



393 Swanston St
Melbourne
Victoria 3000 Australia

PRESIDENT
Sharan Burrow

SECRETARY
Greg Combet

TELEPHONE
ISD (613) 9663 5266
STD (03) 9663 5266

FACSIMILE
(03) 9663 4051
(03) 9663 8220

WEB
www.actu.asn.au

Mr John Carter
Committee Secretary
Senate Employment, Workplace Relations and Education Committee
Department of the Senate
Parliament House
Canberra ACT 2600
Australia

11 November 2005

Dear Mr Carter

Re: Inquiry into the provisions of the Workplace Relations Amendment (Work Choices) Bill 2005

Attached please find the ACTU submission to the inquiry into the provisions of the Workplace Relations Amendment (WorkChoices) Bill 2004.

The ACTU submission calls for the Bill to be rejected.

In reviewing the legislative arrangements governing industrial relations in Australia the ACTU maintains that the objectives should be to provide for a cooperative framework of industrial relations which promotes economic prosperity and the welfare of the Australian people. The system should encourage high employment, improved living standards and employment security, better pay, low inflation and international competitiveness through productivity and a fair and flexible labour market.

To support continuing productivity growth and economic prosperity, workplace collective bargaining should be promoted and supported and be underpinned by a safety net of fair and relevant minimum standards of pay and employment conditions. The ACTU does not support the re-establishment of centralised wage fixing.

Whatever the constitutional underpinning of the legislation the framework should ensure fairness, flexibility and security.

In our submission the Bill:

- Does not guarantee workers have a genuine right to bargain collectively, and a right to join and be represented by unions. The Bill does not meet the standards set by international instruments to which Australian is a party. It fails

to ensure that fair and effective bargaining is the principal means for establishing pay and employment conditions.

- The Bill does not provide for an effective set of minimum wages and terms and conditions of employment which are able to be adjusted to ensure that those unable to bargain do not fall behind community standards, to ensure equal pay for work of equal value and to underpin bargaining;
- Under its provisions employees are denied access to fair and effective review mechanisms for employer decisions that are unfair or unjust, including access to conciliation and arbitration for the purpose of dispute resolution.
- The system does not promote secure, safe and healthy workplaces that are free of discrimination or harassment. Instead it will foster working arrangements that jeopardise the ability of workers to live secure and balanced lives; and
- The Bill does not enshrine the right of workers be consulted and informed of business decisions that affect them in their work.

The ACTU would be happy to appear before the Committee to answer any questions

Yours sincerely

Sharan Burrow
PRESIDENT