1983	1984	1985
Building trades -						
Sprinkler fitting	—	—	—	24	32	49
Plumbing and gasfitting	2,257	2,061	2,037	1,878	1,815	2,014
Carpentry and joinery	3,865	3,574	3,404	3,008	2,812	3,121
Painting, decorating, and signwriting	789	754	728	681	646	702
Plastering	45	41	39	51	54	62
Fibrous plastering	172	146	153	142	127	174
Bricklaying	440	441	455	362	333	437
Tile laying	55	53	57	53	46	64
Stonemasonry	21	21	26	28	31	29
Roof slating and tiling	86	93	92	79	125	206
Total building trades	7,730	7,184	6,991	6,306	6,021	6,858
Metal trades -						
Locksmithing	—	—	—	18	28	36
Engineering (including patternmaking)	5,196	5,319	5,427	4,849	4,218	3,766
Electrical	4,146	4,190	4,323	4,184	4,026	3,924
Motor mechanics	5,330	5,013	5,079	4,525	4,377	4,659
Moulding	190	181	165	128	92	80
Boilermaking and/or steel construction	1,819	2,016	2,169	1,966	1,670	1,473
Sheetmetal	799	837	863	747	638	612
Electroplating	90	80	65	45	40	47
Aircraft mechanics	144	174	172	138	120	105
Radio tradesmen	387	402	417	377	370	383
Instrument making and repairing	252	278	302	301	285	249
Silverware and silverplating	22	19	17	11	13	16
Vehicle industry (including automotive machining)	1,981	1,856	1,843	1,723	1,693	1,891
Refrigeration mechanics	326	340	370	322	287	274
Optical fitting and surfacing	85	83	84	85	99	114
Sewing machine mechanics	81	84	90	78	72	77
Farrier	—	—	—	—	—	16
Total metal trades	20,848	20,872	21,386	19,497	18,028	17,722
Food trade -						
Breadmaking and baking	180	178	202	222	219	248
Pastrycooking	264	273	293	291	266	311
Butchering and/or smallgoods making	881	850	920	913	907	984
Cooking	1,236	1,451	1,691	1,745	1,849	2,233
Waiting	48	67	72	83	76	79
Total food trades	2,609	2,819	3,178	3,254	3,317	3,855
Miscellaneous -						
Footwear	184	206	190	153	140	153
Printing	1,608	1,615	1,619	1,474	1,315	1,401
Hairdressing	2,373	2,471	2,613	2,688	2,771	3,232
Dental technicians	184	161	148	141	140	140
Watch and clockmaking	40	29	26	21	13	10
Furniture (including wood machining)	1,397	1,433	1,677	1,563	1,621	1,813
Flat glass working	159	140	145	125	118	158
Horticultural	1,056	1,119	1,217	1,176	1,173	1,296
Textile mechanics	121	129	117	106	98	103
Shipwrighting and boatbuilding	49	47	43	34	30	29
Drycleaning	32	31	35	28	28	24
Apparel cutting	72	75	86	80	77	104
Jewellery making and repairing	122	128	152	131	123	134
Floor finishing and covering	87	72	81	85	81	108

NUMBER OF PROBATIONERS AND APPRENTICES EMPLOYED, VICTORIA – *continued*

Trade	At 30 June –					
	1980	1981	1982	1983	1984	1985
Agriculture	1,126	1,297	1,368	1,447	1,445	1,447
Floristry	51	62	69	55	72	87
Other	—	—	14	18	22	28
Total miscellaneous	8,661	9,015	9,600	9,325	9,267	10,267
Grand total	39,848	39,890	41,155	38,382	36,633	38,702

INDUSTRIAL ORGANISATIONS

Registration

Under the Victorian Industrial Relations Act. Under the *Industrial Relations Act 1979*, any association of employers and any association of employees may apply to be recognised as an association under the Act with respect to any trade or trades for which a Conciliation and Arbitration Board has been constituted. Recognition gives an association the right to nominate members for appointment to Boards; to appear before the Commission or a Board in matters that affect the interests of members of the association; and to enter into industrial agreements provided for under Part IV of the Act. Recognition within the terms of the Act does not impute or confer corporate status on an association.

Under the Victorian Trade Unions Act. In 1884, the Victorian Parliament passed a Trade Union Act, based on an English Act of three years earlier. The unions refused to register under it and the Act was amended in 1886. The *Trade Unions Act 1958* still makes provision for registration on compliance with certain standards. Registration gives a trade union legal status but has never been compulsory. The number of trade unions and employee associations registered under the Act at the end of 1985 was 28.

Under the Commonwealth Conciliation and Arbitration Act. Under Part VIII of the *Conciliation and Arbitration Act 1904*, any association of employers in any industry who have, or any employer who has, employed on an average taken per month, not less than 100 employees during the six months preceding application for registration, or any association of not less than 100 employees in any industry, may be registered. However, the Public Service Arbitration Act provides that an association of less than 100 employees may be registered as an organisation under the Conciliation and Arbitration Act if its members comprise at least three-fifths of all persons engaged in that industry in the Service. Such Public Service organisations are included in the figures shown on page 158. Registered unions include both interstate associations and associations operating within one State only. Registration under Commonwealth Government legislation began in 1906. At 31 December 1985, the number of employers' organisations registered under the provisions of the Conciliation and Arbitration Act was 81. The number of unions of employees registered at the end of 1985 was 148.

Trade unions

By comparison with some other countries, the typical trade union in Australia is quite small. On the other hand, forty to fifty of the larger unions, such as the Australian Workers Union, the Australian Metal Workers Union, the Australian Railways Union, and the Postal Workers Union, account for a high percentage of the total membership. The same pattern applies in Victoria. The larger industry based unions are usually able to offer a wider range of facilities to their members at a proportionately lower cost. Generally, they are also in a stronger bargaining position in the pursuit of their industrial objectives. On the other hand, it is felt that the continued existence of a large number of small craft-type unions is justified on the grounds that more attention can be given to the particular problems of members and that management is often prepared to make concessions to a small group which they would not offer to a larger group. With the growth of industry, there has been some amalgamation and federalisation of unions, for example, by the amalgamation of the brushmakers with the storemen and packers, and the Amalgamated Engineering Union with the sheetmetal workers and the boilermakers. Contemporary conditions are such that trade unions are becoming hybrid and moving more towards an occupational rather than a single or even multi-craft organisational basis. One alternative to amalgamation which has been adopted by a number of unions is to band together in a loose federation to deal with employers on an industry basis. The metal trades, brewing industry, paper industry, and

building industry unions are typical of those that have followed this course.

Victorian trade unions have distinct operational levels. At the workplace the union is usually represented by an elected shop steward who is the key communication link between the union and its members, monitoring that work is done in accordance with award or local agreement conditions, recruiting new members, investigating grievances, and keeping members informed on union matters. Increasingly unions are also represented at the workplace by occupational health and safety delegates.

At the State or branch level (in the case of national unions), the State secretary is an elected full-time officer who is, subject to the policy decisions and ultimate control of a president and executive, in charge of the day to day activities of the union. The secretary is assisted by organisers who visit workplaces and provide industrial support to workplace representatives in negotiations with management. At the State or branch level, the union prepares claims and represents members before the Victorian Industrial Relations Commission, negotiates agreements on issues such as occupational health and safety and technology, provides specialist services on matters like workers' compensation, publicity, union training, research, legal and financial services, and acts or provides legal assistance for members in industrial matters. The branch receives members' dues and maintains membership records.

Only a small number of Victorian trade unions are not affiliated with the Victorian Trades Hall Council (VTHC), which is the central labour organisation in the State, and, because individual union activity is so important at the State level, the role of the Trades Hall Council as co-ordinator and spokesperson in industrial and political matters is of major significance (see the section on central labour organisations below). Further details on the history of trade unions in Victoria can be found on pages 296-7 of the *Victorian Year Book 1975*.

Statistics

Returns showing membership by States at 30 June 1985 and at 31 December in previous years are obtained for all trade unions and employee organisations by the Australian Bureau of Statistics. The affairs of single organisations are not disclosed in the published results and this has assisted in securing complete information. In addition to the number of unions and members, the following table shows the approximate percentages of wage and salary earners in employment (i.e. employees) who are members of trade unions. The percentages shown in the table should be regarded as giving only a broad indication of the extent of union membership among employees, because they are based on estimates of *employed* wage and salary earners which may be subject to revision, and because the degree of unemployment of reported union members will affect the percentages for a particular year, and comparisons over time.

TRADE UNIONS, NUMBER AND MEMBERSHIP, VICTORIA

Period (a)	Number of separate unions	Number of members			Proportion of total employees		
		Males	Females	Persons	Males	Females	Persons
		'000	'000	'000	per cent	per cent	per cent
1980	173	523.6	246.6	770.1	59	45	53
1981	173	522.9	248.8	771.7	58	45	53
1982	175	533.4	256.7	790.1	61	46	55
1983	174	529.1	259.1	788.2	61	46	55
1984	179	545.5	260.5	806.0	60	44	54
1985(b)	177	568.0	290.5	858.5	63	48	57

(a) At 31 December to 1985. At 30 June from 1985.

(b) Break in continuity of series.

NOTE. For further information, see Australian Bureau of Statistics publication *Trade Union Statistics, Australia* (6232.0).

In November 1976, questions were asked by the Australian Bureau of Statistics at a proportion of the dwellings included in the then quarterly population survey to obtain information about the number of wage and salary earners who were members of trade unions, their industry and occupation, and some of their demographic characteristics. Major findings from the survey are shown on page 233 of the *Victorian Year Book 1981*.

Central labour organisations

Delegate organisations, usually known as Trades and Labour Councils (in Victoria, Trades Hall Council) and consisting of representatives from a number of trade unions, have been established in

each of the capital cities and in a number of other centres in each State. Their revenue is raised by means of a levy as determined by the Council on the members of each affiliated union. In most of the towns where such councils exist, the majority of the local unions are affiliated. At the end of 1983, there were eight provincial trades and labour councils in Victoria.

The Victorian Trades Hall Council Executive consists of the president, vice-president, secretary, assistant secretary, and sixteen members. Of these members, seven are elected by the Council and nine by respective industry groups. The secretary and the assistant secretary, who are elected full-time officers, are also members of the Executive and with the two Industrial Officers are *ex officio* members of committees established by Council to investigate various activities.

In addition to its elected officials, the Victorian Trades Hall Council has appointed a Research Officer, Social Welfare Research Officer, Women's Officer, Arts Officer, Education Officer, and Librarian. It has established a joint VTHC/ACTU Occupational Health and Safety Research Unit, an Occupational Health and Safety Training Unit to train Victorian workplace delegates, and an Arts Workshop.

The Victorian Trades Hall Council has the major roles of directing industrial disputes and campaigns involving more than one union, assisting its affiliates with research, negotiations, and advocacy before the Victorian Industrial Relations Commission, representing unions in discussions with other organisations, union education, and communicating with the public.

At the national level the highest policy-making and co-ordinating body is a Federal Council in the case of the individual trade unions and, since its establishment in 1927, the Australian Council of Trade Unions, which acts for the trade union movement as whole.

Employer associations

Employer associations arise when groups of employers adopt common policy on a range of social, economic, and industrial matters. In most cases employer associations deal extensively in the area of industrial relations. These bodies form industrial relations policies, advise their members, and represent employers before industrial tribunals. There are other employer associations formed to deal with narrow issues unrelated to industrial relations matters. Broadly speaking, however, the vast majority of employer bodies deal with a range of issues which affect the day to day operation of large and small businesses.

In Australia, employer organisations and associations can be divided into two distinct categories — single industry employer bodies, and multi-industry employer bodies. By way of example, in Victoria there are single industry employer bodies such as the Metal Trades Industry Association, the Master Builders' Association, and the Printing and Allied Trades Employers' Association.

Multi-industry employer bodies in Victoria include the Australian Chamber of Manufactures (previously, until 1985, the Victorian Chamber of Manufactures) and the Victorian Employers' Federation. The multi-industry employer organisations also provide secretarial and advisory functions for a range of other associations. For example, the Australian Chamber of Manufactures (ACM) has 88 associations that are dependent on it for secretarial services or at least operate within the ACM framework. The Chamber has in excess of 6,000 member firms or companies divided into more than 60 industry sections, covering such fields as textiles, clothing and footwear, metals, building materials, and various service industries.

The Chamber is registered under the Australian Conciliation and Arbitration Act. It is administered by 5 elected office bearers (elected from council), a council of 33 elected members and a full-time chief executive, supported by a secretariat of 150 divided into several divisions.

The Chamber's industrial relations division acts for its members in both State and Federal industrial tribunals. The Chamber also represents its members' interests in issues such as tariff policies, economic policies, environmental matters, trade practices legislation, occupational health and safety, and workers' compensation. It operates an insurance company and has a wide variety of advisory commercial services for its members.

For the benefit of country members the Chamber maintains branches in Ballarat, Bendigo, Geelong, Gippsland, and Albury-Wodonga.

The Victorian Employers' Federation (VEF) has 91 affiliated associations. The Federation has nearly 5,000 member firms or companies operating principally in building, distributive, and service industries as well as manufacturing.

Associations of primary producers are also affiliated. The VEF is an incorporated body and registered under the Australian Conciliation and Arbitration Act. It is administered by an executive

board which comprises 7 present or past office bearers (who constitute its board of Governors) and 10 elected representatives.

Day to day management is in the hands of a salaried executive director and a staff which is organised in divisions corresponding to the VEF's main areas of interest, which also undertake secretarial services on behalf of its affiliated organisations.

Like the ACM, the VEF represents its members in industrial relations both at State and Federal level. In particular, the VEF is active in providing advisory service into small business and in sponsoring various community services. The VEF also operates an insurance company and superannuation company for the benefit of its members and affiliated associations.

Finally, it should be noted that, unlike the trade union movement, employer associations in Victoria lacked any central representative body till the mid-1970s. The Victorian Employers Federation sponsored the Victorian Congress of Employer Associations, which made a series of submissions to governments on behalf of employers generally. It should be said, however, that greater significance attaches to developments at the Federal level, where prior to 1977, employers interested in industrial relations were serviced by the National Employers Policy Committee. This Committee had, as its Secretariat, the Central Industrial Secretariat which was formed by a merger of industrial interests represented by the Associated Chamber of Manufactures of Australia and the Australian Council of Employers Federation.

In 1977, all major employer groups formed the Confederation of Australian Industry (CAI). The CAI consists of three councils — the Industrial Council based in Melbourne which is responsible for all industrial relations labour matters and related social issues; the Manufacturing Council which is based in Canberra; and the Commerce and Industry Council also located in Canberra.

At the international level, the CAI has strong links with the International Labour Organisation and the business and advisory committees to the OECD. The CAI is seen as the major employer body opposing the ACTU in test case matters before the Federal Industrial Tribunal and also in matters coming before government.

In September 1983, another business group was formed — the Business Council of Australia (BCA). The BCA, which absorbed the Australian Industry Development Association, has become involved in a number of industrial, social, and economic matters. However, it should be noted that the Business Council of Australia has co-operated with the Confederation of Australian Industry and since its formation the CAI has presented BCA views to national wage cases.

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