Part 1: The Development and Benefits of a Collaborative Model

A Case study of Aruma and the ASU

Mark Bray & Johanna Macneil

Authors affiliations

Mark Bray, Emeritus Professor, Newcastle Business School, University of Newcastle and Honorary Professor, Graduate School of Business & Law, RMIT University

Johanna Macneil, Dean of Management and Professor of People, Organisation and Work, School of Management, RMIT University

Contents

Part 1: The Development and Benefits of a Collaborative Model. A case study of Aruma and the ASU

This is a case study of a workplace that that has used a collaborative approach since 2014. This case study has been split into 2 parts. Part 1 of this case study examines how this collaborative partnership developed, and the enduring benefits is has brought to all stakeholders.

1. Introduction

Aruma is a large, not-for-profit service provider in the disability sector. It was known as House with No Steps (HWNS) until its 2018 merger with the Tipping Foundation produced its new name in July 2019. Throughout this case study, only the current name (ie Aruma) will be used. Aruma was one of the early 'success stories' of the Fair Work Commission's Cooperative Workplaces Program (formerly known as the New Approaches program), having worked since 2014 in a collaborative partnership with the Australian Services Union (ASU), which represents most of its workers in New South Wales, and The Services Union (TSU), which represents its workers in Queensland. More remarkably, this collaborative relationship became unusually deep and enduring – it was still going strong in mid-2020.

Part 1 of this case study describes the process by which this unusually cooperative relationship was established and developed between 2014 and 2020. In particular, it explores the key moments and mechanisms through which cooperation worked. During this period, the collaborative model helped Aruma to negotiate a successful course through an unpredictable and ever-changing environment.
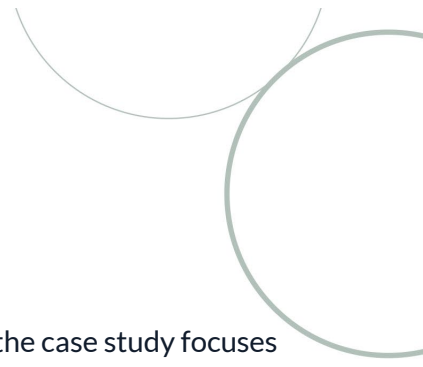
Part 1 also explores the benefits cooperation delivered to all parties.[1] Part 2 of the case study focuses on explaining why cooperation took hold at Aruma and how it subsequently endured.

2. The cooperative transformation and its on-going progress

Until 2013, Aruma conducted its employment relations in a fairly traditional adversarial fashion. The CEO characterised relations as management 'avoiding' the union as much as possible and keeping them at 'arms-length', and occasionally descending into 'adversarial moments'. The ASU Secretary agreed, describing the 'traditional' relations as a series of 'ups and downs'.

These relations, however, became spectacularly more hostile in a major industrial dispute in late 2013 over an organisational restructure in the Sydney area and associated redundancies. The dispute was referred to the Fair Work Commission (FWC) under s739 of the Fair Work Act 2009 (the FW Act), and the Member appointed to deal with it was Deputy President Anna Booth. She worked with the parties through conventional means to resolve the dispute, but the sides recognised its dramatic – if not traumatic – impacts, and it became a turning point in relationships.

2.1 Initial consultations

After resolution of the dispute, DP Booth suggested to the parties that they might consider a different, more cooperative way of working with each other. Both sides accepted the invitation.

The transformation to cooperation at Aruma began with a series of meetings in 2014 involving relatively small numbers of senior managers and union representatives (see FWC 2014/15 Annual report, p. 38), focusing on why greater cooperation was a good idea and on understanding the principles of an interest-based approach. These meetings were facilitated by DP Booth. These meetings resulted in commitment to continue exploring greater cooperation, but there was considerable caution on both sides, as one union official explained:

---

[1] The explanation developed in this case study draws on the thoughts and words of 15 interviewees (7 managers, 7 union representatives and one tribunal member), which revealed remarkably similar patterns. They have been organised by the researchers and presented under various headings in order to develop coherent themes.

"… it seemed like a golden opportunity to have conversations that had never provided fruitful outcomes before. But… it felt not only unfamiliar but a little, I don't want to say cynical, it felt contrived in the beginning because… there was not a great deal of trust from either side, nor necessarily any belief that it would produce the priorities of each side coming together."

The union also insisted on some conditions or "thresholds", the key one being:

"We're [the union] not going to have a collaborative relationship if we can't be recognised as the legitimate representative of the workforce and independent of control of the employer."

The CEO agreed with the union's conditions. Indeed, he was reported as saying: "I'm quite happy to recognise that workers should have an independent voice. That's the role the Union's got to play." However, such a commitment was "challenging" for some managers and the CEO was emphatic that there needed to be widespread support within the organisation. The ASU secretary reciprocated:

"… we both [the CEO and I] said it sounded okay to us, but the only way we could see it happening and working was if both of our teams [were onboard] – and by teams I mean, for us, it was the whole membership of the Union – so all the workers."

2.2 An 'early win': developing a new rostering system during 2015

The next step in testing the nascent cooperative approach was to take on a specific issue using the jointly-agreed cooperative processes; this issue chosen was rostering.[2] The CEO recognised its importance:

"One of the hot issues we will always have is rostering, [because] rosters can make or break the quality of life for support workers… [Around the beginning of the transformation] rosters were causing the most noise in the system, in terms of employee unrest. So we worked very productively and jointly with the ASU on defining a whole new policy and practice around how we roster staff."

---

[2] The collaborative development of new rostering rules at Aruma was presented by its senior HR manager and the ASU Assistant Secretary as a case study of workplace change using interest-based processes at a FWC lecture in May 2017 (see FWC 2017, 56:40 – 1:11:20)

Like many of the problem-solving exercises that followed, rostering reforms began with discussions in senior leadership forums. These led to the joint authorship of draft documents focused on 'rostering principals' and 'rostering guidelines', which had to be implemented at local level. These drafts were then sent for discussion at a series of regional meetings. This process was especially important, according to the union secretary, because the old way of doing things excluded employee input:

> " [Rostering] was quite acrimonious in a lot of areas at the time. When you break down what was underlying it all, for workers, it was a lack of influence over their rosters. So, they'd be getting these rosters that just came out of a magic machine and controlled their lives, and they had no ability to influence things... And managers were wanting to hold on to the managerial prerogative of it, as opposed to seeing that there is an even more valuable role, which is facilitating the discussions that lead to the work being performed well... So, the principles about how rosters would be done at a local level, to ensure everyone got to have a say."

The consultation process over the rostering system ended up taking many months, but the parties considered the time well spent. A senior manager, for example, saw it as "a very good piece of work... which provides benefits for the employees, HR and management in terms of having …. clarity around who does what and the process", while a union official considered the new rostering arrangements as "sector-leading". Aruma was seen to benefit because the new rostering policies and practices were widely accepted, thereby reducing unrest over a key issue, and effective in operation. Employees were given input into determining their hours of work, which allowed them to manage their lives better. Moreover, as a union official observed, the broad-based participation in the consultation process also produced an 'early win' for the management-union relationship:

> "That was a really good threshold starting point of the relationship because I think workers could see something tangible coming from it that met their interests as well as the company interests as well as the customer interest. … Rostering is a pretty fundamental part of Disability Services for everyone."

The positive outcomes of the rostering exercise resulted in Aruma and the ASU participating in a video produced for the FWC's 2014/15 Annual Report (FWC 2015), which was released in October 2015.[3]

---

[3] See FWC 2015.

2.3 Further consultation and skill building during 2016

During 2016, the parties invested much time and energy in a comprehensive series of meetings with managers, employees and union representatives at workplaces around NSW and Queensland. Every meeting was attended by the CEO and union officials, and facilitated by DP Booth. The purpose of these meetings was twofold: to introduce local managers, employees and delegates to cooperative processes; and to explore their views about future cooperation. The result, the union secretary stated, was "overwhelming support from the workforce", while managers also swung behind the plan, albeit with pockets of opposition. A senior HR manager later reflected on the value of these early and wide consultations:

> "All those conversations and those workshops we had with DP Booth were the key moments for me... It was the 'aha' moments for managers, and trying to reset the culture and the mindsets of some of those managers and representatives of the union. ... It meant that we could be more open and honest, upfront, in discussions with the union, whereas in the past it was keep your cards way close to your chest and only expose them when the proverbial hit the fan."

An important part of establishing the support for cooperation was the role of the FWC. For example, one HR manager argued that delegates and staff were both impressed and motivated by DP Booth's participation:

> "That was the big thing for me... people would see that we were serious about it and that the organisation really wanted to have that connection and have that positive relationship. Her coming along... just reinforced that, which was good."

Between 2016 and 2019, the collaborative model deepened without the need for deep involvement by the FWC. There were four key mechanisms of cooperation:

- regular meetings of senior leaders from management and union

- more informal relationships between managers and union representatives

- policy development and problem-solving initiatives with broader participation, and

- local problem-solving and individual grievances.

2.4 Regular senior leadership meetings

The early small-group meetings of managers and officials turned in 2015 into regular (quarterly) national 'senior leadership' meetings, attended by senior managers, union officials and a small number of delegates but without the regular involvement of the FWC. As a senior manager observed, these meetings became genuinely open and strategic exchanges between management and union leaders, aimed at finding common ground:

> "… the organisation sharing its strategic plan, its budget performance, next year's budget… identifying major issues where we thought there could be some like kind of alignment. The ASU and TSU also shared their policy, plans and platforms in quite an expansive way – again to identify areas where we could come together."

When describing the success of these senior leadership meetings, union officials focused on several elements, which they also applied to the collaborative relationship as a whole. First, they reflected Aruma's leadership philosophy, which one union official described as "not ideological" and committed to "democratic participation" and "independent" employee representation by unions. Second, and consistent with this, these meetings facilitated exchanges that were two-way (in that they discussed issues raised by both managers and workers/unions) and that flowed up and down the hierarchies of both the organisations. Third, the meetings dealt with issues proactively, rather than waiting to respond reactively to problems that had already emerged. Finally, the meetings increasingly reflected the maturity of the relationships between managers and unions/delegates, especially in that they only rarely required the assistance of the FWC.

2.5 Informal relationships between managers and union representatives

Unusually, the senior leadership meetings were the only formal structure in the new collaborative arrangements, and they were by no means the most important. Indeed, many considered the highly informal way in which issues were discussed (both proactively and reactively) between managers and union representatives more significant than the operation of formal structures. As a senior HR manager put it:

> "We ring each other or if something lands that I think the union should know about, I'll go to [the union official] straight away. And likewise, she'll say, 'hey, I've heard on the grapevine: this is

happening – can you explore a little bit for me?' or 'heads up – we're going to meet with members' or 'this is what's happening'. There is no formal structure around it.

Several union representatives agreed, echoing the union secretary's view that informality as one of the great early developments:

> "The thing that changed too was that we got off the emails and formal letter correspondence and it was pick up the phone, have a conversation with someone, which had never happened before."

A different union official gave this example of these informal processes in practice:

> "We've got these kind of shortcuts, where HR – this is a real example – will ring me and say, 'We've had some feedback that there's a dissent happening in [region]. There's a Facebook post that people are commenting on. What's going on?' I'll ring my delegate, say, 'blah, blah, blah, what's going on'? I'll get the lowdown of it in a really quick way and then I can take that back de-identified to the HR manager. And we can both determine then who needs to tell who to pull their head in without any formal processes wasting everybody's time."

2.6 Policy development and implementation with broader participation

One of the most remarkable aspects of the collaborative relationships at Aruma is that local managers, delegates and workers are included in enterprise-wide policy development and problem- solving initiatives. These episodes did not involve standing consultative arrangements, but rather focused on specific projects or problems. One union official, for example, saw the "very extensive and ongoing discussion with the workforce" as having "made Aruma stand out in my eyes". These discussions have, according to one manager, addressed a wide range of issues from the "big picture" to the relatively small things, like the "the day-to-day nitty gritty of staffing, rostering, ER stuff".

The first example of the "big picture" issues was organisational restructuring in 2017, called "Fit for Purpose". This began in late 2016, when a senior leadership meeting discussed the challenges created for the viability of organisation by the new NDIS funding arrangements. A "core working committee" comprising managers, union officials and delegates explored the issue in early 2017, and it subsequently became the subject of a series of consultations about how to fix this serious problem. Unusually, Aruma managers left the regional consultations in February-May 2017 to be conducted by the union, without managers being present. As the CEO put it:

"It was increasingly apparent that the funding paid to providers under the NDIS would not support… our current management model. So, we… used the interest-based approach to work through with the ASU/TSU across New South Wales and Queensland, what the problem was and what the options were. They [the union] led a consultation process. We did other things with staff as well, to define a new operating model that was more likely to fit within the NDIS funding envelope, and was the best possible for staff."

The beauty of the collaborative process used to develop the new organisational structure, from a union perspective, was that "we were involved at a much, much earlier stage, and our members got to shape a lot of [the changes]". The same union official acknowledged that such an approach carried significant risks for both managers and union officials, but the resulting joint decision-making was worth it.

After the extensive consultations, in October 2017 the parties announced a new organisational structure, which dealt better with the new external funding arrangements. The union was then involved in implementation and a formal review process, which further modified the structure to suit local circumstances. It was a source of pride for all parties. A senior manager, for example, later saw this restructuring exercise as:

"… probably the best example of where the fruits of our labour paid off. All that relationship-building, trust-building, change of language, change of mindset training finally paid off because that restructure went through really smoothly."

A second example of collaborative policy making involves sector-wide issues. Employers and unions in many industries find themselves sharing concerns over the prosperity of their industry, but the partnership at Aruma allowed both sides to discuss these issues more deeply and collaborate in voicing their concerns. There are three specific instances that deserve mention.

First, the ASU (along with many other unions) mounted a campaign for family and domestic violence leave. A union official reported that Aruma and the union and "worked together" on it, with Aruma becoming "the first national disability service to provide paid family and domestic violence leave". This was an innovation the union was able to use to expand its application elsewhere.

Second, during 2017 and 2018, the ASU initiated a campaign for a portable training entitlement for workers in the disability sector. According to a union official, Aruma "not only endorsed, but publicly campaigned and lobbied for it to happen". The ASU Secretary argued that the reason was that

"cooperation has grown to such an extent over the years that it goes beyond what we're dealing with just in the Aruma workplace, but actually to the overall sector and… the profession."

The third, and most recent, example was during the COVID crisis and involved the issue of an additional allowance for workers caring for disabled people with the virus. Aruma not only agreed to pay the allowance to its own employees, but it joined the union in advocating the allowance sector-wide (Campanella and Hermant 2020).

Even some managers who were not great supporters of collaboration saw sector-wide benefits from working with the union through joint lobbying of the government for better wages and the pursuit of other providers who did not meet minimum standards.

2.7 Local problem-solving and individual disputes

The capacity of the collaborative partnership at Aruma to deal more effectively with local-level problems and individual grievances is one area where the evidence is more contested. On the one hand, senior managers and union officials saw the collaboration extending, through the many training workshops, to lower-level managers and union delegates. In particular, the workshops allowed the CEO to advocate the collaborative model to local managers. A union official concluded:

> "In retrospect, that has probably been one of the most powerful and successful parts of the whole relationship because it has meant that it's really distilled fully down in the company's management structures."

According to this official, this allowed local union representatives to quickly (and often informally) solve local problems:

> "[The] ability for delegates and our organiser to just raise and get things dealt with or addressed cooperatively at a local level, is far greater at Aruma. And, the willingness and capacity of middle managers and regional managers to… pick up the phone when the delegate or the union calls and work in good faith to solve the problem … – to go to an informal problem solving step as opposed to a formal conflict-based step – is a big difference."

On the other hand, there was some disagreement. Some managers and union delegates had either not received the training or did not accept the cooperative principles. A line manager, for example, observed

that the involvement of the union in individual matters (like performance management) varied considerably:

> "I've found, it really depends on the rep (sic) that they have in many cases. Some would be quite prescriptive and quite aggressive in their manner, very much setting up an environment where it's the bosses and the worker. Where others will be very measured and listen. And I think when we have that mutual respect in place that they're able to give the person who's asked them to be their advocate sound advice."

Some managers who were not enamoured with the union also complained about the how some employees denied managers the opportunity to resolve disputes easily by going straight to the union rather than discussing issues first with managers. Others pointed to delays in resolving individual issues resulting from the union's mandatory involvement.

3. The outcomes

The benefits flowing from the collaborative relationship between Aruma management and the ASU/TSU are significant. One universally-recognised benefit was the new capacity to resolve disputes without the acrimony associated with the 2013 dispute. Indeed, many pointed out with some satisfaction that Aruma had not had one dispute go to the FWC since the beginning of the cooperative transformation. As a senior HR manager put it:

> "There's been no disputes. … Even at a lower level of the organisation, … we have very few unfair dismissals or anything … Industrial relations, employee relations – there's always ER issues, it's just the nature of the organisation – but they just don't tend to be escalated."

One union official recognised this benefit by contrasting it with the alternative of conflict:

> "There's a limit to how negative you can be in a relentless way. People do want to actually enjoy their work and be happy at work. From a union perspective too, it's exhausting for us just to have a relentlessly defensive, negative attack message. It wears people down. The company, they wear themselves down as well and just feel constantly on guard and everything's done in secret and everything's imposed on people and there's always a fallout cost to that transaction."

As a different HR manager pointed out, this end of entrenched conflict brought very positive changes for everyone:

> "… the outcome is that it's much easier for us to do our jobs and it's much easier to find solutions to things. It's not a battle. From a mental health perspective, I think the HR team are not feeling pressured or combative all the time. It makes a difference to the work environment."

3.1 Management

From management's point of view, collaboration had a range of benefits. The CEO, for example, considered a great advantage of the partnership to be the way the union was able to provide better **employee voice** than could be provided without the union:

> "… there is huge value for us in hearing the voice of our workforce through the ASU and its delegate system, as a really important complement to hearing the voice of the workforce through the more traditional employer things, like surveys and workshops… people tend to tell their union delegates more than they might tell their boss, for whatever reason, and so we said see it's really valuable and constructive feedback."

Relatedly, a HR manager believed collaboration allowed managers to **better understand their workers**:

> "I think it's opened us up to … understand our workforce. Back in 2013, god, we were in shock; I was in shock that the workforce was so upset, that the workforce was so aggrieved by what we were proposing. They were feeling like we hadn't consulted… [N]ow I feel like, as part of this, it's helped us to understand our workforce better, consult appropriately, allow space and time for those conversations to be had; allow people to be part of the decision-making and the forming and the shaping of our organisation. That's a major outcome…"

A union official put this same point another way when she explained the importance of employees exercising voice through a union, even in organisations like Aruma with good managers:

> "… historically or stereotypically, even really good managers who say, 'oh my door's always open, you can always approach me', are blind to the fact that that just isn't always true, that people are not going to take that opportunity. There are reasons that people don't want to go to their awesome manager or HR and spill their guts… It's really rare for [HR managers and other career

managers] to hear from someone who does work that the HR manager doesn't do – but purports to care about... It lifts the scales from their eyes and allows them to realise the complexity, but also the shared opportunity, that these discussions can have, if we get over ourselves."

Better communication through joint consultation mechanisms, according to the CEO, also allowed **small problems to remain small**:

"... as you get a more and more trust-based relationship, it gives you more elasticity and forgiveness in the relationship, [because] we periodically screw up... Little things that could have escalated into big things before we knew it, get worked out... [Also] the trust-based relationship we've built at a more senior level over a number of years, and of the ongoing commitment to interest-based approaches, [mean] we can sort those things out when they do escalate, rather than them being a catalyst to fall back into the old adversarial approach."

From management's point of view, one of the most important outcomes was the ability to more effectively **introduce workplace change** that met external imperatives. Managers pointed to the organisational rostering and restructures changes discussed above (see sections 2.2 and 2.6) as prime examples of effective workplace change in a rapidly changing external environment. A senior HR manager said, Aruma "could have lost millions easily if we'd got ... one of those organisation-design pieces wrong" and that "we could have lost our reputation in the marketplace". But they succeeded:

"We don't [assess the benefits] in any kind of quantitative way... but we'll talk about the quality of the decisions that have been made, the robustness of them... they tend to stick, so there's reduced reworking."

This is a common theme – change at Aruma is sometimes a little slower, because of the extensive consultation that takes place, but it is better in many ways. The union secretary, for example, argued that Aruma was better able than other service providers to deal with the big changes in the external environment: "... the NDIS has reaped a lot of turmoil on other organisations of similar size and nature to Aruma, but it hasn't at Aruma." The reason, she said, was that unlike other providers, Aruma enjoyed "deep buy-in" from workers.

Another union official illustrated this by contrasting change processes at Aruma with those at their competitors:

"I see big restructures happening in the sector for the same rationale – around NDIS prices and external forces – that happen very differently to [the Aruma experience]. I see them often happening in a shorter timeframe, but with a lot more pain…"

The more common situation, which he called the "traditional HR approach", typically involved managers presenting the union with a letter, which said:

"'We are announcing a massive thing tomorrow to all of our staff. We understand you may have members. You can come if you want. We'll tell you then what it is.' If we [the union] are lucky, we'll get sent another letter with a picture of current structure, new structure, implementing it in a fortnight, consultations starts now…".

Typically, the union then files a dispute with the FWC, which may or may not fix the immediate problem. However, the union official went on to highlight the negative consequences of this traditional approach:

"It generally leaves people with a really bitter taste in their mouths. You've got a lot of workers that have left feeling that they have not been treated well and disrespected. Workers that are staying are fearful of what's coming next, and it breeds a really nasty and toxic culture. Obviously, it just fosters a very adversarial relationship with us, being the independent voice of the workers at that organisation."

In contrast, the more consultative approach at Aruma and the input of the union creates "buy-in". One manager, for example, argued that an advantage of the collaborative approach is:

"Buy-in from the support workers that change has to happen… When they see that unions are supporting the organisation to make the changes… if the union is helping us, then we must make this happen… [they have an] understanding that we are working together."

Similarly, a different manager argued that many workers – but not all – are more willing to accept change if the union approves it:

"If they can see that, yes, the union is on board, then yes, they may have a more positive response to the changes happening… It does add that weight to it in terms of, well okay, the change is happening at Aruma, the ASU say that it's okay, then alright, well it must be alright that this is happening."

3.2 Workers

From the workers' point of view, many considered the collaborative arrangements made Aruma a better place to work.[4] According to a senior HR manager, this is because Aruma is a good employer:

> "Aruma is held up as the best employer in the sector. They talk about, in the NDIS world: 'you can take the high road of payment, staff training, careers … or the low road, casualisation…'. Aruma takes the high road."

The ASU secretary largely agreed. She argued that Aruma has continued to provide more secure jobs and more training than other service providers, despite the impacts of the NDIS:

> "… at Aruma they go, 'Well, we're only funded for this much, but we want it to be a whole job for a person. We want it to be secure job, where we can. So, how can [we] organise [and] work collaboratively'. To do that means people have more secure jobs at Aruma than other organisations. Aruma still provides training to their staff. Now, they'll say that their training is less than what they used to provide, and I agree… That's because of the NDIS, but pretty much every other organisation has just wiped it out, and there's none at all."

Similarly, TSU representatives in Queensland argued that Aruma's comparative advantage (as an employer) lay not so much in wages but rather conditions:

> "… they were always good at training and educating their staff… It's nothing exciting or out there in terms of big money, but they are so much better than everyone else". Similarly: "… wages would be the same at other places. However, I would say that some of the conditions are a lot better at Aruma than you would find at other places."

Particularly important in terms of job security has been the greater use at Aruma of permanent part-time employment (rather than casual) and longer guaranteed hours, which provides workers with the opportunity to reduce multiple jobs. Relatedly, unlike other service providers, Aruma gives workers input into rosters. The ASU secretary argued that this, along with the other issues mentioned above, means less incentive for workers to leave:

---

[4] It must be acknowledged that this research relies on data provided by management and the union, rather than workers themselves.

"I suspect that… turnover at Aruma is significantly lower than it is at other disability providers, where it is obscenely high, because of things like the NDIS, and because of a command and control approach …"

She argued further that these positive outcomes for workers were "only possible because of this collaborative approach, where we're solving the problems together."

3.3 Union

The first positive advantage for the ASU is **the benefits it brings their members**; as the ASU secretary said, "Unions are in the business of trying to make sure that members have decent, dignified, secure jobs, so those are some of the things Aruma's been able to do that others haven't."

The achievement of these benefits has come, union officials argue, from the recognition within Aruma of the union as the "legitimate" and independent voice for workers.

"We [the union] are not treated as though we're external. We're treated as though we're an independent voice of workers, as opposed to, 'we are an organisation and that includes management and employees', and then there's this Union that's a third-party up there."

As a "legitimate partner" with management, this has meant that the union is guaranteed **access to workers and to decision-making processes**. One example, observed the union secretary, is access to team meetings:

"… the Union were allowed to go to team meetings. Instead of having to try and organise everything through a central HR function or the union issuing right of entry [requests], … we ended up with an agreement that management will be informed the Union is welcome. They're welcome to come and talk for half an hour at a team meeting. That means that they're invited in."

Union officials in NSW and Queensland saw this as linked to the development of **strong workplace representation**:

"There's having a very strong and independent delegate networking group and they are supported in their roles. All of the delegates at Aruma do get access to paid training, to be

trained in the delegate role and attend delegate conferences and business like that. There's a respect for that independent voice at a local level."

A union delegate agreed, arguing that the support for the union has benefited Aruma as well as workers:

"There is a level of understanding where the organisation is happy for their staff to be involved at union activities…, so the organisation knows where the union is coming from. And I think they have seen that what the union is doing is benefiting the organisation. It is (sic) certainly making it a better place to work…"

The union has also benefited through **increased union membership**. The ASU secretary, for example, reported that membership in NSW had "grown fourfold" since the beginning of the collaborative relationship. The increase in Queensland was smaller, but still reported as significant. This increased membership, argued one union official, allows the devotion of greater union resources to members at Aruma:

"[Collaboration] is a big resource commitment, but it's worth it in the sense that members get such a great outcome and we do have very high membership there, so that's where the resourcing comes from. We have a dedicated organiser for all of the [Aruma] members. Basically, what we've tried to set up is a system whereby we have an organiser who supports our members [and] delegates. She does that by regularly visiting workplaces when staff come together for staff meetings, and supporting delegates to be elected where they're not, and for delegates to come together regionally, based on the regional structures that exist within the company."

The union also benefits from the support on **sector-wide matters** from Aruma management. For example, the early adoption of domestic violence leave at Aruma helped the union to spread similar provisions to other disability service providers:

"At the time, [Aruma] became the first national disability provider in the country to provide paid domestic violence leave, which was very important for our members at the organisation, but also for the campaign nationally, and for the industry to actually have the largest or one of the largest disability providers saying, 'Well actually, we're doing it'. It was quite useful for us, and since then others have followed."

In another example, when discussing the ASU's 2018 industry-wide campaign about portable training entitlements, the ASU secretary acknowledged the support of Aruma management:

> "That was something we've developed with our members across the whole industry, but Aruma delegates have been involved in that and been supported to be involved in that by Aruma. ... But Aruma has essentially gone, 'We recognise that's a Union thing that you're doing, and we'll support it because we think it's right and it's good, and we'll engage and support our delegates to engage in that'. I guess, the reason I say that is, the cooperation has grown to such an extent over the years that it goes beyond what we're dealing with just in the Aruma workplace, but actually in the overall sector and the work and the profession."

4. Conclusion

The long-standing collaborative relationships between Aruma managers and officials/delegates of the ASU/TSU began in 2014 as a joint attempt to avoid the costs of hostility manifest in a nasty industrial dispute the previous year. Cooperation expanded and deepened over subsequent years and was still going strong in mid-2020. This case study has described some of the key moments and supportive mechanisms in this story: the tentative conversations in the early months; the 'early win' through the development of a new rostering system; the extensive consultation and training provided about how to cooperate; the regular meetings between senior leaders on both the management and unions sides; the importance of informal relationships; the widespread involvement of workers and union representatives in the development and implementation of organisational structures and policies; and the collaborative solving of local problems and individual disputes.

The support and guidance of the FWC was central to this story. The same Commission Member, DP Booth, was present from the beginning. She brought the parties together, mentored leaders, facilitated meetings at various levels of the organisations; and trained groups in cooperative techniques. After 2016, the Commission's involvement was far less direct and frequent: the parties continued to work together by themselves, with only modest "maintenance" interventions from the Commission. As one participant put it, "the relationship has developed and evolved where we can kind of look after ourselves and get on pretty well. It's very mature".

The benefits of the more collaborative relationships at Aruma flowed to all parties. In particular, however, they allowed Aruma to grow and adjust to a rapidly changing external environment (in the

form of the NDIS) in ways that met management objectives, treated workers well and satisfied union needs for a more secure place in the employment relations regime.

5. References

Bray, M. & Macneil, J. (2015). *Facilitating Productive Workplace Cooperation: A Case Study of Sydney Water and the ASU Water Division*. Fair Work Commission. Available at: https://www.fwc.gov.au/disputes-at-work/new-approaches/new-approaches-case-studies

Bray, M., Macneil, J. & Stewart, A. (2017). *Cooperation at Work: How Tribunals Can Help to Transform Workplaces*. Federation Press.

Bray, M., Spiess, L. & Macneil, J. (2017). *Collaborative Change at the Melbourne Print Centre: A Case Study of News Corp Australia and the AMWU Printing Division*. Fair Work Commission, Melbourne. https://www.fwc.gov.au/disputes-at-work/new-approaches/new-approaches-case-studies.

Bray, M., Stewart, A. & Macneil, J. (2018). Bargaining, Cooperation and "New Approaches" under the Fair Work Act. In S. McCrystal, B. Creighton, A. Forsyth (Eds), *Collective Bargaining under the Fair Work Act: Evaluating the Australian Experiment in Enterprise Bargaining* (pp. 93-116). Federation Press.

Campanella, N. and Hermant, N. (2020). 'Disability workers caring for suspected coronavirus patients ask for pay rise', *ABC News*, 27 May. https://www.abc.net.au/news/2020-05-27/disability-workers-caring-for-coronavirus-patients-want-pay-rise/12286278.

Fair Work Commission. (2015) *Annual Report 2014-15*. https://www.fwc.gov.au/documents/documents/annual_reports/ar2015/fwc-ar-2015-web.pdf.

Macneil, J. & Bray, M. (2015). *Aiming for Collaborative Transformation: A Case Study of Orora Fibre Packaging and the AMWU Printing Division*. Fair Work Commission. https://www.fwc.gov.au/disputes-at-work/new-approaches/new-approaches-case-studies.

National Disability Services (2013). *NDS Submission on the National Disability Insurance Scheme Bill 2012*. http://www.nds.org.au/asset/view_document/979321439.

Productivity Commission (2011). Disability Care and Support: Overview and Recommendations. *Productivity Commission Inquiry Report*. http://www.pc.gov.au/inquiries/completed/disability-support/report.

Walsh & Johnson (2013). Policy Forum: Development and Principles of the National Disability Insurance Scheme. *The Australian Economic Review, 46*(3), p.327-37.