Lambropoulos, Victoria 2010, Environmental sustainability (or green clauses?) and workplace agreements at universities, *in informa: Green Universities Conference Proceedings* [Melbourne, Vic.].

Available from Deakin Research Online: [http://hdl.handle.net/10536/DRO/DU:30029903](http://hdl.handle.net/10536/DRO/DU:30029903)

Reproduced with the kind permission of the copyright owner.

**Copyright:** 2010, Informa Australia
Sustainable Workplaces

What is industry doing in Australia?

> How are they adjusting workplaces and workplace practices?

  - Examples of workplaces implementing sustainable workplace practices in an effort to reduce carbon footprint
  - Enterprise bargaining claims

Examples of workplaces implementing sustainable workplace practices in an effort to reduce carbon footprint:

- ILO – sustainable development unit
- Copper Refinery Chile
- Joint management-union initiative
- United Kingdom
  - Invested in capital forget about employees
  - Human capital

Labour / HR Instruments

- Human Resource/ Company Policies and Manuals
- Enterprise Agreements
- Common Law
  - Unregistered agreements
- Will focus today on 'permitted matters' in enterprise agreements

Enterprise Agreements

Permitted Matters – s172(1)

> Matters pertaining to relationship between employees and employer – s172(1)(a)

Permitted Matters – s172(1) FWA

> Matters pertaining to relationship between employer and employee, s172(1)(a)
> Direct/ Indirect dichotomy
  - Environmental issues and content in enterprise agreements
  - Final Senate Report
  - DEEWR submission
Enterprise Agreements

- Comments in AIRC decisions relating to environmental efficiency clauses.
- Local government context:

Enterprise Agreements

- Matters which pertain to relationship between employer and employee organisation – s172(1)(a) (for an agreement term to fall within paragraph 172(1)(b), the term needs to relate to the employee organisation’s legitimate role in representing the employees to be covered by the agreement — EM [675].

Trade Unions’ legitimate role

- Traditional role further industrial interests of their members.
- Has always lobbied for wider social change including environment.
- Green bans and BLF deregistration case:
  - Trade union cannot act as a town planning authority.

Trade Unions’ legitimate role

- s172(1)(b) wider in its ambit then s172(1)(a)?
  - Can consultation clauses on a wider list of issues be negotiated under this clause?
    - Business decisions — production, investment, product development.
    - Investment in green technologies, sound environmental practices and materials.
    - Change products that are environmentally sound.

Closing Remarks

- Human element in the process to change Employee involvement.
- Will labour law hinder this or evolve?