

Submission

to

Senate Employment, Workplace Relations and Education
Legislation Committee

Inquiry into the Workplace Relations Amendment (WorkChoices) Bill 2005

Submission no: 77

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Organisation: Australian Christian Lobby

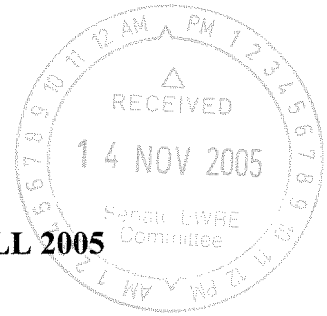
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**AUSTRALIAN CHRISTIAN LOBBY
SUBMISSION ON THE
WORKPLACE RELATIONS AMENDMENT (WORK CHOICES) BILL 2005**



Dear Chairman,

This submission is made due to the considerable concern within our supporter base, that this legislation will undermine both justice in the determination of work conditions and entitlements, and family time.

The submission is necessarily being made at short notice and we request an opportunity to appear before the Committee in its public hearing phase to build on the case given here in outline.

Scope of Submission

While we have more general concerns about aspects of this legislation we have restricted our comment to the two areas in which we believe it is appropriate as a Christian Lobby group to do so:

- The protection of the bargaining power of new entrants to the workforce in negotiating AWAs, and
- The protection of family and other sacred time.

Bargaining Power

The current profile of the union movement and union representatives within the workplace generally assures that new employees will be aware of their rights or at least assisted in the initial negotiation process of an AWA.

While ACL is supportive of the need for change in the role of unions, it believes that the proposed system will mean that a new entrant into the workforce is very likely to negotiate an AWA from a very unequal bargaining position, particularly in knowledge of his rights.

ACL recommends the inclusion of three provisions to redress this problem for initial entrants to the workforce:

- That when handed his draft AWA, the job seeker is also provided with the contact details of the relevant Union and encouraged to seek advice on the relevant award conditions;
- That the job seeker at the same time be advised that he is free to bring an adviser to the negotiation of the AWA, and that that can be a union representative, even in a 100% AWA work place;
- That AWAs for employees entering employment for the first time be limited by law to 2yrs.

Family Time

The removal of penalty rates, or provision for them to be rolled into base pay in AWAs, means that in due course Saturdays, Sundays and public holidays will be treated no differently than other days.

ACL believes that there is a very real need for Government to reinforce the family unit by its legislation and not undermine it. Shared family time is an essential ingredient for healthy families and by extension a healthy society. When we have an education system that sees children with their free time on weekends and public holidays, we should be doing everything we can to encourage the availability of parents at home at the same time.

Current award conditions require that the employer pay a premium for requiring a worker to work on Saturdays (part), Sundays and public holidays. This acts as a disincentive to employers and so reduces the general level of business and industrial activity on those days, freeing people to be with families. If families decide to forgoe this, they do it as a calculated decision, generally on a case-by-case basis.

Conclusion

This legislation must prove workable and just not only in a period of low unemployment, but also when the economy is less strong and the bargaining power of the employee lower. At the same time it should be calculated to preserve the quality of life of families and especially the opportunity for shared family time.

ACL recognises the need for change in IR, but asks the committee to consider recommending amendments to the Bill that achieve the protections outlined in this submission.

JJA WALLACE AM
Executive Chairman

9th November 05