



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



**HOUSE OF REPRESENTATIVES**

**PROOF**

**GRIEVANCE DEBATE**

**Workplace Relations**

**SPEECH**

**Monday, 19 September 2011**

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

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## SPEECH

**Date** Monday, 19 September 2011  
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**Questioner**  
**Speaker** Ms RISHWORTH

**Source** House  
**Proof** Yes  
**Responder**  
**Question No.**

(Kingston) (NaN.NaN pm)

Ms RISHWORTH (Kingston) (21 : 48): I rise today to talk about a matter of importance to my electorate, workplace fairness. Fairness in the workplace is a core value of the Labor Party. This Labor government believe strongly in ensuring that all Australians have the right to the benefits of work, but we also believe that people should be paid fairly for this work and that they should have entitlements such as lunch breaks and tea breaks.

In 2007 Labor was elected with a mandate from the Australian people to abolish the previous Liberal government's industrial relations policies, which were hurting workers not only in my electorate but right around Australia. I am proud to say that we kept that promise and dismantled the grossly unfair industrial relations system that took away the basic safety net that had existed for almost a century. You would have thought that the Liberal Party would take a clear message from the Australian people at that election, but it seems they have not listened. Instead, Tony Abbott is committed to continuing to pursue radical industrial relations policies that Australian workers have already rejected.

Over the past few weeks we have seen the Leader of the Opposition starting to signal that he wants a return to Work Choices. He sent out his shadow minister for employment and workplace relations and got him to call for a renewed debate on workplace reform, a move that has received support from Liberal members of this parliament. We have the shadow Treasurer touting the importance of increased flexibility for workers and for employers. We all know what that means—flexibility for employers. And we have seen the Leader of the Opposition reminiscing about Work Choices and condemning the Labor government for its workplace reforms that have taken, as he said, 'the pendulum from one side and swung it right back to the other side.'

With the leader of the coalition preaching about greater freedom for employers and Liberal Party members like the member for Mayo talking about increased workplace flexibility, I think it is important that we establish exactly what the coalition mean when they talk about flexibility. They mean a return to Work Choices, perhaps under another name. The Leader of the Opposition made a promise to the Australian

people that Work Choices was 'dead, buried and cremated' and now we have front-row seats as he tries to weasel his way out of this promise and resurrect an industrial relations framework that left ordinary Australians unprotected and ultimately worse off.

Let us be clear about what the Howard government's Work Choices policy meant for ordinary hardworking Australian families. Work Choices meant less money for Australian workers and it meant increased pressures on household budgets for Australian families. The Australian workplace agreements that were at the crux of Howard government workplace reforms stripped away basic conditions and dramatically reduced job security. Workers lost penalty rates for weekend work, shiftwork and overtime and they lost the right to protection from unfair dismissal. Under Work Choices, studies have shown that casual and part-time sales assistants lost an average 12 per cent of earnings. We also now know that Work Choices was especially bad for women workers. Female workers on AWAs took home on average \$87.40 per week less than male workers.

The statistics speak for themselves when it comes to the impact of Work Choices: 64 per cent of AWAs cut annual leave loading, 63 per cent cut penalty rates, 52 per cent cut shiftwork loadings, 51 per cent cut overtime loadings, 46 per cent cut public holiday pay, 40 per cent cut rest breaks, 36 per cent cut declared public holidays and 22 per cent provided workers with no pay increase, some for up to five years.

As someone who was personally affected by the former Liberal government's first wave of individual contracts, I know too well the impact of these regressive policies on some of our most vulnerable workers. As a young, 19-year-old employee of a large retail company I was presented with a 'take-it-or-leave-it' AWA. When I decided I did not want to sign this individual contract and tried to negotiate it to what the ad had said, the company indicated that I did not have to sign, but I would not receive a wage increase until it was signed. As a result, I was faced with an ultimatum that, either way, meant an erosion of my working conditions.

I am proud to be part of a Labor government that abolished Work Choices and replaced it with a new industrial relations system that returns fairness to

Australian workplaces. It was this Labor government that brought an end to the AWA individual contracts that stripped away the pay and conditions of Australian workers. It was this Labor government that established Fair Work Australia as the independent umpire to help employees and employers resolve workplace disputes. And it was this Labor government that provided a fair minimum safety net for Australian employees comprising 10 national employment standards and a modern award system. We introduced the new no-disadvantage test to make sure collective workplace agreements left workers better off. This side of the House restored protection from unfair dismissal to 2.8 million Australians and now seven million employees are eligible for unfair dismissal compared with just 4.2 million under Work Choices. This Labor government's strong record on workplace relations demonstrates our commitment to ensuring all Australians have the opportunity to benefit from fair employment. This is a record that stands in stark contrast to that of the coalition.

In a desperate attempt to make a case for a return to Work Choices, the coalition has suggested that this Labor government's industrial relations reforms are to blame for Australia's stalling productivity. We have seen that stalling productivity in this country for over a decade. It is simply not the case that Work Choices was a panacea to improve productivity. In fact we know that after the introduction of Work Choices, rather than an increase in Australia's productivity as one might expect, productivity continued to stall. Addressing our nation's productivity is a challenge that this government is taking very seriously. Unlike those opposite, we believe it is a more complex issue than just cutting wages and conditions. This Labor government has a strong agenda to increase our nation's productivity by reforming our vocational education and training system to equip Australians with the skills they need to get high-skilled, high-wage jobs. We are investing in innovation through a system to help Australians take ideas to market, and we are investing in the infrastructure critical to traditional economic infrastructure such as roads, rail and ports but also investing in infrastructure for the 21st century through high-speed broadband.

The opposition continues to underestimate the impact that high-speed broadband will have on this nation's productivity. In fact, I think the Leader of the Opposition called it the 'entertainment revolution'. I have to say that that just shows how out of touch this opposition leader is. It is ICT, the ability to get fast, high-speed broadband, that will significantly revolutionise and improve our productivity. The Leader of the Opposition's great vision for the future of Australia is to join a race to the bottom of low-skilled, low-wage countries. The opposition seems to

think that sending Australian workers home with less money in their back pockets and without penalty rates, leave loading and public holiday pay is somehow going to make workers more productive.

Unfortunately the Liberal Party cannot come up with new policies that look to the future, but rely on their good old favourite ideological hobby horse that has never really been about productivity. At the same time, we will talk about productivity; we will look at how we can better this country and improve our nation for the future. Unfortunately, recent calls from senior members of the Liberal Party to re-evaluate industrial relations policy and to increase flexibility for employers is really just bringing back the worst aspects of Work Choices.

It is a furphy—and I hope, Mr Deputy Speaker, that that is parliamentary—to say that the new Fair Work Act does not allow for flexibility. Indeed, there is significant flexibility available under the Fair Work Act. Agreement making at an enterprise level is at the heart of this new system. We know that enterprise bargaining, unlike AWAs, does promote flexibility and efficiency. It is through genuine enterprise bargaining that we have seen the kinds of productivity gains that are essential to improving our nation's economic performance.

The Liberal Party might have an agenda to return to a rebranded Work Choices under the guise of improving productivity, but this will not happen under the Gillard Labor government. I would like to put on record that the Fair Work Australia Act is working well, with continued decreases in industrial disputes, record levels of agreement making and contained wages growth. To be honest, if the opposition does want to throw this act out the window—an act which is working well, that is actually doing a good job in delivering for both employers and employees—then they will have to answer for that. (*Time expired*)

Question agreed to.

**Main Committee adjourned at 21:58**