

JOINT STATEMENT ON INDUSTRIAL RELATIONS HEALTH AND EMERGENCY SERVICES UNIONS

Wednesday, 14 September, 2005
Parliament House, Canberra

Health and emergency services workers and their unions representing over 200,000 dedicated and professional staff in our hospitals, fire and ambulance services gathered in Canberra today to express their anger and concern at the Howard Government's proposed industrial relations changes.

The proposals as outlined by the Prime Minister in May (and by the Government in the media since then), will undermine the wages, conditions and security of employment of all Australians, including health and emergency services workers. This is policy making on the run by a government which is ideologically committed to minimal regulation and reduced standards for Australian workers.

Some of the worst aspects of the proposed legislation will:

- Reduce the allowable matters in federal awards, including key elements such as superannuation and long service leave;
- Impose lower federal award standards on fairer state systems through use of the corporations power of the constitution;
- Promote individual contracts (AWAs) as the key instrument governing most workers' wages and conditions. Individual contracts will only need to comply with five minimum standards (an hourly rate of pay, annual leave, sick leave, parental leave and weekly hours of employment) thereby undermining more comprehensive award standards that currently include 20 allowable matters;
- Undermine the right of workers to collectively bargain in the manner that they choose (workplace, industry or economy wide) as provided in ILO Conventions to which Australia is a signatory;
- Deny unfair dismissal rights to millions of workers in businesses employing less than 100 employees;
- Weaken the role of the Australian Industrial Relations Commission, the independent umpire, (by removing its right to assess the minimum wage and to settle disputes); and
- Weaken the access of workers to union representation and information, and increase penalties for taking industrial action.



Health and emergency services workers will inevitably be affected by these changes because:

- Federal awards will be affected by the reduction in the number of allowable matters. The proposed review of up to a further twelve allowable matters puts at risk superior standards in those awards that apply to health and emergency service workers. Those entitlements that are at risk in this process include annual and sick leave, career structures, long service leave, superannuation, rostering arrangements and allowances;
- Although some of these conditions are currently contained in certified agreements, it is of little comfort because those agreements are of limited duration, and in the next bargaining period employers can always seek to overturn any conditions not guaranteed by awards;
- Current Labor state governments will not always be in office. Any protection offered by those governments currently is therefore not guaranteed. It is probable that future Liberal state governments will transfer residual IR systems to the federal government as the Kennett Government did in Victoria;
- Employment in the public sector is no guarantee that the changes proposed under the corporations power will not apply. The test is the nature of the activity undertaken by the public or private corporation and whether the organisation is engaged in trading. As a result of this assessment, many public sector employees will be covered by the changes and this proportion will increase given privatisation and the increasingly entrepreneurial activity of government authorities and agencies; and

- Health and emergency workers are very restricted in the type of industrial action they can take in pursuit of bargaining claims, because action endangering community safety and health will be unprotected. In many cases they rely on the Australian Industrial Relations Commission to arbitrate claims. Any undermining of the role of the Commission (including handing examination of classification pay rates to a Fair Pay Commission) will weaken the prospect of fair outcomes for our members.

The Howard Government is already imposing its IR agenda on the states and public institutions by insisting that AWAs be offered as a mandatory condition of Commonwealth funding. This is the case in the higher education and construction sectors and can be expected to extend to all areas reliant on Australian Government grants, including health and emergency services.

Health and emergency services workers feel they have a right and obligation to speak out about legislation that will significantly affect the remuneration, rights and security of their children, relatives, friends and neighbours. As workers committed to assisting those in need in the community, they are perturbed by the negative signal that the proposed legislation sends; that the Howard Government supports a society in which there are minimal rules, that individuals have to negotiate and fend for themselves and that supports for workers, like the Australian Industrial Relations Commission and unions, are unwelcome. The proposals offend basic rights (and Australia's international obligations) to provide fair standards for all workers, to promote collective bargaining and to be able to join and have access to a trade union. The proposed changes promote a system of low wages, reduced conditions and the growth of casual and precarious employment.

Health and emergency services workers call on the Howard Government to rethink its proposals. Future economic productivity will only be addressed by the Government ending inaction and neglect in areas like infrastructure, industry policy and skill formation. Economic prosperity has little, if anything, to do with industrial relations changes.

Health and emergency services workers strongly support the broader trade union movement in the campaign to oppose these changes and to mobilise public opinion. They will work with their colleagues over the coming months to increase their involvement in this campaign. In particular, they will increase the pressure on elected members in Coalition seats to rethink this legislation. They will tell their patients, clients and visitors about the dangers of legislation that seeks to send the rights of Australian workers back to the nineteenth century.



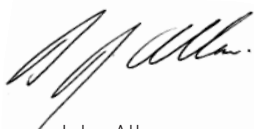
Jill Iliffe
Federal Secretary
Australian Nursing Federation



Peter Marshall
Federal Secretary
United Firefighters Union of Australia



Jeff Lawrence
National Secretary
Liquor, Hospitality and Miscellaneous Union



John Allan
Federal Secretary
Transport Workers Union of Australia

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