TRADE UNIONS, NEW TECHNOLOGY, AND INDUSTRIAL DEMOCRACY IN AUSTRALIA*

Ray Markey

Internationally, two basic strategies have been adopted for the macro-management of the industrial relations issues arising from recent technological change. The first has been one of tripartite consultative planning, whereas the second has allowed 'market forces' a free hand in determining the nature of technological change in industry. Since 1983 Australia has begun to shift from the second to the first approach, because of changes in the political and legal climate, and in the strategy of the ACTU and some important unions. Nevertheless, the impact of these changes is gradual.

Keywords: trade unions, technology, industrial democracy, ACTU, telecommunications.

INTRODUCTION

A general consensus exists among commentators that the pace and extent of technological change in the workplace have increased in recent years.[1] This assertion has never been quantified. I am uncertain how it could be, satisfactorily. Nevertheless, immediate experience naturally tends to assert a primacy in peoples' consciousness, encouraged in this instance by the highly visual nature and wide variety of applications of micro-chip technology. It is sufficient that enough people believe that technology change is occurring more rapidly than ever before, and that this affects them in the workplace and elsewhere, for it to become the important social and political issue which it has. The acute difficulties currently experienced by the Australian economy, especially its manufacturing sector, have injected considerable urgency into this issue. Many economists and others consider that our best chance, as a nation, of maintaining a relatively high standard of living is to embrace, and ourselves develop, new technology in industry as quickly as possible, to enhance productivity and the international competitiveness of our industry, and to secure new export markets for manufactured products with high value added.

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The apparently increased level of technological change in the workplace has given rise to a number of industrial relations issues, which will become even more important if the development of 'high-tech' industry is to become one of our main economic strategies. These include skilling, de-skilling, job satisfaction, speed-up of the labour process, sharing the wealth of increased productivity, health and safety, the privacy of individual employees and, in the current economic crisis, redundancy. Few, if any, of these issues, in themselves, are new to industrial relations. However, they have raised in broader relief than is usual the overriding issue of control of the labour process. New computer technology greatly increases the potential for management's supervision and control of labour.[2] However, it also has considerable potential to assist the devolution of decision-making processes.[3] The extent to which either potential has been realised, and the impact of the more specific industrial relations issues mentioned above, have varied somewhat between countries, depending on the strategies employed in dealing with them.

Industrialised nations have usually chosen from one of two strategies, in part or in full, in dealing with these issues. One has been the planned introduction of new technologies to develop new processes and products, often by way of tripartite consultation. The second has been to react to changes brought about by 'market forces'.

INTERNATIONAL CONTEXT

Scandinavia and West Germany best exemplify the first strategy. Scandinavia and West Germany have built on a long history of participatory management schemes. In Sweden, a 1975 union-employer agreement allows shop stewards to demand comprehensive information on company finances, production and marketing strategies and to employ consultants at the company's expense to interpret this data. Legislation introduced in 1977 guarantees that all managerial decisions are negotiable.[4] In Norway, 1977 legislation allows worker participation in the development of computer systems and, since 1980, legislation protects employees' rights to privacy under these systems. The union-employer 'Data Agreements' of 1975 and 1978 give unions the right to participate in all systems development and training in working hours, and give employees access to personal data stored by the system. These were negotiated by peak union and employer councils to provide for workplace 'Implementation Agreements'.[5]

West German consultation over the introduction of new technology occurs at two levels. At plant level this builds on statutory works councils elected from the shopfloor. By law, management must inform the councils of any proposals for technological change,

provide them with relevant data, and establish the economic necessity of any consequent redundancies as part of a social plan covering all consequences of new technology. Since 1965 the Ministry of Research and Technology has also conducted pilot projects at plant level under its quadripartite humanisation of work program.[6]

In these ways the trade unions of Scandinavia and West Germany, have been partners and co-beneficiaries in technological change. It is significant that Scandinavia and West Germany have ridden out the world economic recesssion better than most other countries, partly because of their development and application of new technologies in industry. Whilst there is no direct correlation between economic success and trade union or worker consultation over the introduction of new technology, the two are linked. Consultation has encouraged long-term planning and fostered trade union and worker comitment to the outcome.

A number of other, predominantly European, countries have gone at least part-way towards implementing tripartite, or corporatist, economic and industrial relations strategies. These include Austria, and more recently, Italy and Spain, although France has recently retreated from the previous Socialist Government's early steps in this direction. However, all of these countries lack the depth of industrial democracy which operates in Scandinavia and West Germany, and in none is corporatist or tripartite practice closely related to planning technological change in the workplace. Indeed, in none of these countries has industry employed new technology to the same degree as Scandinavia and West Germany in gaining economic advantage. In contrast the extensive exploitation of new technologies in Japanese industry has clearly been part of a planned national industrial strategy. At the enterprise level, employees of large Japanese firms also participate in the planning process. However, many Japanese are employed in small enterprises, where this does not occur, and unions usually do not participate in national planning, which is mainly the responsibility of the state, through MITI.[7] Japan, therefore, cannot be easily classified in this first category of nations which plan technological change by tripartite consultation. Yet, it clearly does not belong to the second category.

The second, reactive approach to technological change has been best exemplified in the United States, Britain and Australia. In aggregate terms, the US economy has functioned well, and technological change has been important in this, whether as a result of giving full freedom to 'market forces', or despite that. The US economy is so diverse and internationally dominant that it is able to partially compensate for inefficiences in this regard, but there are clearly industrial sectors, such as automobile production, which have declined recently, and this has been partially because of failure to keep

up with new technology elsewhere. Unemployment is high despite aggregate prosperity. However, the US is somewhat exceptional in that trade unions are so weak, with a density now below 20 per cent, that the workplace issues associated with technological change have not been voiced very strongly, or extensively acted upon. These issues are presumably resolved at the purely workplace level, frequently between individual employees and their employers. However, there is little data concerning the outcomes.

Britain and Australia are different cases to the US, in that they both have relatively more significant union movements, and that their aggregate economic performance has been significantly weaker recently. Investment in research and development (R & D) and the level of technological planning has been low and economic performance has been amongst the worst of OECD countries. In Australia in particular, new technologies in industry tend to be imported, often through multinational firms, rather than developed locally. In Britain new technology has rarely been involved in the major extension or modernisation of plant and equipment in the current economic climate of poor investment incentive. Nor has the development of new or improved products and services been an evident application of new technology in either country. Instead, new technology has usually been introduced in a piecemeal, if sometimes extensive, fashion, designed simply to reduce labour costs.[8]

Under these circumstances, British and Australian trade unions have generally not been consulted, at any level, in the introduction or planning of new technology in industry. Trade unions themselves have tended to concentrate on the redundancy potential of technological change in recent years. This is understandable given the economic recession and the failure of both countries to apply new technology to employment-generating enterprises. However, the economic recession is a fairly recent phenomenon.

There are also strong structural reasons why the union movements in Britain and Australia have not been able to extend consultative technology bargaining. In Scandinavia and West Germany industrial democracy in technological change has been extended from workforce groups with strategic bargaining power because of industry unionism and highly centralized peak union and employer councils. This structure has allowed a generalised, central level of bargaining, and has facilitated tripartite planning on a national basis. This would be much more difficult to achieve in Britain and Australia where industrial unionism has generally failed to take root. As a consequence, both countries have a large number of occupational and conglomerate-general unions, of varying sizes. Nor do their peak union councils compensate for this heterogeneity. The ACTU and the British Trades Union Congress (TUC) have a relatively low level of

resources and authority over affiliates, which would make it difficult for them to exert the political skills and discipline required for successful national bargaining, or even extensive participation in tripartite planning. Employers also lack strong central organization, capable of national, centralized bargaining, particularly in Australia.

THE AUSTRALIAN CONTEXT

The structural obstacles are apparently more overwhelming in Australia. The federal system of Australian government is a major limitation to the development of national planning and legislation, because of the division of responsibilities in the industrial arena, and the severe constitutional limitations to central government powers in this area. It is also impossible to conceive any major industrial relations policy in Australia without considering the Australian Conciliation and Arbitration Commission (ACAC) and its state equivalents. Although the ACAC's major concern historically has been to establish itself as the central authority for wage-fixation, its constitutional charter for "prevention and settlement of industrial disputes" theoretically allows it much wider jurisdiction. However, the ACAC has been traditionally reluctant to become involved in non-industrial issues concerning managerial prerogative. It has been supported by the High Court in this stance, on the arbitrary grounds that questions of managerial prerogative are non-industrial and, therefore, outside the ACAC's constitutional charter.

Nevertheless, these structural obstacles aside, Australian unions themselves (like their British counterparts) have been very slow in developing a more pro-active response to technological change, or even in realising its full implications for industrial relations. The ACTU has consistently advocated the planned introduction of new technology, through a tripartite structure. But it was not until 1975 that ACTU Congress formalised an Automation and Technological Change Policy. Even then, the policy was limited in comparison with Scandinavian or West German policies. It stressed consultation and the minimising of the adverse impacts on employees. But the unions were politically divided over the entire issue of industrial democracy until recently. The ACTU did not adopt a comprehensive policy on industrial democracy until 1977.[9]

Prior to the recession in the early 1980s, those Australian unions which faced the most extensive technological change after the Second World War were strategically placed to extract major benefits from it, often by productivity bargaining. For example, in the stevedoring, maritime and coal mining industries in Australia, there was a dramatic reduction in the workforce and union membership. But after agreement with employers on comparatively generous schemes of

early retirement, the remaining workers in these industries achieved wages and conditions far superior to those in other industries. An important aspect of these negotiations was the well-prepared and thoroughly researched case of the Waterside Workers' Federation (WWF), which adopted a similar approach to that of the west coast longshoremen in the United States.[10]

However, few other unions have been as well-prepared as the WWF in this context. Following the success of the WWF, seamen and miners in particular, the labour movement maintained a commitment to higher productivity through technological change in the post-war boom. The creation of new industries and skills, together with the decline of others, were accepted and assumed by unions as part of the normal operation of a market economy. In general trade union strategy was simply directed towards acquiring a greater share of the spoils of economic growth for labour. The rate of introduction and the nature of new technology remained unquestioned. Union demands centred upon margins for skill, fringe benefits, extra leave, and from time to time, shorter working hours, as means of sharing the benefits of higher productivity as a result of technological change. These concerns were easily accommodated within a productivity bargaining framework.[11] However, recent developments reveal some changes in the approach of the Australian unions.

ACTU POLICY

In 1979 the ACTU developed a comprehensive policy on technological change. The policy reflected new union concerns, including the high levels of unemployment endured during the recession in the 1970s and the apparently higher level of quantitative and qualitative change associated with the new wave of computer technology being introduced into new areas, such as office work, where the unions are not as strategically well-placed to extract benefits and safeguards as they were in the maritime and mining industries.[12]

It is instructive to examine ACTU policy in detail. It sought:

— national, industry and corporate planning;
— consultation of unions in this planning;
— Government research into manpower requirements, health and safety effects, retraining requirements and the supportive operation of the education system, and the possibilities of redundancy and reduction in the length of the 'working life';
— establishment of a Federal-State tripartite committee with research facilities "to consider all aspects of technological change";
— enactment of federal and state Technological Change (Impact of Proposals) Acts requiring employers to state proposals,

including full technical data and a social impact analysis, and tripartite consultation over such proposals;
— Government exertion of control over multinational firms because of the international context of technological change;
— review of training facilities consistent with manpower trends, and provision of courses on technological impact at the Trade Union Training Authority and other union education facilities;
— The ACTU also opposed redundancies, but if they are unavoidable it sought retraining and financial compensation, including lump sum payments based on length of service, six months' notice, and portability of fringe benefits entitlements (superannuaton, long service leave).[13]

Implementation of this policy has been slow and uneven. In 1980 the Myers Report, resulting from an Australian government inquiry into technological change, went part-way towards acceptance of ACTU policy. Its first recommendation actually called for a government-sponsored test case before the ACAC, to establish minimum standards of consultation over conditions between unions and employers introducing new technology. This is in complete accordance with ACTU policy. Other recommendations were consistent with the ACTU's commitment to tripartite planning for technological change, although they involved purely advisory, rather than decision-making, functions, and the proposed committee structures were likely to be submerged in a maze of competing bureaucracies.[14] In any case, the then Liberal-National Party government chose to ignore all of these recommendations.

Politically, ACTU policy has had little impact in Australia, at least until recently. Australia lacks the experience of some other countries in a wide range of tripartite government bodies, upon which to build for technological planning. The tripartite National Labour Consultative Council (NLCC) was frequently criticised by unions and employers for being little more than a sounding board for previously determined government policy. Party because of this, the NLCC's predecessors had an insecure existence, with the ACTU twice opting out of the arrangement prior to 1977.

The Federal Liberal/National Party government of 1975-83 consistently opposed legislation for industrial democracy, or workers' participation in decision-making at the enterprise level. It preferred to disseminate human relations-style information sharing and "clarity of goal indentification" strategies through its tripartite National Employee Participation Steering Committee.[15] But this did not come to terms with the full range of issues involved with technological change, and indicated in ACTU policy. The Whitlam Labor Government of 1972-1975 also failed to act in this area.

Only recently has the Hawke Labor Government announced a gradual policy of encouraging voluntary participation schemes in the private sector, as well as fostering them in the federal public service. However, it is far too soon to evaluate this initiative. Economic circumstances continue to push industrial democracy downwards in the government's list of priorities for immediate action. Publication of the much-awaited government's Green Paper on Employee Participation in December 1986, was delayed for eighteen months past its original due date. Its status, in any case, is that of a Policy Discussion Paper, "an options paper" which "puts forward ideas and suggestions for consideration", but does not "present the Government's final approach". This will presumably take longer to develop than the six months set aside for gaining "comprehensive feedback" on the Green Paper.[16]

One other government initiative, the *Draft National Technology Strategy,* was produced by the (then) Department of Science and Technology in consultation with major interested parties, including the unions and employers, and is undergoing evaluation in the same way. The *Draft Strategy* includes a section setting out the need for consultation of unions and employees in the case of technological change in the workplace.[17] However, the ACTU was quite critical of the *Draft National Technology Strategy,* in that it did not attach any priority to its many aspects, thus making it essentially a pious statement of good intent, rather than offering any programmatic commitments.[18]

At the state level, in South Australia and NSW Labor governments have only moved very slowly towards industrial democracy policies which would facilitate union/employer consultation over new technology, on the Scandinavian, West German, or ACTU model. The Industrial Democracy Unit established in South Australia in 1974 originally followed a policy similar to that of the Federal Liberal government, with provision of a consultancy service. Only under union pressure did it shift towards more substantive participation schemes in 1979, through legislation. But soon afterwards it lost power, and the more recent state Labor government shows little inclination to arouse the same level of employer opposition. In NSW the Wran-led Labor government inherited a Work Advisory Unit operating along similar lines to the original South Australian Unit. Even though NSW Labor policy has long been much more substantive in this area, it has only recently enacted a policy similar to that of the Federal Labor government. NSW did establish a Technology Research Unit, but with a very low profile, and with no attempt to link technology policy with industrial democracy. The Unit has been under three different Ministers since it was established and presently has no formal connection with the industrial relations or employment

portfolios. Finally, Australian employers have been very slow, not only to develop new technologies, but also to accept participative schemes for decision-making in management, despite demonstrable gains overseas in terms of industrial relations, and employee morale and productivity.[19]

Given these obstacles and the ACTU's own internal divisions and resource limitations, the unions have been largely left to respond on an individual basis to technological change as it occurs.

INDIVIDUAL UNIONS

Notwithstanding ACTU policy, the major response to technological change from most unions has been to seek reduced working hours. However, the union campaign for shorter hours has been directed into a productivity bargaining framework by employers and the ACAC. In those industries such as metals, engineering, glass, and brewing, where shorter hours have been negotiated, this concession has been juxtaposed with counter claims by the employers for increased supervision, the need to increase productivity to offset cost increases, and greater discipline of the workforce.[20] The 1983 Wage Indexation Guidelines enshrined this trend more strongly than ever before. In most respects it merely continued the union response of the 1950s and 1960s.

At the ACTU Federal Unions' Conference on technological change in March 1981 only nineteen unions outlined specific policies covering this area.[21] Only a handful have been added to this total since. Most of the policies are defensive, rather than representing serious attempts to intervene in the planning process for technological change.[22] For example, the Australian Railways Union (ARU), which has faced considerable and persistent technological change in recent times, has concentrated primarily upon job loss, as well as de-skilling, and increased noise and dust levels associated with new machinery. The Vehicle Builders' Union, which has faced considerable job losses recently as the automobile industry is restructured, also emphasized redundancy provisions, as well as retraining and upgrading of production workers' skills to include maintenance work. The Printing and Kindred Industries Union lost a major battle with Fairfax in 1976 over consultation prior to the installation of automated equipment. Since then it has gained higher wages, shorter hours, increased holidays, a 'no redundancy' agreement, and redeployment and retraining provisions, mainly in Melbourne, but it has been unable to retard the erosion of craft skills. The Shop, Distributive and Allied Employees' Association has also been particularly concerned with de-skilling, and retraining at company expense, as well as health and

safety issues, and increased monitoring and supervision of employee performance.

The number of unions which have responded more pro-actively to technological change, in attempting to gain a consultative role in the planning process itself, has been small indeed. Few of those unions which have sought consultation have attempted to implement comprehensive policies akin to the ACTU's. The closest in terms of its emphasis on consultation, was the Storemen and Packers' Union. One of its senior officials claimed in 1983 that its members have gained in strategic bargaining power as a result of technologically-induced job changes.[23] However, this success seems to have actually discouraged the development of a comprehensive policy. Although it also lacks such a policy, the Federated Clerks' Union (FCU) gained a consultation clause in its Victorian award for commercial clerks in 1982.[24]

Foremost amongst the small number of unions with comprehensive technology policies has been the Australian Telecommunications Employees' Union (ATEA), whose 25,000 members are the skilled technicians in Telecom.[25] Telecom is at the forefront of the 'technological revolution', which is based upon electronic data communication. As a result of new equipment, it has instigated greater centralization of operation and maintenance, redundancies for some positions (e.g., manual telephonists, in another union), and, as many of the technicians' skills are built into computerised exchange equipment, it has been restructuring the workforce on a tiered basis instead of the traditional basis of graduated promotion and skill structures.

Widespread discontent over lack of consultation became evident in the Telecom workforce in the late 1970s, despite negotiation of a productivity-based reduced hours agreement between 1975-77. Uncertainty caused by the Liberal/National Party government's known inclination to break down Telecom's monopoly over telecommunications also fuelled discontent, for, even if private enterprises in communications maintained employment levels, the ATEA may not have had coverage of their employees. In 1978 a major dispute developed, in which Telecom's resistance to ATEA demands over job security and consultation was strengthened by the government's hostility to unions. Only after the NLCC was assembled to resolve the dispute, did Telecom gain the power to negotiate with the ATEA free of government interference. This resulted in an agreement for a trial period for electronic exchange equipment, with the ACAC overseeing two separate forms of work organisation for the trials, one nominated by the ATEA and one by Telecom.[26]

This agreement led to more general discussion on the Telecom Consultative Council which had been established in 1975, and which

was composed of representatives from Telecom and all unions representing its workforce. In April 1980 the Council reached agreement on the principles under which new technology would be introduced to Telecom, in the *Telecom Consultative Council Document on New Technology*. The document provides for:

— technological change only where there is a demonstrable net benefit to the community;
— joint consideration prior to decision-making concerning introduction of new technology having an impact on staff;
— joint assessment of new technology to take into account job satisfaction, job creation programmes, retraining, redeployment, and relocation of staff, security and privacy of systems, and customer requirements as well as technical and cost considerations;
— full provision to unions of information necessary for joint assessment;
— adoption of job-creating policies;
— benefit-sharing between customer, community and staff.

The agreement applied for three years, after which determination of subsequent principles was to be by consultation. Negotiations proceeded to this effect for some months in 1982, after which a newer version was agreed to. It did not significantly alter the original document, except to add greater detail to the procedures for the application of the principles.[27] This represents a significant gain, although some union officials have claimed that the Consultative Agreement lacks teeth.[28] The major omission in that document was any agreement over procedures for redundancies and redeployment. The unions refuse to acknowledge redundancies, and for redeployment require strict safeguards for re-training, protection of career prospects and re-imbursement of any associated financial loss.

The year 1982 was important in other regards. In August, twenty eight months of negotiations which followed the trials for electronic exchange equipment finally produced the MEMO Agreement between Telecom and the ATEA. It set a detailed timetable for the introduction of the new equipment, allowing for a higher local mix of skills in a more decentralised exchange system than was originally planned by Telecom.[29] The government threat to Telecom's monopoly also reached a climax in 1982-83, when Telecom was prevented from providing videotex, the Davidson Committee of Inquiry recommended de-regulation of telecommunications,[30] and the government decided to launch a communications satellite under the control of a new organisation, AUSSAT, in which Telecom would have only 5 per cent equity and private interests would have 49 per cent. Since then, the Federal Labor government has been more supportive of Telecom, and increased its AUSSAT equity to 25 per

cent.[31] However, the questioning of Telecom's role encouraged a broadening of ATEA activities, including a media campaign over AUSSAT, and a submission to the IAC in 1984 for the establishment of local manufacturing capacity in telecommunications equipment.

The threat to telephonists in Telecom also led to a rapid development of new strategy and tactics by the Australian Telephonist and Phonogram Officers' Association (ATPOA). Automation and centralization of manual telephone services, including provision of STD and ISD has reduced telephonists' numbers, from 10,097 to 7.700 since 1965.[32] In response, ATPOA developed from a sleepy little union into an assertive body with strong workplace organization. Its new industrial tactics included selective work bans which minimised public inconvenience (e.g. not charging for public phone STD calls), and organizing rural communities against closure of small exchanges.[33] These campaigns achieved some success in early 1984 when ATPOA and Telecom agreed over minimum staffing levels and procedures for re-organizing exchanges.[34] ATPOA has had more limited success in the health and safety area, with Telecom only slowly acting to reduce the occurrence of 'shrieks', or high-pitched noise, in telephonists' head-gear, caused by mixing old and new technologies.[35]

Some of the public service unions, at federal and state levels, have also developed comprehensive technology policies. The public services have introduced a variety of office computer components in a context of budgetary restraint in recent years.[36] At the federal level the Administrative and Clerical Officers' Association (ACOA), representing about 50,000 graduate clerks, has the most advanced policy, developed since 1980. ACOA's policy calls for:

- establishment of a Federal Office of Technology Assessment by the Australian Government;
- establishment of a trade union agency for technology assessment;
- social impact assessments by government departments and agencies contemplating technological change;
- technological change only where "there is a demonstrable benefit to the community and a demonstrable absence of unwanted and inequitable social and economic costs", including any net loss of jobs;
- consultation from point of contemplation;
- provision to ACOA of "sufficient and proper information to allow accurate and considered assessments", especially of deskilling effects, staff reductions, and weakening of the union;
- no retrenchments;
- redeployment only if voluntary, there is provision for retraining, and there is no financial or career disadvantage;
- sharing of benefits, including wages and shorter hours;

— maintenance of ACOA coverage of redesigned work which includes original functions.[37]

ACOA's major impact to date regarding this policy has been in Telecom, where it has 10,000 members. In mid-1983 negotiations commenced over Telecom's plans for a Distributed Customer Records Information System (DCRIS), which will automate handling of customer inquiries and complaints, leading to an estimated job loss of 1,500-2,000. ACOA published a major report urging the expansion of customer services which it estimated would generate up to 2,000 new jobs and up to $460 million in additional revenue. In this way staff made redundant by DCRIS could be redeployed within Telecom in jobs which more than paid their own way.[38] This report became the basis for negotiations over the introduction of DCRIS. However, elsewhere, in Australia Post and with the Public Service Board, ACOA has had little impact on technological change.[39]

The Public Service Association (PSA) of NSW also developed one of the most extensive union policies from 1980-81.[40] It has 52,500 members covering about 61 per cent of all state public service employees and some in statutory authorities. Its policy is similar to ACOA's policy, but particularly emphasised no overall loss of job positions, and strict monitoring of health and safety. The PSA established a Technological Change Committee to monitor this policy. Finally, as a consequence of technological change, it acknowledged the potential need for restructuring the union itself, based as it now is, upon four semi-autonomous Divisions. A restructuring Committee established to investigate this issue, reported to the Annual Conference in May 1984 with a proposal to abolish the Divisions, or at least weaken their significance in favour of workplace organisation. The latter proposal is now being implemented.

The PSA's policy has achieved some success. As early as April 1980, it reached a tentative agreement with the Public Service Board on a form of *Consultative Guidelines for the Introduction of Technological Change,*[41] and after almost four years of negotiations, in November 1983, a Technological Change Agreement was signed. It covered most aspects of PSA policy, providing for:

— full disclosure of information relating to technological change;
— consultation with the PSA from the point of contemplation of change;
— no installation of new equipment without agreement between the PSA and Departmental management, subject to time restrictions;
— a dispute procedure;
— detailed health and safety provisions relating to VDUs.[42]

From the PSA's point of view, the major limitations of the agreement are the lack of guarantee of no redundancies, and that the

combination of the time limit on consultation and the nature of the disputes procedure, place most of the onus for successful consultation upon the PSA's workplace organization, which is relatively weak. The PSA has also experienced difficulty in coping with the number of notifications of change at a central level. This has provided further impetus for restructuring. Insofar as this will provide impetus for the workplace level of organisation, restructuring is a major priority. A recent survey of PSA members showed that very few were even aware of the Technology Agreement.[43] It is unlikely to become a reality, monitored and enforced in the workplace, under these circumstances.

The final group of unions which has developed comprehensive technology policies consists of the Australian Bank Employees' Union (ABEU) and the Commonwealth Bank Officers' Association (CBOA).[44] The ABEU enrols over 90 per cent of private and state bank employees to a total of about 80,000, and the CBOA enrols a similar proportion of Commonwealth and Reserve Bank Officers to a total of about 37,000 members. Both unions face extensive technological change in a number of forms, including electronic funds transfer and data processing (EFT and EDP), and automatic telling machines (ATMs). Recent amalgamations, the entry of foreign banks, and the de-regulation of banking after the Campbell and Martin Reports, have also de-stabilized the industry in some respects.

In this context the unions have been particularly concerned that workforce growth has ceased, and that they may soon face large-scale redundancies as a result of restructuring with the use of new technology. They have also been concerned with the recasting of lower level career positions, such as telling and examining, as more routine jobs, which no longer require development of skills necessary for advancement to executive positons. A two-tiered workforce structure is now emerging: a small primary sector, with favourable wages and conditions, and employment security, together with career paths; and a larger secondary sector characterised by low employment security, low wages and routine 'dead-end' jobs in new data processing centres, or in areas effectively removed from the traditional career path.[45] Under all of these circumstances the ABEU sought consultation with the banks, under threat of bans on new equipment, and at its 1980 Conference called for a 30-hour week and rejected redundancies.

However, despite one day stoppages and other industrial action in 1980 and 1983,[46] the ABEU has not been able to bring the banks to the conference table over very much of this policy. In 1982 it conceded an increase in part-time employees, which the banks largely required as a result of new technology, in return for a 9-day fortnight.[47] But the latter is really a flex-time arrangement rather than a reduction in working hours. The ABEU has been seriously weakened in its negotiations by the nature of its membership. A study in 1978

indicated that 40 per cent of ABEU members are also conservative political voters, who opposed affiliation with the ACTU, and who might be expected to have a low sympathy for trade unionism generally. More recent studies have confirmed this perspective.[48] Consequently, the ABEU has not been able to generate enough support from its own membership to maintain bans on new equipment such as ATMs, as the banks fully realize.

The Commonwealth Banking Corporation and the CBOA, on the other hand, have a record of good industrial relations and consultation. In early 1979 negotiations commenced over the introduction of ATMs, in return for which the CBOA sought shorter hours, early retirement and consultation over future plans. The Corporation was synpathetic, and shortly afterwards a joint Consultative Committee on Automation and Technological Change was established. On other points, however, the Corporation was constrained by government policy, which opposed reduced working hours. The CBOA accepted the Corporation's compromise offer of a 19 day month on a trial basis, although this represented a flex-time arrangement rather than reduced working hours.[49] Some rank and file dissatisfaction with the leadership's acquiescence in this area has also become evident.[50] Under these circumstances the CBOA has developed a log of claims for a 9 day fortnight and cessation of staff reductions in branches. In the meantime, however, the CBOA was forced to concede a similar agreement to that reached between the ABEU and the private banks in December 1982 because the Corporation's successful competition with the private banks is the best guarantee of jobs.

Despite extensive policies on new technology, therefore, the banking unions have so far failed to exert much influence within the process of technological change in banking. However, both the ABEU and CBOA may be able to take advantage of changes in the ACAC and the courts.

CHANGES IN THE LEGAL CONTEXT

The legal and arbitration context has also changed in recent years, to become far more favourable than it was towards employee and union participation in decision-making at the enterprise level, particularly over technological change. The most significant aspect of this context was the outcome of the ACTU's 'job protection' test case before the ACAC, which was finalised in August 1984.[51] The ACTU chose a redundancy situation involving a number of unions upon which to base its test case for protection against unfair dismissal, for minimum notification, for severance payments and other conditions in the case of redundancy, and for requirements upon employers to consult

employees over major workplace changes, particularly in relation to retrenchments. The ACTU's claims were fairly extensive, but the ACAC went a considerable way towards meeting them, to the surprise of many commentators. The ACAC decision guaranteed minimum periods of notice of termination of employment, and minimum severance pay which had been already bettered by most unions facing redundancy anyway. Most significantly, however, the ACAC required employers to consult with employees and their representatives as soon as they reach a firm decision concerning major changes in production organisation or technology, which are likely to have significant effects on employees, particularly in the case of retrenchments. Under such circumstances the employer is required to provide in writing all relevant information on the nature of proposed changes, and the expected effect on employees, with the exemption of confidential information. The decision has the long-term potential for a major impact on employee or union consultation in decision-making over changes in the workplace. This represents a significant change in direction for the ACAC.

Recent High Court decisions have supported a greater role in this area on the part of industrial tribunals. The High Court decided late in 1983 that the 'industrial' (referring to disputes), in the constitutional definition of ACAC jurisdiction, should only be interpreted in its everyday sense rather than the more narrow sense which had previously excluded some 'non-industrial' employees, such as social workers, from ACAC jurisdiction. This decision may also allow a broadening of ACAC jurisdiction into ' non-industrial' issues of managerial prerogative.

A further landmark decision concerning the state level of arbitration was reached by the High Court in August 1984, when it ruled that the State of Victoria's Industrial Relations Commission had acted within its jurisdiction in ratifying the insertion of a clause in the Commercial Clerk Award requiring "extensive consultation" between employers and employees before the introduction of technological change in the workplace.[52] The provisions of the clause are comprehensive. Employers must consult the Federated Clerks' Union (FCU) and employees affected, at the point of contemplation, over objectives, during feasibility studies, in decision-making, and over possible alternatives. The appeal to the High Court occurred after an earlier successful appeal by employers to the Victorian State Supreme Court, which argued that the definition of 'industrial matters' excluded the matter from the jurisdiction of the Victorian Commission.

Many of these trends were consolidated in the report and recommendations of the Hancock Committee of Inquiry into Industrial Relations, which were published in May 1985.[53] The

Committee warmly approved of the gradual extension of the jurisdiction of the formal industrial relations machinery to include job security and 'non-industrial' matters previously considered the exclusive domain of managerial prerogative. Its *Report* particularly supported (if it perhaps, over-estimated) the increasing emphasis upon consultation and participation of the workforce in technological change, as well as advocating the simplification and reduction of job classification to encourage multi-skilling, which reinforced its general concern for a reduction in the number of trade unions. The *Report* has generally elicited a favourable response in most quarters.

CONCLUSIONS

A combination of factors points towards a new era of pro-active union responses to technological change, by way of consultation and negotiation within the decision-making processes of management. A growing number of individual unions have adopted policies which aim in this direction. Economic crisis and the need to restructure Australian manufacturing industry have recently sharpened union interest in this area. The ACTU's adoption of a comprehensive policy in 1979 represented a significant departure from previous practice at a more central level of union organisation. Union leadership at this level has become increasingly professional and able to plan strategically rather than merely react to circumstances. This trend has been intensified in the context of the Prices and Incomes Accord since 1983, in which the authority of the ACTU leadership within the union movement has increased markedly, despite some fairly hard decisions which it has been forced to make. It has been aided in this respect by the Hawke Labor government, which itself has emphasised tripartite consultation in economic decision-making. The ACTU's new authority has also been aided by the ACAC, in general, and in its vindication of the ACTU's adoption of a general policy by meeting some of its most important demands in the 'job protection' test case. A number of recent decisions in the High Court have also provided a more favourable context for individual unions seeking extensive consultation with management over technological change. In these ways, Australian trade unions may be seen to be moving far closer to the Scandinavian and West German union approach of active intervention in the process of technological change.

However, there are a number of important qualifications which must be made to this perspective. The effects of changes initiated in the ACAC, based in turn upon changes in High Court interpretations, will be slow in spreading to a majority of the workforce. By their very nature, test cases in the ACAC take some time to spread through all or

most awards, even without the complications of High Court involvement, or the federal-state co-operation envisaged by the Hancock Report. The 'job protection' decision can be expected to take longer than most, because of the strong opposition it has elicited from employers' groups.

The primary onus will remain upon individual unions to take advantage of changes in the legal context. It is noteworthy, therefore, that those unions which have attempted the greatest impact on the introduction of new technology, through consultation, have represented highly skilled and/or white collar groups. Of course, white collar workers are currently exposed to a particularly high degree of technological change in the offices, and tend to have high expectations of being consulted by managmeent, with whom they traditionally identify to a greater extent than blue collar workers do.[54]

However, the strategic bargaining power of a high level of skill, or critical placement in the labour process, is more important in determining the success of union intervention in technological planning. This is illustrated by the most successful Australian union in this area, the ATEA, which demonstrated its ability to close down the communications network in 1978. In contrast, the other, often less successful unions which are committed to participation in technology planning, frequently lack the ATEA's strategic bargaining power. ACOA has caused some difficulty to welfare recipients on occasions. But neither it nor the PSA can seriously hinder government or industry, short of a total, long-term strike, and the PSA and the ABEU are weakened by the nature of their membership.

This leads us to a further observation, that in fact the most successful unions in gaining consultative imputs to the process of technological change have been in the public sector. Even with a Liberal/National Party government, at either federal or state level, the pressures against union intervention do not appear to be as great as in the private sector. At the federal level at least this appears to be particularly the case with a large statutory corporation, such as Telecom, which occupies a monopoly position. A statutory corporation, such as the Commonwealth Bank, which operates in a competitive environment has far less room to manouvre in meeting union demands. In the public service proper, a union such as the PSA has relied almost entirely upon a sympathetic Labor Party administration in achieving its gains.

The implications to be drawn from this for the unions confirm one of their oldest policy objectives. Since the 1890s and before, the labour movement has sought the extension of state employment, together with the electoral installation of Labor governments, as the surest means of mantaining and improving conditions in the workplace.[55] All of these conclusions suggest that the technology may

be new, as may be the nature of union demands, but the institutional means for dealing with these are remarkably resilient over time.

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