



## Interest-based bargaining: A better way to bargain

Enterprise bargaining in Australia typically involves a transactional process where a union issues an employer with a log of claims and the employer returning serve with its response, which is followed by adversarial, concessional bargaining until an end point is reached.

In many cases, this transactional process creates collateral damage and a deterioration in relationships which can take years to overcome.

However, unlike most business transactions where the value is in the transaction, in the workplace the real value is derived from the quality of the ongoing relationship, and the shared commitment to success

- more than \$15 billion in coal chain infrastructure and other works completed ahead of schedule, and under budget, with no lost time due to industrial disputes and an exemplary safety record;
- significant productivity gains in the power Industry, including a reduction in industrial disputation;
- transformation of a local Council to an 'Employer of Choice'; and
- Innovative solutions to difficult issues.

So much so, the "Hunter Model" has been taken up by the FWC as the foundation of its "New Directions" initiative.

## Recent success

Interest Based processes have been used with great success in recent times across a range of industries both in the private sector and public sector, including in:

- Construction;
- Local Government,
- Electricity; and
- Banking and Finance.

Organisations who have adopted interest-based bargaining have also received broader recognition in national and industry awards, including accolades such as:

- Project of the Year;
- WorkCover NSW Leadership in Safety Award; and
- Leadership and Management Excellence and Employer of Choice.

## About ABLA

Australian Business Lawyers Advisors (ABLA) is an incorporated legal practice owned by Business NSW (formerly NSW Business Chamber).

Our workplace relations practice provides a full suite of legal services, training, publications and seminars as well as wider employee relations and leading industrial relations capabilities.

Our workplace relations practice has a proven track record of excellent service delivery and the highest levels of expertise.

We are a unique firm in the Australian legal landscape, in that our workplace practice oversees all of the Business NSW's industry-level industrial relations activity from a strategic level and we act for and represent their federally registered organisation under the Fair Work Act. We appear for over

