

# Submission

to

Senate Employment, Workplace Relations and Education  
Legislation Committee

## **Inquiry into the Workplace Relations Amendment (WorkChoices) Bill 2005**

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**Submission no:** 170

**Received:** 11/11/2005

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Hon Michael Wright MP  
Member for Lee



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05SF00008/WPS



Secretary  
Senate Employment, Workforce Relations and Education Committee  
Department of the Senate  
Parliament House  
CANBERRA ACT 2600

Dear Secretary

South Australia has the lowest level of industrial disputes of any State, and the most jobs in our history.

Our way works.

Our system gives South Australia a competitive advantage in attracting business investment to our State.

Our legislation is simple and easy to use – and it always has been.

I well remember the former Minister for Industrial Relations in the former South Australia Liberal Government, the Hon Graham Ingerson told me that one of the hallmarks of South Australian industrial legislation was that it was easy to read, easy to use.

Our *Fair Work Act 1994* is 153 pages long. Legislation that is relatively brief and easy to understand and use is a hallmark of our system that has made our laws user friendly.

It cannot be that a Bill that is 534 pages longer than our current legislation will “simplify” it.

South Australian law provides a decent safety net for working families. We have a comprehensive system of awards, together with legislated minimum standards.

Under South Australian law, unlike the Federal Government’s proposals, workplace agreements cannot reduce workers terms and conditions below the level of the relevant award.

The South Australian Government is totally opposed to the *Workplace Relations (WorkChoices) Bill 2005*.

The so called "WorkChoices" Bill should be scrapped.

It is a regressive package of measures that will decimate the living standards of working families who are already struggling to make ends meet.

A large part of the stated justification for the proposal to re-write 104 years of Constitutional practice and massively expand the scope of the Commonwealth's legislation, by taking over the State's Industrial Relations systems in respect of corporations, is asserted on the basis of a false premise.

It is absolute rubbish to claim that this legislation is needed to provide National employers with a consistent system across State borders. If that is what they want, they already have the option of joining the federal system.

This legislation, which is being argued for on the basis of an obviously false premise, far from providing "WorkChoices", takes choice away from businesses and employees.

At the moment, businesses and employees can choose which system of work laws suits them best. The so called "WorkChoices" package stops them from making that choice.

The so called "WorkChoices" package creates a huge incentive to sack existing workforces and re-hire people on individual contracts that decimate pay and conditions.

The vast majority of employers will be able to sack their workforces knowing that John Howard's laws say that sacking people unfairly is fine.

These are not the incentives that should be built into our laws.

They are perverse incentives that have the capacity to do untold harm to our community.

For Australians who already have jobs, these laws will be like a cancer that eats away from the inside – rather than an explosion.

For example, if you go onto a workplace agreement under these laws – you can't go back to the award after the agreement runs out – the award is gone forever.

The people who – sadly – will really cop the worst of this first are our kids who are looking to start work for the first time, and people who want to change jobs, or get a promotion.

Part of the tragedy of this is that many many employers who want to be good to their employees, who want to be fair to their employees, will get forced into this disgraceful race to hack into workers rights - taking away as much as possible – because as soon as one company in an industry does it, others will feel that they need to follow suit to slash what they pay in wages.

These unjust laws will create an American style class of working poor. Just like in America, these laws will mean that workers can work two jobs, and still not make enough to make ends meet.

What a devastating, depressing message that sends to families – when they do what society asks of them – they go to work – and because of the rules the Howard Government wants to put in place – going to work isn't enough to give families a basic level of dignity.

That's exactly the sort of thing that tears gaping holes in our social fabric.

Working families who do the right thing – work hard – and can't make ends meet – are being cruelly duded. Those families will know that it is the Howard Government that has done it to them.

Everyone needs to understand that these concepts are nothing new, this is not "reform" – this is back to the future – these are the same sorts of work arrangements that were in place in the 1800s.

Back to the days of the 1800s where employees had a simple workchoice – cop whatever the boss says, or look for another job.

The so called "WorkChoices" legislation will be a cancer eating away at the Australian way of life, eating away at the treasured Australian culture of "a fair go".

The South Australian Government supports the detailed joint States submission to this Committee.

The South Australian Government urges this Committee, and this Parliament, to reject these radical and divisive changes. If these proposals become law, they will eat away at many of the best and most treasured elements of what it is to be Australian, and leave us all so much the poorer for it.

I look forward to making further representations to you in person when I appear before the Inquiry next Monday.

I trust that the above information is of assistance.

Yours sincerely



Michael Wright MP  
**MINISTER FOR INDUSTRIAL RELATIONS**

9/11/2005