

The role of unions

Unions play an important role in the workplace.

Some of the key roles include being able to resolve workplace issues by being a voice for employees and acting as a bargaining representative during bargaining negotiations.

Other key features of unions include:

- working with management to help resolve workplace issues
- being an advocate for employees
- ensuring employers are meeting their minimum obligations
- looking into suspected breaches of:
 - workplace laws
 - discrimination laws
 - workplace safety laws.

Bargaining with unions

Bargaining is a process where employers and employees negotiate the terms and conditions of an enterprise agreement.

Employers and employees can be represented by a bargaining representative during this process. Normally the bargaining representative for employees will be a union official.

All bargaining representatives and other parties involved in the process have to bargain in good faith.

They also have to follow rules about disclosing benefits that they might get from a proposed enterprise agreement that they're a bargaining representative for. This means that if unions and employers are bargaining for an enterprise agreement, and either of them will get (or could get) a financial benefit from something in the proposed agreement, they have to make sure that everyone else in the bargaining process knows about it. This includes employees who will be covered by the agreement.

If either the union or employer has to disclose a benefit, they have to create a 'disclosure document' that says:

- which term/s in the proposed agreement is beneficial
- they type of benefit and how much
- the name of each person who will benefit.

A union who creates a disclosure document has to give it to the employer, who then has to provide it to the employees. An employer who creates a disclosure document has to give it to their employees.

The Registered Organisations Commission (<http://www.roc.gov.au/>) [↗] provides detailed information and advice about these rules. They are the independent regulator of unions and employer associations. Read more on their corrupting benefits page (<http://www.roc.gov.au/compliance/corrupting-benefits/corrupting-benefits-and-disclosures>) [↗].

The Fair Work Commission provides information on:

- how to make a registered agreement (www.fairwork.gov.au/Dictionary.aspx?TermID=2034)
- the rules on bargaining (<https://www.fwc.gov.au/awards-and-agreements/agreements/about-agreements/enterprise-bargaining>) [↗], including good faith bargaining.

What to do next

- Visit the Fair Work Commission website to learn more about:
 - [Enterprise bargaining](https://www.fwc.gov.au/awards-and-agreements/agreements/about-agreements/enterprise-bargaining) 
 - [Making an agreement](https://www.fwc.gov.au/awards-and-agreements/agreements/make-agreement) 
 - [Bargaining disputes](https://www.fwc.gov.au/awards-and-agreements/agreements/make-agreement/bargaining-disputes) 
- Follow the Commission's [Guide - Making an enterprise agreement](https://www.fwc.gov.au/documents/documents/factsheets/agreements-step-by-step-guide.pdf) 
- Visit the Registered Organisations Commission website to learn more about [corrupting benefits and disclosures](http://www.roc.gov.au/compliance/corrupting-benefits/corrupting-benefits-and-disclosures) 

You might also be interested in

- [Unions entering the workplace](http://www.fairwork.gov.au/employee-entitlements/industrial-action-and-union-membership/the-role-of-unions/unions-entering-the-workplace)
- [Union membership](http://www.fairwork.gov.au/employee-entitlements/industrial-action-and-union-membership/union-membership)
- [Enterprise bargaining fact sheet](http://www.fairwork.gov.au/how-we-will-help/templates-and-guides/fact-sheets/rights-and-obligations/enterprise-bargaining)
- [Unions and employer associations](http://www.fairwork.gov.au/Website-information/Related-sites/unions-and-employer-associations)

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Contact us

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Hearing & speech assistance

Call through the National Relay Service (NRS):

For TTY: 13 36 77. Ask for the Fair Work Infoline 13 13 94

Speak & Listen: 1300 555 727. Ask for the Fair Work Infoline 13 13 94

The Fair Work Ombudsman is committed to providing advice that you can rely on. The information contained on this website is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or workplace relations professional. Visitors are warned that this site may inadvertently contain names or pictures of Aboriginal and Torres Strait Islander people who have recently died.