

COOPERATIVE BARGAINING STREAM

What is it, and what is new?

This is a bargaining stream that allows for bargaining with multiple employers who each consent to bargain in this voluntary stream.

This is a slightly amended version of the existing multi-enterprise bargaining system. As with the existing multi-enterprise bargaining, there are very limited bargaining rights or powers available.

This stream can be used to make multi-employer greenfield agreements and non-greenfield agreements.

This stream is available for the general building and construction industry only where it is for a greenfield agreement.

What are the key rights and requirements?

- » Bargaining can be initiated without applying to the Fair Work Commission (as is required in the single-interest multi-employer and supported bargaining streams).
- » You must have at least one member for each employer you want to include in the cooperative bargain in order to be a default bargaining representative.
- » The good faith bargaining requirements are not enforceable and assistance with a dispute from the FWC can only occur with the consent of all parties.
- » You cannot access a scope order or protected industrial action under this stream.
- » An agreement can only be put out to vote with the consent of all registered union bargaining representatives.
- » The final agreement will only cover those employers whose own employees voted in majority to support the agreement.
- » An approved cooperative agreement can be varied to include additional employers, but only on application by the employer and where their employees vote in majority to support the agreement.

Strategic considerations

Coordinate:

- » How can we coordinate across the movement to identify members that unlock bargaining representation rights in new and emerging industries?
- » How can we coordinate across unions to best leverage the requirement for union consent for an agreement ballot?

Growth:

- » Additional employers can be added to cooperative agreements, how can we use this as an opportunity to organise and grow?
- » Cooperative bargaining can be a beginning point that leads to single-interest multi-employer or supported bargaining (if eligible). How will this affect your approach?

Precedent:

- » This bargaining stream is unlikely to be the dominant form of bargaining outside of greenfield agreements and some specialised industries.
- » How can we support other unions, or recognise good employers, where they are using this uncommon bargaining stream?
- » Co-operative agreements are only with unions, how do we use this to build in growth?

**EQUIP
PLAN
WIN**

EQUIP

- **IR LAW FORUMS**
(7 - 19 Feb) - Respect, Equity, Bargaining 1/2/3 and Electives
- **LEGISLATION BRIEFING NOTES**
- **FACT SHEETS**

PLAN

- **STRATEGIC LEADERSHIP MEETING (20 - 21 Feb)**
- **UNION INTERNAL PLANNING**

WIN

- **MOVEMENT WIDE EDUCATION**
- **COORDINATION**
- **GOOD PRECEDENTS**
- **GROWTH AND POWER**