

SENATE EMPLOYMENT, WORKPLACE RELATIONS, SMALL BUSINESS AND EDUCATION LEGISLATION COMMITTEE

Consideration of Provisions

Workplace Relations Amendment (Australian Workplace Agreements Procedures) Bill 2000

Workplace Relations Amendment (Secret Ballots for Protected Action) Bill 2000

Workplace Relations Amendment (Tallies and Picnic Days) Bill 2000

Workplace Relations Amendment (Termination of Employment) Bill 2000

SEPTEMBER 2000

© Commonwealth of Australia 2000
ISSN 1441-9890
This document was produced from camera-ready copy prepared by the secretariat of the Senate Employment, Workplace Relations, Small Business and Education Legislation Committee. The report was printed by the Senate Printing Unit, Parliament House, Canberra.

MEMBERS OF THE COMMITTEE

<u>Chair</u> Senator John Tierney	(LP) NSW	Deputy Chair Senator Kim Carr	(ALP)) VIC
<u>Members</u>				
Senator Jacinta Collins	(ALP) VIC	Senator Jeannie Ferris	(LP)	SA
Senator Andrew Murray	(AD) WA	Senator George Brandis	(LP)	QLD

Substitute members

Senator Winston Crane (LP) WA to substitute for Senator George Brandis (LP) QLD for matters relating to Workplace Relations and Small Business.

Senator Andrew Murray (AD) WA to substitute for Senator Natasha Stott Despoja (AD) SA for matters relating to Workplace Relations and Small Business.

Participating members

Senator Eric Abetz	(LP) TAS	Senator Brian Gibson	(LP) TAS
Senator Lyn Allison	(AD) VIC	Senator Brian Harradine	(IND) TAS
Senator Ron Boswell	(NPA) QLD	Senator John Hogg	(ALP) QLD
Senator Bob Brown	(AG) TAS	Senator Steve Hutchins	(ALP) NSW
Senator Paul Calvert	(LP) TAS	Senator Susan Knowles	(LP) WA
Senator George Campbell	(ALP) NSW	Senator Philip Lightfoot	(LP) WA
Senator Grant Chapman	(LP) SA	Senator Joseph Ludwig	(ALP) QLD
Senator Helen Coonan	(LP) NSW	Senator Kate Lundy	(ALP) ACT
Senator Barney Cooney	(ALP) VIC	Senator Sue Mackay	(ALP) TAS
Senator Trish Crossin	(ALP) NT	Senator Brett Mason	(LP) QLD
Senator Rosemary Crowley	(ALP) SA	Senator Julian McGauran	(NPA) VIC
Senator Alan Eggleston	(LP) WA	Senator Kerry O'Brien	(ALP) TAS
Senator John Faulkner	(ALP) NSW	Senator Marise Payne	(LP) NSW
Senator Allan Ferguson	(LP) SA	Senator Chris Schacht	(ALP) SA
Senator Brenda Gibbs	(ALP) QLD	Senator John Watson	(LP) TAS

Secretariat

John Carter

Cheryl Skelton

Helen Winslade

 Address
 Phone
 (02) 6277 3520

 S1.61
 Fax
 (02) 6277 5706

 Parliament House
 E-mail
 eet.sen@aph.gov.au

CANBERRA ACT 2600 Website: www.aph.gov.au/senate/committee/eet_ctte

TABLE OF CONTENTS

MEMBERS OF THE COMMITTEE	iii
CHAPTER 1	1
Background to the legislation	1
Pragmatic means to principles ends	1
Provisions of the legislation	2
Conclusion	7
CHAPTER 2	9
Consideration of the issues	9
General comments	9
Evidence	9
Conclusions	16
Recommendation	17
LABOR SENATORS' REPORT	21
Pragmatic1	21
Workplace Relations Amendment (Termination of Employment) Bill 2000	22
Workplace Relations Amendment (Australian Workplace Agreements Procedures) Bill 2000	31
Workplace Relations Amendment (Secret Ballots for Protected Action) Bill 2000	38
Workplace Relations Amendment (Tallies and Union Picnic Days) Bill 2000	40
Conclusion	42
AUSTRALIAN DEMOCRATS SENATORS' REPORT	45

APPENDIX 1
List of Submissions
APPENDIX 2
Witnesses who appeared before the Committee at Public Hearings 4