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IR policy war erupts after Liberal leak

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EXCLUSIVE

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Watering down unfair dismissal protections, replacing the better off overall test for pay deals, increasing scope for individual flexibility arrangements, and reducing award coverage to workers earning under six figures could be part of the Coalition's new industrial relations policy, leaked documents reveal.

The Australian can reveal that opposition employment spokeswoman Michaelia Cash wrote to NSW Liberal Party state director Richard Shields on May 8, praising workplace policy proposals endorsed by the Liberal state council as including "several good ideas that align strongly with the Coalition's approach".

Mr Shields had sent Senator Cash a copy of the proposals that include replacing the better off overall test with a no disadvantage test; simplifying the unfair dismissal provisions; awards no longer applying to workers earning more than \$99,612 annually; and increased scope for individual flexibility arrangements to be

negotiated prior to the start of employment and included as part of the employment contract.

In her letter, obtained by The Australian, Senator Cash told Mr Shields that it was "very important that we (the Coalition) reverse the Albanese government's legislative changes on small and family businesses, and create an industrial relations framework built on co-operation between employers and employees, rather than conflict".

Senator Cash said she "sincerely" appreciated the suggestions by the NSW Liberal Party's industrial relations policy branch, "which includes several good ideas that align strongly with the Coalition's approach to industrial relations".

The Australian sought com-

ment from Senator Cash on Wednesday, asking whether the proposals were under consideration by the federal Coalition; which proposals she believed were "good ideas that align strongly with the Coalition's approach to industrial relations"; and whether she could specifically rule any of them out.

In a statement, Senator Cash said: "Unlike the Albanese government, which has legislated to

benefit its union donors to the detriment of all others, the Coalition is focused on ensuring we have a flexible industrial relations system focused on increasing productivity and reducing red tape, particularly for small and family businesses. Specific policy proposals will be released prior to the election."

Workplace Relations Minister, Tony Burke said the leaked documents "lay bare the Liberal Party's radical plan to cut wages and rip away workers' rights".

"Peter Dutton and Michaelia Cash have already announced they will reverse the changes our government has made to give workers more secure jobs and better pay," he said, referring to a Coalition pledge to scrap the right to disconnect laws and reverse casual employment changes.

"This secret blueprint shows what they're planning to do next: strip away award protections, scrap the BOOT, make it easier to sack workers and bring back WorkChoices-style individual contracts.

"Low wages have always been a deliberate design feature of Liberal Party policies - and these changes would deliver exactly that."

Under the state Liberal proposals, the BOOT would be replaced by its predecessor, the no disadvantage test, which would assess the effect of an agreement on employees as a collective "rather than insisting every single employee be made better off".

Calling for unfair dismissal laws to be simplified, it says too

many "sound" dismissals were found to be unfair by the Fair Work Commission due to other factors being given weight such as procedural fairness and harshness

Under the proposal, the criteria for determining whether a dismissal was unfair would be amended so that the only question to be determined in cases of misconduct would be whether the employer had a valid reason.

Procedural fairness considerations would be applicable only in relation to performance-based dismissals.

The proposal says awards should be focused on protecting low and middle-income earners, and not apply to "high income earners". The cap should be set at the level of full-time average weekly earnings, currently \$99,216, and indexed annually.

The NSW policy says while the Fair Work Act provides for individual employers and employees to vary the effect of awards and enterprise agreements by consent, individual flexibility arrangements are "largely unworkable".

In her letter, Senator Cash says the Coalition's policy would be finalised in months and the opposition was particularly focused on ensuring it boosted productivity, encouraged greater workplace flexibility and ensured greater certainty for employers when hiring staff.

The documents 'lay bare the Liberal Party's radical plan to cut wages and rip away workers' rights'

TONY BURKE
WORKPLACE RELATIONS
MINISTER