

To: Senate Employment, Workplace Relations and Education
Legislation Committee

Email: eet.sen@aph.gov.au

Date: 4 November 2005

Topic: INQUIRY INTO THE WORKPLACE RELATIONS
AMENDMENT

(WORKCHOICES) BILL 2005

Submitter: Deidre Morrow, President

Organisation: Maybanke Association Inc -

Maybanke Accommodation Crisis and Support Service (MACCS)

(nee Redland Domestic Violence Service)

Authorised by: Management Committee via email.

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SUBMISSION

Our organization was established in 1994 and provides support to women and children affected by domestic violence. We make this submission in respect of our concern for the long term viability of organizations like ours under the proposed changes to IR laws.

Employees are currently paid under the Crisis, Accommodation, Support and Housing Award (CASH) (Qld) which is a federal award.

We understand that there is a transitional period retaining award entitlements and as a non constitutional corporation we may revert to the State Industrial Relations system after the transitional period (provided the State does not hand over its powers to the Federal government). However the risks of exploitation in the transitional arrangements are disconcerting and if it eventuates that we have to move to the Workchoices system we have some serious concerns.

We are concerned that whilst federal awards for non constitutional corporations will become transitional awards the AIRC will not have the power to enforce the conditions in the transitional awards opening the risk of pressure from some stakeholders and funding bodies on organizations to require employees to extend the span of working hours and workloads or make savings by reducing or removing entitlements such as rest breaks, and reclassifications of positions.

We are concerned that workers cannot feel confident they will have a choice over the form of agreement, or content of agreement they enter into. As an employer in a not for profit organisation that relies on funding from governments we have been able to avoid pressure from some stakeholders and funding bodies to enter into agreements that would include increased spread of hours and workloads for employees by relying on the standards in the current legislation and award.

There has been and continues to be significant pressure to deliver more services and extend access hours and this causes concern for burnout of employees and poor service delivery.

We are also concerned that there will be pressure from some stakeholders and funding bodies to reduce or eliminate the provision of penalties, overtime and allowances. It is inherent in the community sector that funding does not necessarily increase with wage increases or CPI increases without significant lobbying by the voluntary members of Management Committees who have relied on the requirement to meet their obligations under the award to gain increases. There will be little impetus to increase funding without these obligations. Organisations already rely on donations, membership fees and fundraising to provide for matters such as improvements to premises and service delivery. An increase in the reliance on donations, membership and fundraising to make for reasonable working conditions will be extremely burdensome on the voluntary members of the Management Committees and the community.

Finally we believe that workers will be concerned about loss of control over hours of work, and the impact on their families again due to pressure from some stakeholders and funding bodies. The consequences for our organisation are difficulty in retaining employees and attraction of quality employees. We envisage that quality employees will move to employers of over 100 employees, who have superior benefits in collective certified agreements.

As responsible service providers we believe that our clients deserve the services of the best employees we can attract. We desire the protection of employment conditions beyond the fair pay and conditions standards to ensure quality service provision against pressure from some stakeholders and funding bodies.

As a Management Committee, our refusal to some stakeholders and funding bodies to require workers to increase their hours and workloads, remove penalties, overtime and allowances will hold no weight without the protection of these conditions.

We sincerely believe that the long term consequences of these changes will mean Services are provided by the working poor and/or the demise of the Community Sector.

In addition our current Committee may not in good conscious be able to continue to support the organisation if it is forced to move to offering inferior working conditions and subsequent inferior service to clients.

Deidre Morrow
President
On behalf of the Management Committee
Maybanke Association Inc