

Submission

to

Senate Employment, Workplace Relations and Education
Legislation Committee

Inquiry into the Workplace Relations Amendment (WorkChoices) Bill 2005

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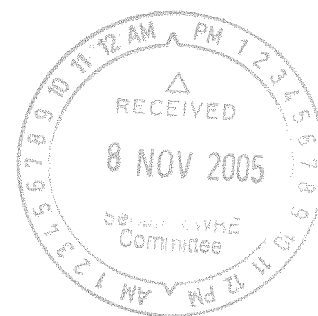
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Inquiry into WorkChoices – A New Workplace Relations System

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The Australian Young Christian Workers (AYCW) wish to raise our concerns that the Federal Government's WorkChoices package will fail to protect young workers, who are some of the most vulnerable workers in Australia.

The AYCW believes that all people have an inherent dignity and worth. Work should develop and enhance this sense of dignity because our work allows us to build positive relationships with those around us and to contribute to the advancement of society. Work helps us to develop a deep sense of our own true worth as well as providing for all our necessary material needs. Work and economic systems should therefore exist to serve the needs of people. Workers, as people, do not exist to serve the needs of "the economy." In the words of the YCW's founder, Joseph Cardijn, *"Every young worker is worth more than all the gold in the world."*

After analysing the Federal Government's proposed changes to the Industrial Relations System, the young workers of the AYCW believe that these proposals wrongly attempt to put profits before people.

According to the ABS (2001) there are 5,289,534 young people aged 15 - 34 years in Australia. This makes up 27.8% of Australia's total population. Within this age bracket there are 3,346,173 (63.3%) young people employed, 378,382 (7.2%) young people unemployed, and 1,383,577 (26.2%) not in the labour force. 181,402 (3.3%) of the youth population did not state their employment status at the time of the 2001 Census.

We are concerned that the 63.3% of young workers already employed and the potential 33.4% of young people attempting to enter the labour force will be in weak bargaining positions; there will be some with low skill levels, and others who will be forced to choose between bad conditions and total unemployment. As AYCW is a movement run for young workers by young workers, we call on the Government to change the proposals to protect the human needs of all workers around Australia and across the world.

We have enclosed a copy of the *An Economy for the People or A People for the Economy?* An analysis developed by the Australian Young Christian Workers on the proposed Industrial Relation changes and the impact these changes will have on young people. Please refer to this paper for further research.

Below is a recent collection of *real* young worker stories from the AYCW membership. These stories highlight young workers vulnerability and illustrate how more young workers will be placed in similar situations. *Please note names have been changed to maintain privacy and confidentiality. For further information please contact me on (08) 9422 7936.*

Jade, aged 29, Occupational Therapist, Perth, WA

Jade recently applied for an Occupational Therapist position with a community organisation on her return from a 5-year working trip in the UK. She was presented with an Australian Workplace Agreement (AWA) and was given 7 days to consider the contract. Jade felt under extreme pressure. Essentially, if she didn't accept the terms and conditions stated in the contract, the job offer would have been withdrawn, leaving Jade unemployed and dis-empowered. This story highlights the vulnerability experienced by young workers when forced to sign AWA's, even those who are educated and qualified.

Melanie, aged 19, Student and Front End Supervisor in Retail, Perth WA

Melanie, like most university students, works in a part time job to subsidize her studies. Melanie, as a part time front-end supervisor at a major Australian food store, has always worked regular hours on a Thursday evening and Saturdays. Without notice, the Monday to Friday full time staff were forced to work the Thursday evening and Saturday shifts on a rotating roster. This staff restructuring has had a huge impact on the stores work environment. Not only were Melanie's responsibilities and hours of work reduced, the full time staff often called in sick due to family responsibilities, leaving weekend shifts short staffed and creating unnecessary friction between workers.

Tom, aged 24, Unemployed, Parramatta, NSW

Tom returned from overseas a short time ago, he is unemployed and registered with Centrelink. He is searching for a job as a travel consultant. Tom was recently offered a job as a travel consultant earning a commission only. The condition was that he would receive \$50 for every airline ticket he sold. Tom was searching for permanent work, however, he was coerced to accept the position, as Centrelink deemed this as a reasonable job offer and would terminate his Centrelink payments if he did not accept the work. The proposed Industrial Relations changes include the reduction of minimum Award conditions creating more tentative work arrangements such as this commission-based job. This story highlights the fact that young people will be pressured into accepting temporary and precarious work as the only alternative to unemployment.

Jack, aged 21, Store Person Trainee, Kellyville, NSW

Jack has been working as a trainee store person employed by a group training company not directly by the organisation he is working for. During his time with this organisation he did not gain the full store person training and experience required as part of his traineeship. He was disappointed that he was left with the menial tasks that no one else wanted to do. However, Jack stuck out the traineeship as he recognised the importance of having this qualification to gain other work. During his traineeship, Jack requested annual leave from his employer to travel to the Philippines to visit a sick family member. By the same afternoon had been told that his services were no longer needed. No reason had been given. Jack is now waiting for the group training company to find him another placement so he can complete his traineeship. He may not be able to find another placement. This story demonstrates how a lack of employment protection endangers young people who have not done anything wrong.

Bob, Brisbane, QLD

Bob, a young refugee man from Afghanistan, approached a fruit and vegetable shop asking about a job. The owner asked him to turn up the next day at 3am. Bob showed up at 3am the next morning by taxi as there was no public transport available at that time of the morning. Bob asked what would he be paid and was told three dollars an hour. He worked for just over three hours and he realized that he would not receive enough money to cover his expenses of getting to work, so he asked for his pay and left. Bob was unaware of what the minimal rate of pay was for that position. This demonstrates how a few exploitative employers may take advantage of workers if the proposed Work Choice system is implemented.

Nick and Joe, Brisbane

Nick and Joe are two refugees who have only been in Australia for a month. They were offered a day's work at a building site. A friend drove them to the site, as they did not have enough money for other transport. They did not know what they were to be paid and did not know what the basic wage was. After working for four hours they asked about the rate of pay and they were informed that it was \$7.80 per hour. Nick and Joe also realized that this would not cover their basic expenses and asked for their money and caught the bus home.

Kyle, Brisbane, QLD

Kyle who has been in Australia for over twelve months on a Temporary Protection Visa has been employed in a cleaning business for most of this time. His employer was happy with his work. His visa was recently transferred to a 'Go Home Visa', which allowed him to access Centrelink benefits. As part of this process it was revealed to him that the firm only employed refugees and as a result, took the cost of the materials he used as part of his job out of his pay.

In light of these *real* young worker experiences coupled with the AYCW's primary belief that "*Every young worker is worth more than all the gold in the world.*" the Australian Young Christian Workers is asking the Federal Government to: -

- Meet with young people and listen to their *real* life experiences at work.
- Protect security of employment for all workers including access to affordable unfair dismissal laws.
- Ensure that all workers have a fair and equal bargaining position by protecting the ability of workers to collectively organise through strong and effective trade unions.
- Ensure that the minimum wage is set as a family living wage rather than a single adult wage.
- Protect the human rights of workers to have appropriate time for rest, leisure and family life by making breaks and holidays non-negotiable.
- Ensure that a culture is promoted where work and the economy are viewed as tools that can achieve the dignity of all people in our society, rather than a culture of people as tools for economic advancement.
- Hold another more extensive, comprehensive, open and public Senate Inquiry that listens to community concerns about the proposals.

The Australian YCW is one of the only organisations giving a voice to young workers who have been targeted by those in society who believe that the exploitation of young workers is an acceptable price for "economic advances". Please seriously consider this submission as part of the Inquiry into Work Choices – A New Workplace Relations System on behalf of all Australian young workers.

Yours sincerely,

Sara Kane
National Secretary
Australian Young Christian Workers

An Economy for the People or A People for the Economy?

Australian Young Christian Workers Industrial Relations Analysis

OVERVIEW

The Australian YCW

The Australian Young Christian Workers Movement (AYCW) is a movement that educates, represents, and provides services for young adults. It is autonomously run by, for, and with young workers.

It is our goal is that each young worker should be able to live and work in dignified conditions and be able to find value and meaning in their work. It is also our goal that each young worker be able to assume responsibility for finding solutions to their situations at the local, national, and international levels, in order to create a better world for all young workers. We believe that a worker is any person who uses their mind or body to take hold of the world around us, to use it productively or to make it useable for society. Thus when we speak of workers we are not limiting ourselves to only paid employees but also unemployed workers, voluntary or unpaid workers, university students, those workers in further training, and anyone else who fits this definition.

The Current Situation

At Australia's Federal Election in October 2004 the Liberal/National Party Coalition Government was returned to power. It also gained a majority of one vote in the Senate. No government has had control of the Senate since the Fraser Government in 1981. Following the election outcome the Federal Government has proposed changes to the Workplace Relations Act 1996. In practice, this will mean reforming the system that is currently in place to regulate Workplace Relations (also referred to as Industrial Relations). There are five major areas of change outlined by the Government in their proposed system. This system will be known as 'Work Choices: A New Workplace Relations System'.

This Analysis

Through this analysis, the AYCW seeks to examine the debate regarding the proposed Industrial Relations changes using the YCW's traditional method of the *Review of Life and Worker Action* (ROLWA). This method will allow the changes to be examined and evaluated through the stages of *See, Judge and Act*.

Young workers around Australia have identified that there is a lack of unbiased information available to them. By providing this thorough analysis the AYCW wishes to provide young workers with the appropriate information needed to make an informed and educated choice about the proposals. It also wishes to raise the concerns of young people for wider public debate.

SEE

What exactly is happening?

The Federal Government believes that it is essential to both review and reform the Australian labour market. They believe that this is necessary in order to sustain Australia's economic expansion and build on the recent improvements in Australia's productivity performance.

The Federal Government believes that:

“over the last decade, there has been significant legislative reform of the workplace relations system – to make the primary focus of the system agreement making at the workplace. However, the workplace relations system is still complex and further improvements are needed to make the system simpler, accessible and more effective. Australia needs a more flexible labour market to maximize economic growth and employment opportunities and to maintain and improve Australians' standard of living in an increasingly globalised economy.”

The Federal Government plans to do this by introducing a new workplace relations system. The planned changes include:

- Moving towards establishing one national system;
- Establishing an “Australian Fair Pay Commission” to set the minimum wage;
- Inserting minimum conditions in legislation for the first time;
- Introducing the “Australian Fair Pay and Conditions Standard” made up of the minimum conditions of employees;
- Simplifying the agreement making process at the workplace level;
- Providing a minimum award protection for those not covered by agreements;
- Maintaining a role, for the Australian Industrial Relations Commission (AIRC) with the AIRC holding fewer powers than it currently does;
- Remove unfair dismissal laws for businesses with less than 100 employees.

Why is this happening?

The Australian Chamber of Commerce and Industry (ACCI) is one pressure group that has lobbied the government for several years asking for changes such as those proposed. They believe that these reforms will create a simpler, fairer workplace relations system that will genuinely balance the interests of both employers and employees alike.

In November 2002 the ACCI launched a preferred outline for the future of Industrial Relations in Australia. Titled “*Modern Workplace: Modern Future – A Blueprint for the Australian Workplace Relations System 2002 – 2010*” the blueprint called for the government to ensure that agreements at the workplace level would become the main regulation of the employee-employer relationship.

The ACCI and other business organisation have argued that reforming the Industrial Relations system will lead to more jobs, a higher standard of living and a better future for all Australians. They have lobbied the government to change the Industrial Relations system to promote:

- Higher productivity
- More workplace agreements
- Costs of employment being “better linked to workplace standards”

- “More flexible” employment options
- Business confidence to employ more staff
- Less employment regulation
- Quicker settlement of disputes

The Federal Government is now acting on the lobbying of business and employer groups. They agree that by promoting these conditions, the overall standards of most Australians will increase. In the past 9 years this Government has tried several times to introduce some changes to the Industrial Relations system. Since 1996 the attempted changes have been blocked several times by the Senate. However, the current position of the Federal Government (where they have a majority in the Senate) allows them to introduce any changes that they see fit, including totally restructuring the Industrial Relations system to introduce the measures called for by business representatives.

What will this do to people?

At a recent *Review of Life and Worker Action (ROLWA) Gathering*, young workers from around Australia raised a number of issues and concerns about the proposed Industrial Relations reforms. Some of these include:

- That the implementation of the Industrial Relations reforms may cause a lack of security, support and generate confusion.
- That the gaps between rich and poor in our society would widen, creating greater inequality.
- That people will become more competitive and more focused on materialism. A division amongst workers will be forced because workers will need to negotiate their own wages and conditions in competition with other workers.
- That this increased competition will potentially cause workers to be overworked, and have less time for holidays, and family time.
- That people without skills or experience will have less power to negotiate an individual contract, leaving many young people vulnerable to exploitation.

Another issue that has been raised, both by young workers and in the public debate, is that it appears that as wages and conditions will depend on the bargaining power of those individual employees involved in negotiation, the proposed changes have vastly different impacts on different workers. Those who are in higher positions in the workforce, those with large amounts of experience, and those with high skill levels will be able to take advantage of their better bargaining position. However many workers do not have a large base of skills or experience and these workers will have less strength in a negotiating situation. In many cases young people are particularly vulnerable who are usually inexperienced at work, have a low level of skills, and are in fragile financial positions.

Who else is affected?

The young workers at this ROLWA Gathering also identified that others were indirectly affected by the proposals. Those identified include:

- Families and children of workers.
- Global workers who are in competition with Australian workers.

- Developing countries that wish to model their economies on post-industrialised nations such as Australia.

Social, Political, Economic, Cultural (SPEC) Impact of the Proposed Reforms

SOCIAL:

Workplaces are a place where young workers meet and mix with other workers. Work brings out a real sense of identity, fulfilment and status as well as providing a wage. In our society work forms the basis of our dignity and worth because work is the foundation of our relationship with others in the community.

The Australian YCW has found that young workers involved in casual work often have a casual attitude to the importance of their work in society and the importance of the relationships that they build at work. This is caused by the lack of commitment that employee and employer make to each other. There is a grave danger that the proposed changes will extend this problem throughout the workforce. If young workers know they have no access to unfair dismissal laws then they are less likely to develop strong workplace culture and commitment, they are less likely to find their identity in their work, and they are less likely to discover the true dignity and worth that their work should provide them.

With this in mind we need to be conscious that any reforms ensure that the worker and her fundamental needs are always considered paramount, over and above the sum of his or her labour.

POLITICAL:

There are aspects of the proposed changes that appear to be mainly about gaining political and ideological advantage. There are measures outlined that include severely limiting the right to strike and the right of entry for union representatives. These measures will reduce the ability of unions to represent their members and if workers are not gaining anything from their unions less people will join a union and become active in the union movement.

By reducing both the income and effectiveness of unions, the Liberal/National Coalition Government will affect the financial base of the Australian Council of Trade Unions (ACTU) and the Australian Labor Party (the opposition). By doing so, the current government will be able to lessen opposition to its political policies and increase their dominance of Australian federal politics.

Furthermore, politics is not just about parliament but it is also about the power balance held in our society. It is important that any proposed changes do not attempt to increase the power of employers at the expense of workers. Australia's society and economy has traditionally been about ensuring that there is a "Fair Go" for all, that the interests of employers are balanced against the interests of employees, and also that the those employees with low levels of skills and experience are balanced against those who are highly skilled and experienced. The proposals put forward by the Federal Government do not necessarily protect this idea of the "Fair Go." It is important that the creation of this type of political advantage within our society is recognised and discussed by all Australians.

ECONOMIC:

One of the Government's main justifications for their proposals is that the changes are needed to advance the economy and create lower unemployment. They have said that removing the protections on workers' rights and lowering their wage levels will provide jobs for more people and lift them out of poverty.

In particular the government has said that when setting minimum wages, "the new Fair Pay Commission will need to have regard to... The capacity for the unemployed and low paid to obtain and remain in employment." However, there is inconclusive international evidence that the lowering of wage levels has a significant effect on employment levels. International estimates are that a 10% drop in minimum wages could affect unemployment by anywhere between 0% and 5%. In the national debate over the economic benefits of these proposals it is important that Australians are aware that the government has not been able to produce proof that their changes will in fact lower unemployment. People also need to ask whether there is enough benefit to people being employed when the jobs they are given will not allow them to provide properly for themselves and/or their families.

It also needs to be recognised that there are definitely winners and losers under the proposals. The Prime Minister has stated that workers will be able to move workplaces to gain better conditions because our economy is now a "workers market" because of a skills shortage. However only those who are highly skilled will be able to take advantage of this situation. Workers who are in low skilled jobs will not gain the benefits of the skills shortage because they do not hold the skills that are in high demand. It is important that the Industrial Relations system used in this country takes into account the needs of all workers (employed and unemployed) and not just those that are benefited by certain situations. It is also important that Australians take a long term view of the effects of these proposals. Simply because there might be a "workers' market" now does not mean that this will exist forever. The protections of the current system are most needed when the economy isn't going well and it is vital to consider how the changes will affect the most vulnerable workers in our society when the economy reaches its next negative phase.

Part of ensuring that this occurs is looking at whether our economic system, including our industrial relations system, provides adequate opportunities for permanent work for all. This includes ensuring that the "working poor" are not forced into a succession of low paid, low skilled, short-term jobs that are their only alternative to unemployment. The government's current proposals do not attempt to ensure this and it will be these workers who bear the brunt of the negative impact caused by the changes. It is particularly concerning to the AYCW that there are many young people who fall into this category of trying to balance unemployment with low skilled short-term jobs.

CULTURAL:

Australia increasingly has a culture that promotes individualism and a lack of community. Studies have demonstrated that the alienation of young people from their families and communities not only affects their immediate information but is also closely correlated to the deterioration of their physical and mental health.

There are genuine concerns that the proposed changes will contribute further to a lack of community. They will increase the pressure on people, especially young workers, to be increasingly individualistic and compete against each other. They will take away the time and

energy needed to develop strong and supportive families which are the basic unit for our community and our society.

However in order for young workers to be valued as unique, irreplaceable, dignified and equal we must place the emphasis on building positive communities in our homes, families, workplaces and our wider society. The debate about these proposed changes must take into account the surrounding cultural values that are being encouraged or discouraged. The emphasis regarding work should move from money to meaning so that Australian culture does not become totally dominated by materialism and forget the importance and dignity of those people around us.

JUDGE

What do we think about these changes?

*“The workers rights cannot be doomed to be the mere result of economic systems aimed at maximising profits. The thing that must shape the whole economy is respect for the workers rights within each country and all through the world’s economy”
Laborem Exercens #17*

The YCW believes in the unquestionable dignity of every human being and that this dignity is discovered and developed through work. Work is dignified because through our work we are able to use our mind and body to take control of the world around us, to transform it, and to make it useable for society. Work gives us a chance to unite with God and with all the workers of the world to serve each other and improve the reality of all human beings.

When we talk about the dignity of work we are saying that work helps us develop an identity; it gives us a useful role in society; and it allows us to build positive relationships with those around us, as well as developing a deep sense of our own worth.

The AYCW draws on the Social Teachings of the Catholic Church as a guideline for our opinion on work, we also look to the Universal Declaration of Human Rights as well as our own history as a movement which has fought to ensure that the dignity of every worker is protected and supported. Using these guides, the AYCW is extremely concerned that the proposed changes will not properly value the dignity of workers, and that the most vulnerable people in our society, including young workers, will be the ones forced to pay for the economic advances of a few powerful people in our society.

The YCW, together with the Catholic Church believes that there is a priority of labour over capital. This core belief of the YCW was best explained in the words of our founder, Joseph Cardijn, when he said that, “Every young worker is worth more than all the gold in the world.”

In keeping with this, the economy should be seen as a tool for developing the living standards of all people so that everyone in society feels these improvements. The focus of changes to the Industrial Relations system needs to ensure that the economy is not developed at the expense of the people that it should be serving. This idea is reflected in Pope John Paul II’s teaching about work in “Laborem Exercens” (On Human Work):

“Work is a principal means by which humankind seek their personal fulfilment and make their contribution to the common good. Thus there is a natural priority of labour

over capital. Simply expressed, work exists for the person, not the person for the work. It follows that human work cannot be treated as a resource or as a commodity to be traded in like any other commodity...Every family has the right to sufficient income through work. Workers have the right to just minimum wages and to just and safe working conditions." Laborem Exercens #12

The Australian YCW is firstly concerned about the minimum wage being set according to the needs of a single adult. There has been a general emphasis in Industrial Relations in Australia for almost 100 years that the minimum wage should be set according to the living costs of a family. The reason for this emphasis on the family's cost of living has been the importance of protecting and enhancing the family.

As we have analysed above, there has been a breakdown of "the family" in our society. There is often not enough support available in our families and communities in order to successfully develop the dignity and worth we see in each other and the YCW is working to correct this. The "Living Wage," based on a family, has been a foundation of Australia's Industrial Relations system because as a nation we have recognised that we need to support and build families because they are the basic unit of our society. Without them our society would not work. As a movement of young workers the AYCW believes that it is vital to build strong families that can teach and support us throughout our lives.

However, if the wages that are paid to our workers do not allow them to provide financial support and human dignity to their partners and children the family will collapse totally. This is particularly of concern to young people that are looking to start families now and in the near future; those who have young families that they must provide for; and those who have, or will soon have, elderly family that they must support. It is young people who must build the families that tomorrow's society is based on. It is a basic need and a basic right that a worker can provide a dignified existence for their dependents. In fact it is so vital that it is included in the Universal Declaration of Human Rights:

"Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment; Everyone, without any discrimination, has the right to equal pay for equal work; Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection; Everyone has the right to form and to join trade unions for the protection of his interests." UNDHR Article 23

Further, the AYCW believes that there needs to be security of employment for all workers. This security allows workers to develop proper relationships in their workplaces and find an identity in the work that they do. Because of this we are concerned about the lack of security in employment when there is no protection against unfair dismissal for almost 4 million Australian workers.

The AYCW also believe that the Government proposals do not provide proper protection for workers' right to rest and leisure. Those workers in a poor bargaining position may be forced into trading their entitlements to holidays and meal breaks in order to get more pay. These aspects of the proposals take away the time that workers can spend with family and friends, and time that they can spend on themselves. Without respecting these needs, there is no point to increasing wages because work will not be providing workers and their families with human dignity. The

AYCW feels that this aspect of the changes is inconsistent with Article 24 of the Universal Declaration of Human Rights:

"Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay." UNDHR Article 24

Of course the AYCW is particularly concerned about the impact of these changes on young people. Because of their age young workers often have little workplace experience, low levels of skills and very limited knowledge of their rights and responsibilities. Therefore young workers generally have a weak bargaining position and are amongst some of the most vulnerable workers in a deregulated labour market. These problems will only be increased by the Government's changes. The majority of young workers will find it extremely difficult to negotiate successfully with employers who are in the position where they can sack them without protection.

This situation reinforces the need for strong and active trade unions in the workplace. Unions were formed because the strength of the workers bargaining together could balance the power of the employer. Unions will be needed to fulfil this role under the proposals, especially in relation to young workers and others with a weak bargaining position. Therefore, the AYCW is worried that the limits that will be placed on the "right to strike" and the "right of entry" for union representatives are designed to weaken the position of vulnerable workers rather to promote fairer workplace relations. The Catholic Church has continually defended the need for unions in order to promote the "Common Good" and the needs of those most vulnerable in society:

"In the final analysis, both those who work and those who manage the means of production or who own them must in some way be united in this community. In the light of this fundamental structure of all work - in the light of the fact that, in the final analysis, labour and capital are indispensable components of the process of production in any social system - it is clear that, even if it is because of their work needs that people unite to secure their rights, their union remains a constructive factor of social order and solidarity, and it is impossible to ignore it." Laborem Exercens #20

What do others say?

Australian Catholic Commission for Employment Relations (ACCER)

Drawing from the Catholic Church's social teaching and the Church's experience as an employer, ACCER, in their *Briefing Paper No 1 on the Commonwealth Government's Proposals to Reform Workplace Relations in Australia* (Sep 2005), state that:

"On the basis of the current information provided by the Government, there are concerns about various aspects of its proposals: wage fixing, unfair dismissals, minimum conditions, awards and agreement making, and the functions of the Australian Industrial Relations Commission." p.2

"ACCER is open to the introduction of a national industrial relations system, provided it is supportive of the essential values and principles necessary for cooperative employment relations." p.64

For more information go to: www.accer.asn.au

Australian Chamber of Commerce and Industry (ACCI)

In a media release titled, "ACCI General Council: Support for National Workplace Relations Reform", 22 July 2005, the ACCI stated that:

"Council reaffirms the belief of Australian industry that (the Federal Government's proposed) workplace reform delivers multiple benefits beyond the narrow interests of any one group and that a more flexible system of employment regulation focused on cooperative productivity bargaining of wages and employment conditions will benefit the national economy, the competitiveness of Australian industry and the living standards of employees, prospective employees and their families."

For more information go to: www.acci.asn.au

Australian Council of Trade Unions (ACTU)

The ACTU's stance on the proposed changes to the Workplace Relations Act is that these "new laws will hurt Australian working families". In a press release titled "PM's IR Package Confirms Changes Will Leave Workers Worse Off", 10 October 2005, ACTU President Sharan Burrow was quoted as stating that "this Government would like to see every Australian worker on an individual contract and under its new work laws all the power will be with the employer."

"There is now no room for doubt, the Government's package... shows workers will be worse off under new laws that will:

- *Abolish protection from unfair dismissal for 3.7 million Australian workers employed in companies with less than 100 staff.*
- *Allow employers to put workers onto AWA individual contracts that cut take-home pay and reduce employment conditions putting conditions like weekend and shift rates; overtime; redundancy pay; allowances; and loadings at risk.*
- *Change the way minimum wages are set so that their real value will be reduced over time.*
- *Leave Australian workers with no legally enforceable right to bargain collectively with their employer if that is what they choose to do.*
- *Make it harder for workers to access the support and assistance of a union.*
 - *Reduce the role of the independent Industrial Relations Commission."*

For more information go to: www.actu.asn.au

Business Council of Australia (BCA)

The BCA responded promptly to the Federal Governments announcement outlining their proposed Industrial Relations reforms in May 2005. In a press release on 26 May 2005 they stated that:

"..the proposed changes were broadly in line with the three major areas of workplace reform identified by the Council earlier this year. This included changes that provided employers and employees greater flexibility in agreement making; reduced barriers to job creation and participation; and more efficient workplace regulation."

For more information go to: www.bca.com.au

The Australian Greens Political Party

The leader of the Greens, Senator Bob Brown recently commented that *"this industrial relations legislation will trend Australia towards being a robot country — a country where relationships are subordinate to the money, the hours . . . It's very, very important that the full spectrum of life is looked at here"*. ('Robot Country', *The Age*, 11th October 2005)

Another Greens Senator, Kerry Nettle, was quoted in a press release, *'Howard IR changes a blueprint for exploitation'*, 26th May 2005, as saying that *"the government should be fostering a collaborative and clever workforce environment, instead the Prime Minister has announced a blueprint for exploitation"*. She further stated that *"to exempt small and medium sized business from unfair dismissal laws will give employers a licence to sack on a whim over 4 million working Australians."*

For more information go to: www.greens.org.au

The Australian Democrats Political Party

The Australian Democrats position on the proposed industrial relations reform is outlined on their website:

"The Democrats in the balance of power had been the honest brokers on industrial relations, working hard to find a balance between employer flexibility and employee rights. The Governments IR reforms will excessively tip the balance of workplace relations to favour employers, leaving many workers vulnerable."

An aspects of the reforms proposed by the Government in May 2005 which the Democrats support is the creating a national system of workplace relations. However, this will only be supported if the current federal system is retained. Therefore, the Democrats reject: changes to unfair dismissal laws, changes to the AIRC, changes to minimum conditions of employment.

For more information go to: www.democrats.org.au

Australian Labor Party (ALP)

According to Kim Beazley, Leader of the ALP:

" Control of the Senate means nothing can stop them (John Howard's Government) unleashing extreme policies that hurt Australian families. Labor is taking up the fight for all Australians. We're taking up the fight for the millions of working Australians whose wages and conditions are under threat from John Howard. We're taking up the fight to tell the Government to "back off" and leave overtime, penalty rates, holiday pay and meal breaks alone."

In an interview with Paul Murray on 6PR Radio Perth, 11th October 2005, Beazley was asked if there is anything in the proposed changes that he would support. His reply: *" Nothing whatsoever. This is completely unnecessary. We have the hardest workers in the world in terms of the time they spend at work"*.

For more information go to: www.alp.org.au

National Council of Churches

The National Council of Churches has also added into the debate. They have emphasised that the creation of further employment is not necessarily justified without examining the employment

conditions that are provided. They also call on the Government to work with all sections of the community to reduce unemployment through just strategies.

“What is needed is a national strategy which is also a ‘national covenant for the common good’. We envisage a strategy that enables all levels of government, and also business, unions, workers, Churches and community groups to work cooperatively to reduce unemployment in an ethical and just way.”

What do we think should be happening?

The Australian YCW does not claim to have all the solutions to the problems raised by the current Industrial Relations proposals. However there are several factors which the AYCW thinks are vital to ensuring that the Industrial Relations system can protect and encourage the dignity of every Australian.

- Ensuring that the economy is seen as a tool for the people, rather than people as a tool for advancing the economy. The value that our society sees in work must be transferred from the money to the meaning.
- Ensuring that minimum wages continue to be set as a “living wage” based on the family unit rather than a single adult.
- Provision of secure employment for all workers regardless of the size of their workplace. This would mean ensuring that workers are protected against being dismissed unfairly.
- Protecting the role of unions to collectively represent workers. This includes ensuring that the “right to strike” and the “right of union entry” are not unfairly or reasonably limited.
- Ensuring that young workers and other vulnerable workers are not forced to negotiate in an unfair bargaining position.
- Ensuring that all people are given the opportunity to enjoy proper rest and leisure, especially time with their families.

ACT

We call on government to...

- **Meet and listen to the reality of young people is work.**
The YCW believes that it is vital to start any process of decision-making from peoples’ real life experiences. Therefore we call on all parliamentarians, business leaders, church leaders, and union representatives to attend local base group meetings of the YCW where they can meet young workers and listen to what their reality at work truly is. We especially call on the *Prime Minister* and the *Minister for Workplace Relations* to take up this opportunity.
- **Hold a comprehensive, open and public Senate Inquiry into the proposals.**
This inquiry should investigate the benefits and detriments of the proposals, and the real life effects on workers around Australia. The Inquiry and debate in Parliament must be allowed to fully examine the issues and not be unreasonably rushed.
- **Amend or remove any aspect of the proposals that do not promote the discovery of dignity in work.**
In particular the following elements need to be protected to ensure that the dignity of every human person is valued in all Australian workplaces:

- ❖ The minimum wage being set as a living wage that provides for the expenses of a family rather than a single adult.
- ❖ Security in employment for all workers.
- ❖ Strong, active, member-driven unions that maintain the ability to properly represent and serve workers.
- ❖ Equal bargaining position for all workers, without differences based on skill level, experience, age, etc.
- ❖ Adequate time for all workers to enjoy rest, leisure, and family.
- ❖ The encouragement of strong relationships, a discovery of identity and a sense of worth built within work and workplaces.

The AYCW will...

The Australian YCW will take action to Serve, Educate and Represent the young workers of Australia in the current debate surrounding the Federal Government's proposed changes to the Industrial Relations system. The AYCW will continue this role if and when the proposals are introduced, in order to help young workers to respond actively and affirmatively to the changes to their working conditions. This role will include standing in solidarity with all Australian workers to ensure that every worker is treated with the dignity that they deserve, and that as a society we recognise that every worker is worth more than all the gold in the world.

The AYCW will commit to educating young people on the content of the proposed changes and the effects on their lives.

This will be achieved through:

1. Distributing this analysis to base level YCW groups around Australia so that young workers can make an informed choice on the proposals.
2. Running a national series of educational forums and events across Australia during November 2005.
3. Producing and distributing information cards about the Government's proposals and the AYCW's concerns and demands regarding these proposals.

The AYCW will also commit to representing the reality and concerns of young workers.

This will be achieved through:

1. Presenting the Industrial Relations demands and concerns of the AYCW movement to governments, union, and business representatives.
2. Working with the Catholic Church and other churches to promote human dignity as the key consideration when deciding the future of our industrial relations system and our economic system.
3. Being a voice for the concerns of young people by attending and speaking at public events.
4. Regular contact with the local, state and national media to ensure that the needs and issues of young workers remain part of the national political agenda.