

## SPEECH

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<b>Questioner</b>	<b>Responder</b>
<b>Speaker</b> Coleman, David MP	<b>Question No.</b>

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**Mr COLEMAN** (Banks) (15:32): by leave—I rise to speak on report No. 6 of the Parliamentary Joint Committee on Human Rights and specifically on the dissenting report that relates to the Fair Work Legislation Amendment (Secure Jobs, Better Pay) Bill 2022. The majority report takes at face value the government's assertions about the impact of the bill, particularly its impact on human rights. This in a sense highlights some of the limitations of the human rights law analysis process, because it is inherently subjective. The analysis of this particular bill is highly subjective. There are three points I want to make about that.

First, as advised to the committee back in 2015, under human rights law there is a right to an adequate standard of living. Nations are not meant to unjustifiably take any backward steps that might affect living standards. As you can see, what might have a negative effect on living standards is quite subjective. The government says obviously that this bill will have a positive effect on living standards; we say it will have a negative effect on living standards. It's not something that a human rights committee can definitively determine one way or the other, because it's inherently subjective.

In our view the bill will result in declining living standards, due to the impact of multi-employer bargaining. The likely increase in industrial action as a consequence of this bill will lead to loss of productivity in the economy and reduced investments by business, which in turn will put downward pressure on employment and wages growth, directly having a negative impact on the standard of living.

Similarly, the committee was advised in 2015 that, under human rights law, nations shouldn't take steps which will unjustifiably take any backward steps that might affect the right to work. Our view is that this bill will have just that effect because it's plain that the legislation will lead to increased industrial action that will flow into reduced economic activity and, consequently, employment, meaning that there will be less employment as a consequence of this bill.

Finally, under human rights law, legislation is not meant to discriminate on the basis of geography. This law contains a particular provision where businesses can be brought into the operation of this law based on their location under the common interest test. That means that two small businesses in different parts of Australia will be treated quite differently depending purely on where they're located, which is inconsistent with international human rights law. There are at least three aspects of this bill which are, in fact, negative from a human rights law perspective. That is different to the majority opinion report, and that is why we provide this dissenting report.