Rediscovering Collective Bargaining
Australia’s Fair Work Act in International Perspective

Edited by Breen Creighton and Anthony Forsyth
Contents

List of Figures vii
List of Tables ix
Preface xi

1 Rediscovering Collective Bargaining 1
BREEN CREIGHTON AND ANTHONY FORSYTH

2 Collective Bargaining and Agreement Making in Australia: Evolution of the Legislative Framework and Practice 21
PETER GAHAN AND ANDREAS PEKAREK

3 International Labour Standards and Collective Bargaining under the Fair Work Act 2009 46
BREEN CREIGHTON

4 The Role of Fair Work Australia in Facilitating Collective Bargaining 68
RICHARD NAUGHTON

AMANDA COULTHARD

6 The Relationship between Protected Industrial Action, Recognition and Bargaining in Good Faith under the Fair Work Act 2009 114
SHAE MCCRYSTAL
Contents

7 Getting to the Table? Fair Work, Unions and Collective Bargaining 135
RAE COOPER AND BRADON ELLEM

8 Industrial Conflict with Awards, Choices and Fairness 159
DAVID PEETZ

9 Government as Industrial Relations Role Model: Promotion of Collective Bargaining and Workplace Cooperation by Non-Legislative Mechanisms 182
JOHN HOWE

10 Comparing Purposes and Concepts in United States and Australian Collective Bargaining Law 203
ANTHONY FORSYTH

11 Recognition in Respect of Bargaining in the United Kingdom: Collective Autonomy and Political Neutrality in Context 225
ALAN BOGG AND TONIA NOVITZ

12 The Canadian Conception of Collective Representation and Bargaining 246
SARA SLINN

JOHN LOGAN

14 Collective Bargaining and Good Faith Obligations in New Zealand 290
PAM NUTTALL

List of Contributors 313
Bibliography 317
Index 337