



Submission from

New South Wales Local Government, Clerical, Administrative, Energy,
Airlines & Utilities Union

To

Parliament of Australia
Senate

Inquiry into the Workplace Relations Amendment (WorkChoices) Bill 2005

New South Wales Local Government, Clerical, Administrative,
Energy, Airlines & Utilities Union

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SUBMISSION TO THE PARLIAMENT OF AUSTRALIA – SENATE INQUIRY INTO THE WORKPLACE RELATIONS AMENDMENT (WORKCHOICES) BILL 2005

SUBMISSION OF THE NEW SOUTH WALES LOCAL GOVERNMENT, CLERICAL, ADMINISTRATIVE, ENERGY, AIRLINES AND UTILITIES UNION

The LGCAEAU is a State based union. We are trading under the name of the United Services Union or the USU. We cover employees in a range of industries in both the public and private sectors.

We wish to register our formal opposition to the WorkChoices legislation as proposed by the Federal Howard Government. Further, we note the sham nature of the inquiry presently being conducted by the Australian Senate. Today, we have learned that rather than taking evidence, as is usually the case with senate inquiries, the inquiry will proceed on the basis of debate amongst "Panels of Experts".

Many of our union members in New South Wales have submitted individual submissions to the inquiry. Several of these employees have requested the opportunity to give evidence in Canberra, or have the inquiry attend their hometowns so that the impact that the legislation will have on the individuals can be properly examined. Apparently this will not occur. It is entirely inappropriate for a major social change of this nature to be rammed through Parliament without proper debate.

The USU has prepared a WorkChoices Impact Analysis on the Local Government (State) Award. We **enclose** a copy of the analysis for your information. This award covers the wages and conditions for over 45,000 council workers in New South Wales. The results are shocking and leave no doubt that the Federal Government's proposed new workplace laws are an aggressive attack on the employment conditions and rights of workers.

We are horrified at the results of the analysis. The WorkChoices system will see fundamental entitlements like annual leave, long service leave, even personal leave and carers leave stripped from awards. Employees will be much worse off and families will be struck hard.

One of the most deceitful aspects of the Government's campaign that whilst promoting "fair Australian workplaces", the new system will not allow awards to contain provisions for paid maternity leave. Women in New South Wales Local Government have fought long and hard to obtain paid maternity leave.

Paid maternity leave is vital to ensuring equality for women in the workforce and makes a big difference to the lives of working families. The Federal Government now proposes to make it impossible for awards to provide for paid maternity leave. This is an outrageous attack on the rights of female workers and families in Australia.

WorkChoices will also have an appalling impact on the employment futures of clerical and administrative employees in the private sector. The Clerical and Administrative Employees (State) Award is a classic safety net award covering approximately 500,000 employees in New South Wales. The award provides a basic range of entitlements including matters such as penalty rates for shift work and a basic skills base career structure. Under the proposed WorkChoices legislation, these conditions will all be subject to trading-off and setting aside through the use of AWAs.

In the Energy and Utilities area, the oppression of collective bargaining rights will have an appallingly detrimental impact on the ability for our members in this industry to gain access to decent wages and conditions. Similarly our members in the airlines industry who have already suffered a stripping of conditions under the current Federal Industrial Relations system, stand to lose a broad range of entitlements.

The WorkChoices system will also abolish the rights of workers engaged by employers with under a 100 employees to access unfair dismissal entitlements. In local government alone in New South Wales the rights of the workers at 38 rural and regional councils across the State will lose this entitlement. Employees who are sacked unfairly will have nowhere to have their case heard and no right to fair compensation. This is simply not justified. We **attach** a schedule identifying the councils in New South Wales that will lose these entitlements.

We further **enclose** for your information a document prepared jointly with the Queensland branch of the Australian Services Union addressing the impact on councils and communities. Please take the opportunity to read the document, we believe that the Federal legislation will create a much more complicated and unfair system of regulating employment in Australia.

The WorkChoices package can only be described as harsh and oppressive. The new system will benefit bosses and big business and not employees. Average workers will be worse off and families will suffer. These are disgraceful new laws and we urge the Senate not to pass the legislation.

Yours faithfully



BRIAN HARRIS
GENERAL SECRETARY

9 November 2005

Per Ben Kruse, Manager Legal and Industrial