

# **AEU WOMEN'S CONFERENCE**

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I want to talk to you today about the ACTU Hours Case and specifically about the Fifty Families report which contributed so much to the case. In finishing I want to look at where we go next in tackling the problem of long hours of work.

The Fifty Families study is an important contribution to the issue of long hours of work and the effect of these hours on workers and their families.

Fifty Families not only formed a critical part of the Working Hours case but will continue to contribute to and inform the on-going debate about long working hours in Australia.

While I will talk a little bit later about the outcome of the Working Hours case, there is one critical finding that I think is worthwhile noting here. The full bench of the Commission, in considering the hours that are being worked today by Australian workers, accepted that we now have three categories of workers based on the hours they work. These are:

- part-time workers
- standard hours workers; and
- extended hours workers.

And we know that the workforce is divided equally amongst these categories. The divide is no longer between those working less than full time hours and those working full-time. It now splits three ways.

But back to Fifty Families and what it told us.

Fifty Families was a critical piece of evidence in the ACTU Hours Case. We always, in preparing the case, knew that we would put substantial statistical information before the Commission demonstrating the changes in hours worked. Fifty families brought those statistics to light by putting a human face on them, by showing the Commission what long hours of work do to workers, their families and communities.

The Fifty Families report is based on interviews with 54 workers and the partners of 35 of these. In total 89 interviews were conducted. A number of the partners interviewed were (or had been) long hours workers themselves.

Are a number of key findings in the report which are very telling:

- Workers don't often notice the effect of long hours until they stop
- Workers often don't realise what working long hours is doing to them. The growing hours creep up on them – its like the boiled frog syndrome.
- Some workers get paid for their additional hours of work but many do not
- Workers do the additional hours for a number of reasons:
  - Out of a commitment to their clients, students
  - Because of understaffing – there are just not enough people to do the work required;
  - For money – some need the overtime money to maintain a basic standard of living, others want the money for extras like holidays away.
  - They feel they have no choice, they don't have the ability to say no
  - This relates to a sense of powerlessness in the workplace
  - There is also a fear of reprisal if the extra time is not put in – a fear that they might be the next to lose their job or they won't get the promotion they are after.

- ➔ And many do the extra hours because of the compulsory – voluntary nature of the job – that is, it is just expected that they will do the work and that everyone does it.
  
- All of the reasons for working long hours exist within the complex power relationships at work. Many employers would have you believe that you just have to say no to the requests to work extra hours and that's that. When they tell you this they also say that their workers are really happy working 50 hours a week! There is no question that many employers live with their heads in the sand.

What are the effects of these long hours?

- On the worker, work becomes life. Long hours impoverish other aspects of life – hobbies, friends, extended family.
  
- On partners – they speak of adapting, accommodating the long hours. They speak of habits forming around the long hours worker. Importantly however, they do not speak of acceptance of the hours. And of course the tiredness that goes hand-in-hand with long hours is the, as the report finds, the absolute enemy of intimacy.
  
- On families, the effects are diverse. There is less time at home, there is a dependency on the stay at home partner for child rearing, discipline of children, to look after finances, housework and house maintenance. In most cases this is the woman. Where both partners work long hours there is the sense that there is never enough time – children are being “hurried-up” all the time. As one family called it, they had the hurry-up kids! Long hours of work also mean there is little time for the family to do hang around family type things.
  
- Another study undertaken for the Working Hours case found that, contrary to popular belief, children don't just want “quality time” with their

parents – they often just want “hang around time” where they do just that with their parents.

Fifty Families study considered workers across a range of industries and occupations – flight attendants, postal workers, miners, manufacturing supervisors and teachers (to name a few). Many of the findings were common across all occupations particularly about the reasons for working long hours and the effect of these hours.

Let’s talk about teachers – and none of this will be a surprise to you.

Teachers were an important contributor to the Fifty families report (and the case). The Victorian Government School teachers’ Award was one of the vehicle awards for the case.

Fifty Families describes teachers as being committed professionals. But also talks of the constant struggle to provide quality teaching in an environment of increased class room contact hours. An environment that often ignores the responsibilities that exist outside of the preparation, teaching and marking – that is the yard duty, school camps, co-ordination responsibilities, sports coaching and school production organising.

The breadth of demands on teachers and their time take their toll through:

- burn out
- fatigue
- constant low grade illness
- stress

The report identifies ‘embedded’ expectations in the system of teachers, of a long hours expectation, of commitment that means teachers do extra things to make things better for students and the general school community. Teachers in the report strongly identified the “compulsory- voluntary” nature of their jobs.

The hours of work, the extra tasks do effect teachers' families – their children and their partners. Teachers express a concern that, after a day of contributing to kids at school it is hard to give their own children the attention they deserve. It is like all of the emotional energy is used up in the classroom.

Teachers, along with others, spoke not of balancing working and family – which suggests an equilibrium, but of juggling – never being in total control.

The teachers in Fifty Families assisted in bringing a human face to the problem of long working hours. They helped demonstrate the corrosive effects of long working – many of which are experienced privately through the loss of family life and private time.

Fifty Families was a key component in the ACTU's working hours case. Through this case we had hoped to achieve for workers:

- a prohibition on being asked to work unreasonable hours.
- a right to refuse to work overtime
- additional paid breaks after working extreme hours.

Whilst recognising that hours of work have changed significantly (and increased from 38.2 hours per week in 1982 to 41.3 hours per week in 2001) and that a significant proportion of employees work overtime which is not paid for, the Full Bench failed to grant the ACTU application in full.

While the Bench determined that employees should be granted an explicit right to refuse overtime where the working of that overtime would make total hours worked unreasonable they have only provided that right to employees where the award specifies ordinary hours of work and provides for overtime.

In making their decision the Full Bench have failed many workers in the education system (including teachers and academics) flight attendants and flight crews and others whose awards don't specify overtime.

Whilst recognising that working long hours may adversely affect productivity, the Full Bench has left a group of long hours workers high and dry.

Teachers have been dealt a double blow. While you currently receive no recognition of the additional hours you work, under the decision of the Full Bench you are not given the opportunity of most other workers to refuse to work these hours if they are unreasonable. The AIRC has failed to grasp the significance of long working hours for teachers. At this level the Working Hours case was not successful.

## **NEXT STEPS**

But fortunately the decision in the working hours case is not the end of the ACTU campaign to civilise working hours in Australia.

Fifty years ago Australia was at the forefront of working hours. In 1947 we achieved a 40 hours week. We were a world leader in reducing hours of work.

Unfortunately, over the last 20 years we have gone backwards, we have taken our eye off the ball and we have allowed hours of work to grow. The Working Hours case (along with specific campaigns run by unions) was the first step in reversing this trend. The work to be done on working hours did not end with the finalisation of the case.

A policy paper on working hours for consideration by the ACTU is currently being developed. It is hoped that, following the ACTU Executive meeting in November this proposed policy will be discussed and debated widely within unions and the community. Such debate will inform a final policy position on hours.

What we, as unionists, must do is ensure that the policy will be useable. There is no value in developing a document that is just a set of words on paper that everyone ignores. What we must do is set the agenda for working hours in the future.

If the policy is to be relevant and of use then your input to the debate is critical

Just as critical will be the mechanisms by which we achieve our objective of reducing working hours in Australia.

Organising on the job, raising the issue in the workplace and a refusal to let the matter be swept under the carpet as “too hard” or something to be looked at “next year” are important. The solution may not be easy but this is no excuse to ignore the problem

You have the opportunity to influence the debate and the decision. Don't waste that opportunity and let's not leave the legacy of long working hours to the next generation of unionists.

Thankyou.