

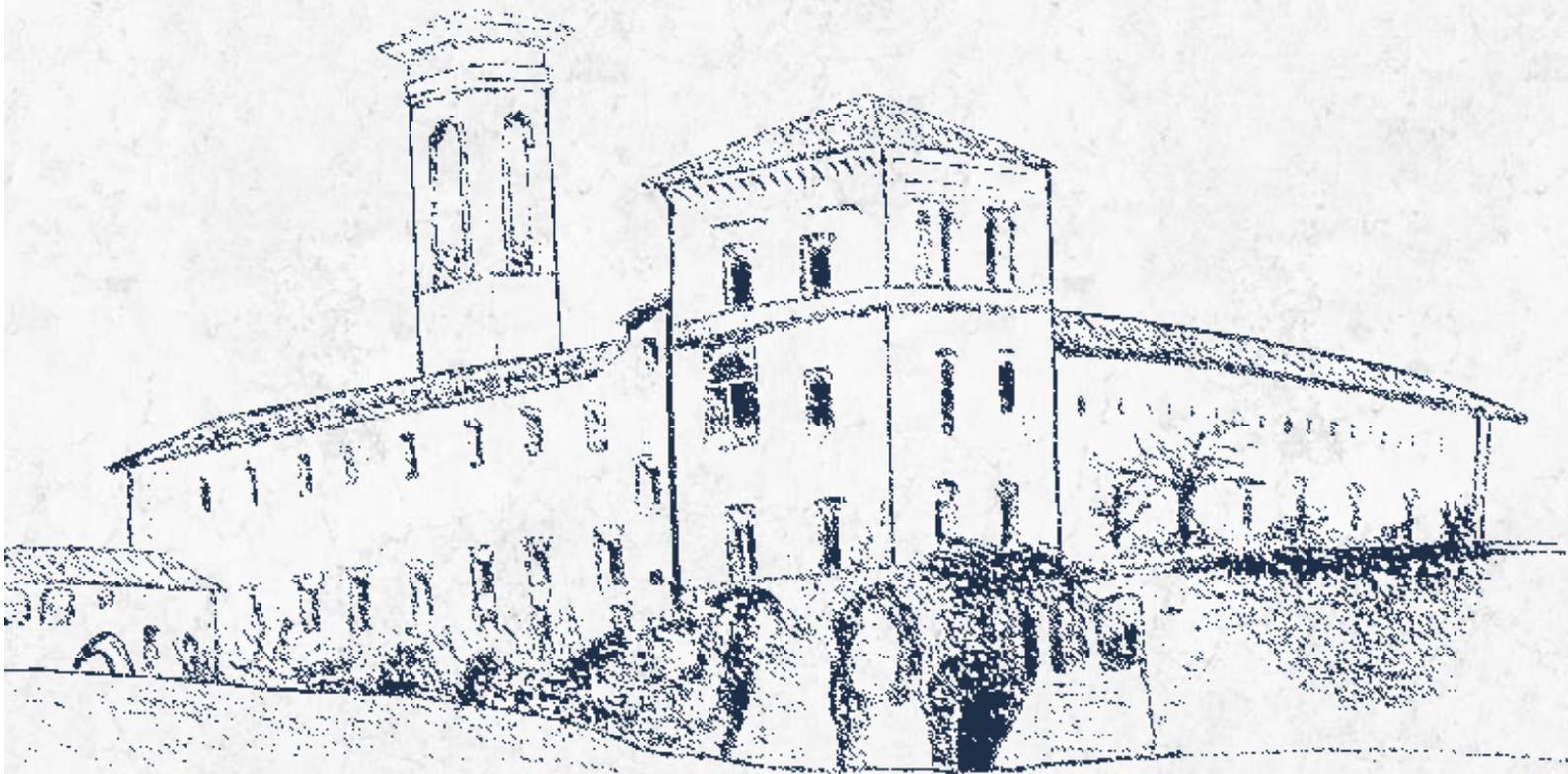
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Australian Workplace Relations
edited by Julian Teicher, Peter Holland, and
Richard Gough. A Review

John Martin *

This review contemplates Australian Workplace Relations (AWR) and attempts to assess it by comparison to other similar text books within the broader discipline of industrial relations, however that might be named¹. Constraints on the number of words that can be permitted in this exercise prevent a lengthy discussion on all of the chapters. Rather this review will focus on those chapters that set this text apart (in positive sense) from comparators. In addition, those aspects of the text that can be critiqued in the context of other scholarly literature are also the subject of the review. For the sake of totality, AWR in Part I covers the foundations of Australian Workplace Relations which includes external impacts on the internal actors in an historical context. In Part II the evolving nature of the workplace is examined and specific issues such as anti-discrimination and occupational health and safety are afforded chapters in this framework. Finally Part III provides some relevant case studies that are briefly discussed toward the end of this review.

AWR provides a more critical analysis than some other textbooks on the same topic. Critical in that it contextualises changes to the Australian system of industrial relations to the broader social, economic and political vicissitudes. The impact of the nebulous concept of “globalisation” and the associated introduction of neo-liberal policies is delivered in the first

¹ Constraints prevent any debate about the use or interchangeability of terms such as workplace relations, employment relations or industrial relations.

chapter of AWR² which distinguishes it from some other texts of a similar nature³. That is not to say that such other texts do not mention the causes of dramatic changes to labour markets and related institutions, however the primacy given to the impact of global influences by a leading and specific chapter contextualises the remainder of the analysis. It is also self-evident that AWR was written following and in full knowledge of the global financial crisis in 2008 where the international nature of the Australian economy was so profoundly palpable.

The second chapter places the Australian employment model in an international context⁴. This is not only important for comparative purposes but it is the logical next step from the more critical analysis described above. Much of the rhetoric about the inflexibility of Australian labour markets and the demonization of Australian labour market institutions does not stand an international comparison. This chapter also highlights some of the causes of instability for the Australian workforce such as precarious employment and income inequality.

AWR attributes Human Resource Management (HRM) with much of the changes to the Australian Labour Market⁵. According to proponents of HRM as a discipline, its strategic use has contributed to the replacement of unions (and other labour market institutions) with a sympathetic group of professionals within the organisation. Such an approach is at odds with an emerging and more critical body of literature that concludes that HRM has failed at being a strategic “heavy hitter” in a corporate context⁶. The

² J. Teicher, D. Bryan, *Globalisation, Economic Policy and the Labour Market*, in J. Teicher, P. Holland, R. Gough (eds.) *Australian Workplace Relations*, Cambridge University Press, Melbourne, 2013.

³ For example N. Balnave, J. Brown, G. Maconachie, R. Stone, *Employment Relations in Australia*, John Wiley and Sons Australia Ltd, Milton, 2009, 2 edition; M. Bray, S. Deery, J. Walsh, P. Waring, *Industrial Relations: a Contemporary Approach*, McGraw-Hill Irwin, North Ryde, 2005, 3 Edition; R. Sappey, J. Burgess, M. Lyons, J. Buultjens, *Industrial Relations in Australia: Work and Workplaces*, Pearson Education Australia, Frenchs Forrest, 2006.

⁴ R. Gough, *The Australian Employment Model in an International Context*, in J. Teicher, P. Holland, R. Gough (eds.) *Australian Workplace Relations*, Cambridge University Press, Melbourne, 2013.

⁵ C. Sheehan, H. De Cieri, S. Le Queux, *Australian Trade Unions and international Labour Movements*, in J. Teicher, P. Holland, R. Gough (eds.) *Australian Workplace Relations*, Cambridge University Press, Melbourne, 2013; J. Teicher, D. Bryan, *op. cit.*, 17 & 20; B. Van Gramberg, *Changing patterns of workplace conflict and dispute resolution*, in J. Teicher, P. Holland, R. Gough (eds.) *Australian Workplace Relations*, Cambridge University Press, Melbourne, 2013, 140.

⁶ P. Thompson, *The Trouble with HRM*, in *Human Resource Management Journal*, 2011, vol. 21, No. 4.

suggestion that HRM was in any way concerned with the welfare of employees was belied by the unitarist approach that was dominated by a shareholder focus⁷. Rather, it could well be argued that HRM in Australia (much like the US and UK) has been concentrated on transactional functions and relegated to well behind other management functions and that attributing much of the changes to workplace relations to HRM clearly overstates its relevance and influence.

Another critique might be the treatment of unions and, in particular, whilst the third chapter provides a good explanation of the Australian trade union movement it is somewhat surprising that Peetz⁸ is not cited in the explanation of the decline in union membership. Whilst many of the explanations that have been provided for a decline in union membership are traversed in chapter 3, perhaps one of the most significant in the Australian context has been the changing attitude of employers to union membership and collective bargaining⁹. In addition the discussion concerning the amalgamation process of Australian unions fails to adequately identify the unique and strategic nature of amalgamations in Australia¹⁰. If one is to criticise the amalgamation process there is an ample body of literature from which to choose¹¹. Moreover a suggestion that unions have grown apart from the working class could be better attributed to academic critiques of the corporatist era of the Accord¹²

⁷ T. Kochan, *Social Legitimacy of the HRM Profession: a US Perspective*, in P. Boxall, J. Purcell, P. Wright (eds.) *The Oxford Handbook of Human Resource Management*, Oxford University Press, Oxford, 2007.

⁸ D. Peetz, *Unions in a Contrary World*, University Press Melbourne, Melbourne, 1998.

⁹ D. Peetz, *op. cit.*

¹⁰ M. Davis, *Is Bigger Better? Union Size and Expenditure on Members*, in *Journal of Industrial Relations*, 1999, vol. 41 (4); G. Griffin, *Union Mergers in Australia: Top-Down Strategic Restructuring*, National Key Centre in Industrial Relations, Monash University, Melbourne, 2002, Working Paper No. 80; K. Hose, M. Rimmer, *The Australian Union Merger Wave Revisited*, in *Journal of Industrial Relations*, 2002, vol. 44 (4); M. Tomkins, *Trade Union Amalgamations: Explaining the Recent Spate of Mergers in Australia*, in *Labour and Industry*, 1999, vol. 9 (3).

¹¹ H. Gill, G. Griffin, *The Fetish of Order: Reform in Australian Union Structure*, in *Journal of Industrial Relations* 1981, vol. 23 (3), 371; G. Griffin, *op. cit.*, 13; K. Hose, M. Rimmer, *op. cit.*, 538; J. Waddington, *Trade Union Mergers: A Study of Trade Union Structural Dynamics*, in *British Journal of Industrial Relations* 1988, vol. 26 (3), 414.

¹² T. Bramble, *Australian Union Strategies since 1945*, in *Labour and Industry*, April 2001, vol. 11, No. 3; Keynon and Lewis (1998) as cited in M. Alexander, R. Green, A. Wilson, *Delegate Structures and Strategic Unionism: Analysis of Factors in Union Resilience*, in *Journal of Industrial Relations*, 1998, vol. 40, 664.

rather than relying upon the Institute of Public Affairs¹³. The unmet demand for union membership in Australia is discussed in the chapter concerning employee voice¹⁴, but does not find its way into the chapter concerning unions.

Chapter 9 is concerned with monitoring and surveillance in the employment relationship. The devotion of a chapter to monitoring and surveillance demonstrates the prominence that the issue has for employment into the future. Rapid and intrusive technological change has enabled employers to observe the conduct of employees and potential employees inside and outside the workplace. The question to be answered is to what extent an employer has the right to interfere in the personal affairs of the workforce (or potential workforce) is rightly the subject of discussion. Matters such as to what extent an employer can discipline an employee for their use of social media¹⁵ and drug testing¹⁶ have provided fertile grounds for litigation and ideological debate. In addition, the extent to which technology (such as smart phones) enables employers to interfere with an employee's supposed non-work times are also the subject of growing interest¹⁷.

The final chapters provide some very good case studies and thereby assist the reader to contextualise the main themes that are explored in the preceding chapters. Chapter 12 uses the retail and hospitality industries, themselves substantial employers of minimum wage employees in Australian terms, as an example of precarious employment and the pursuit

¹³ C.R. Sheehan, H.L. De Cieri, P. J. Holland, *The Changing Role of Human Resources Management in the Employment Relationship*, in J. Teicher, P. Holland, R. Gough (eds.), *Australian Workplace Relations*, Cambridge University Press, Port Melbourne Vic Australia, 2013, 103-117.

¹⁴ A. Pyman, P. Holland, J. Teicher, B. Cooper, *The Dynamics of Employee Voice in Australia*, in J. Teicher, P. Holland, R. Gough (eds.) *Australian Workplace Relations*, Cambridge University Press, Melbourne, 2013, 125.

¹⁵ Linfox Australia Pty Ltd v Fair Work Australia & Anor FCA NSD1623/2012. Workplace Express, *Federal Court to hear Linfox Facebook Appeal*, 1^o November 2012, downloaded from www.workpalceexpress.com.au.

¹⁶ Endeavour Energy v Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia; Australian Municipal, Administrative, Clerical and Services Union; Association of Professional Engineers, Scientists and Managers, Australia (C2012/3396) [2012] FWAFB 4998. Workplace Express, *On-site saliva drug testing in doubt after specialist body ruling*, 29 October 2013, downloaded from www.workpalceexpress.com.au.

¹⁷ D. Stacey, *What a modern union should fight for*, in *Daily Life*, 18 November 2013, downloaded from www.dailylife.com.au/news-and-views/dl-opinion/what-a-modern-union-should-fight-for-20131118-2xpnf.html.

of “flexibility” by employers perhaps to the detriment of the workforce¹⁸. The aggressive privatisation of essential services such as health that has been practiced by state Governments in Australia and is the subject of an excellent case study of the restructuring of Victorian public hospitals in Chapter 13¹⁹. The global control of capital over production processes is well demonstrated by chapter 14 that provides the automotive component industry in Australia as an example of how global supply chains impact upon a local labour market and its institutions²⁰. Finally the case of the Australian Public Service is traversed in chapter 15 that chronicles the changing nature of public sector employment²¹.

To summarise AWR, it is possible to conclude that it takes the field of industrial relations in Australia one step further towards the illusive theoretical framework although the authors do not make this claim. By placing industrial relations in the broader context of an international political economy AWR provides a critical analysis of the history and recent events associated with Australian industrial relations. This review may be considered by some as a pedantic critique of the influence of HRM, however the arguments relied upon to suggest that its influence has been overstated are academically credible and intuitively known by those who have witnessed the failures of HRM.

¹⁸ G. Lafferty, *From Reactive Flexibility to Strategic Flexibility in Retail and Hospitality*, in J. Teicher, P. Holland, R. Gough (eds.) *Australian Workplace Relations*, Cambridge University Press, Melbourne, 2013.

¹⁹ R. Gough, P. Brewer, *Restructuring Victorian Public Hospitals and the Implications for Work and Work Organisation*, in J. Teicher, P. Holland, R. Gough (eds.) *Australian Workplace Relations*, Cambridge University Press, Melbourne, 2013.

²⁰ M. McIntosh, *Global Supply Chains and Workforce Flexibility in Automotive Components*, in J. Teicher, P. Holland, R. Gough (eds.) *Australian Workplace Relations*, Cambridge University Press, Melbourne, 2013.

²¹ J. Teicher, P. Holland, R. Gough (eds.) *Australian Workplace Relations*, Cambridge University Press, Melbourne, 2013.



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