

UNIONSWA

WA's PEAK UNION BODY

11 January 2012

Committee Secretary
Senate Education, Employment and Workplace
Relations Committees
PO Box 6100
Parliament House
CANBERRA ACT 2600

ABN 12 594 631 668 • Level 4, 445 Hay St PERTH
PO Box Z5380, St Georges Tce, PERTH WA 6831
Tel: +61 8 9328 7877 • Fax: +61 8 9328 8132
unionsyes@unionswa.com.au • www.unionswa.com.au

Dear Madam/Sir

Re: Inquiry into the *Fair Work Amendment (Textile, Clothing and Footwear Industry) Bill 2011*

UnionsWA is Western Australia's peak union body, representing over 30 affiliated unions and 150,000 union members. I am writing in support of the Textile, Clothing and Footwear Union of Australia's detailed submission to your current inquiry into amendments to the *Fair Work Act* aiming for better worker protections in the TCF industry. These protections are important for WA's TCF workers. Unlike other states, WA does not have deeming provisions for outworkers in its *Industrial Relations Act* ie deeming outworkers to be employees. WA also has no mandatory code of practice in the TCF industry.

While the current WA State Government has elected to retain a state based industrial relations system in the unincorporated private sector, it has nevertheless indicated that it wants to make WA Industrial Relations law more consistent with the *Fair Work Act*. Given this intention, it is vital that the *Fair Work Act* be strengthened as much as possible with regards to TCF worker protections. While the amendments will initially mainly impact WA TCF workers in the incorporated sections of the supply chain, they will have implications for workers in the unincorporated sections as well.

According to recent ABS figures the TCF workforce in WA is growing. In 2009-2010 WA had 3,151 people working in the formal sector of the textile, leather, clothing and footwear manufacturing industry. This is an increase from the 2,891 workers recorded in WA for 2006-2007. The number of people doing informal home-based work in the WA industry is harder to quantify. In 1995 the TCF union undertook research that found 15,000 clothing outworkers in WA. At that time there were 3,300 workers in the formal sector, suggesting a ratio of around four clothing outworkers for every one formal worker. This is consistent with the general conclusions of the union that at any given time there are between four and ten outworkers for every one formal worker in the clothing industry. As the formal sector has grown in WA there is no reason to think that the informal sector has not grown as well. The difficulties in determining an accurate number of outworkers demonstrate the necessity of the Amendment Bill including stronger transparency measures for the long and complex supply chains of the TCF industry.

A crucial aspect of increased transparency will be stronger right of entry provisions. Right of entry is a worker's right to access collective representation to pursue legitimate industrial interests. Whilst UnionsWA supports stronger right of entry provisions for all workers, we agree with the TCFUA that the particular difficulties of monitoring clothing outworker conditions should be recognised in the *Fair Work Act*.

Thank you for this opportunity to represent the views and concerns of WA union members. While there is insecure work and insecure workers in any industry, all workers are potentially at risk from the spread of exploitative practices. We hope that the Committee will retain and strengthen worker protections in the Amendment Bill. Please contact me on
if you wish to discuss this submission any
further.

Yours sincerely

Simone McGurk
Secretary