



National Union of Workers

TK:CG

Our Ref: I13/08

Wednesday, 10th September 2008

Matt McCarten
General Secretary
UNITE
6a Western Springs Road
Morningside
AUCKLAND
NEW ZEALAND

Dear Matt,

RE: UNITE NZ and National Union of Workers (Australia) Market Research Campaign

Please find attached a signed copy of the agreement between our two unions as a consequence of our campaign to organise market research workers.

Our meeting of the National Committee of Management on 1st September received a report on the campaign and endorsed the agreement.

We look forward to UNITE building a strong union for market research workers in New Zealand and a continuation of our joint campaigns.

In Unity,

A handwritten signature in black ink, appearing to read 'Charles Donnelly', written over a faint starburst graphic.

CHARLES DONNELLY
GENERAL SECRETARY

NATIONAL OFFICE

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TRANSNATIONAL UNION AGREEMENT

Between

NATIONAL UNION OF WORKERS (AUSTRALIA) ("NUW")

and

UNITE UNION (NEW ZEALAND) ("UNITE")

In

MARKET & SOCIAL RESEARCH INDUSTRY

Preamble

The market & social research industry is highly casualised and easily out-sourced. Many workers subsist on low hourly earnings with short and insecure shift times.

The NUW has campaigned for and won a collective agreement for the industry. However, many of our gains are put at risk through the mobility of capital. The NUW can no longer organise market & social research workers while ignoring the globalisation of capital. Many of the companies the NUW deal with in the industry have now established New Zealand as their primary operations site as the average hourly wages are now approximately half the Australian rate.

Unite has a strong record of campaigning for casual workers, particularly in the fast food industry. Some of the workers who used to work in fast food restaurants in high school are now moving into call centres. Unite has the capacity and commitment to organise workers in the market & social research industry in New Zealand.

The NUW and Unite have decided to cooperate to form a united front in organising workers in the market & social research industry. To this end the common goal will be the negotiation of binding and enforceable union agreements with the market & social research industry in Australia and NZ. This foundational document contains some of the steps and measures necessary to make this common goal achievable.

Objectives of the Compact

1. Each union recognises that an employer attack on the rights of work of any union's members should be treated as if it is an attack on their own membership. Such attacks may include efforts by an employer to deny workers the right to join a union. The NUW and Unite will work and campaign together to ensure employers in both Australia and New Zealand respect the right of their workers to organise and collectively bargain.
2. Each union, responding to the democratic demands of the membership, will struggle together for the common improvement in wages and conditions.
3. Each union recognises the importance of taking wages out of competition as the first means to create secure, decent employment in Australian and NZ. This objective will be pursued jointly through a coordinated bargaining campaign in the industry.
4. Each union will seek to involve all the members and activists, and to encourage its members and activists to interact, organise and campaign together. To assist this objective delegates and activists at

sites of common and/or related employers, with the consent of the persons concerned, will exchange contact details to allow for grassroots networking and co-ordination at common and/or related sites.

5. Each union will also seek to ensure communication across the market & social research industry at every level of the respective unions. In particular, each union shall nominate one or more organisers to liaise and network with each other on a regular basis.
6. The NUW and Unite will actively encourage unions from other countries to join this alliance for the market & social research industry. To this end, each union undertakes to contact union peak bodies from others countries in order to establish close working relationships with eligible unions.
7. Each union will work together to oppose the outsourcing of work. The constant threat of outsourcing leads to insecurity and anxiety for the workers. Where outsourcing has already taken place the dignity and rights of the workers should be respected. To this end, one of the key claims each will make of employers, will be for the recognition and enforcement of a charter of rights for workers in the industry as follows:

Charter of Employment Rights

1. Good Faith Performance

Every worker and every employer has the right to have their agreed terms of employment performed by them in good faith. They have an obligation to co-operate with each other and ensure a "fair go all round".

2. Work with Dignity

Recognising that labour is not a mere commodity, workers have the right to be accorded dignity at work, and to experience the dignity of work. This includes being:

- Treated with respect
- Recognised and valued for the work, managerial or business functions they perform
- Provided with opportunities for skill enhancement and career progression
- Protected from bullying, harassment and unwarranted surveillance.

3. Freedom from Discrimination and Harassment

Workers have the right to enjoy a workplace that is free of discrimination or harassment based on:

- Race, colour, descent, national, social or ethnic origin
- Sex, gender identity or sexual orientation
- Age
- Physical or mental disability
- Marital status
- Family or career responsibilities
- Pregnancy, potential pregnancy or breastfeeding
- Religion or religious belief
- Political opinion
- Irrelevant criminal record
- Union membership or participation in union activities or other collective industrial activity
- Membership of an employer organisation or participation in the activities of such a body
- Personal association with someone possessing one or more of these attributes

4. A Safe and Healthy Workplace

Every worker has the right to a safe and healthy working environment. Every employer has the right to expect that workers will co-operate with, and assist, their employer to provide a safe working environment.

5. Workplace Democracy

Employers have the right to responsibly manage their business.

Workers have the right to express their views to their employer and have those views duly considered in good faith.

Workers have the right to participate in the making of decisions that have significant implications for themselves or their workplace.

6. Union Membership and Representation

Workers have the right to form and join a trade union for the protection of their occupation, social and economic interests.

Workers have the right to require their union to perform and observe its rules, and to have the activities of their union conducted free from employer and governmental interference.

Every worker has the right to be represented by their union in the workplace.

7. Protection from Unfair Dismissal

Every worker has the right to security of employment and to be protected against unfair, capricious or arbitrary dismissal without a valid reason related to the worker's performance or conduct or the operational requirements of the enterprise affecting that worker.

8. Fair Minimum Standards

Every worker is entitled to the protection of minimum standards through a collectively bargained agreement, which provides for a decent wage and just conditions of work, including safe and family-friendly working hours.

9. Fairness and Balance in Industrial Bargaining

Workers have the right to bargain collectively through the representative of their choosing.

Workers, workers' representatives and employers have the obligation to conduct any such bargaining in good faith.

Subject to compliance with their obligation to bargain in good faith, workers have the right to take industrial action.

10. Effective Dispute Resolution


Workers and employers have the right and the obligation to participate in dispute resolution processes in good faith, and, where appropriate, to access an independent tribunal to resolve a grievance or enforce a remedy.

The right to an effective remedy for workers includes the power for workers' representatives to visit and inspect workplace, obtain relevant information and provide representation.



MATT McCARTEN
GENERAL SECRETARY
UNITE

Date: 4 August 2008



CHARLIE DONNELLY
NATIONAL SECRETARY
NUW

Date: 1/9/08