

# Submission

to

Senate Employment, Workplace Relations and Education  
Legislation Committee

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

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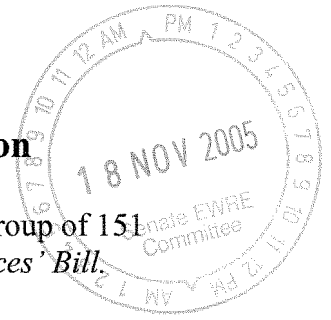
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## Impact of IR Legislation on the Australian Indigenous Population

This submission supplements the material provided in the submission of the group of 151 academic researchers, *Research Evidence about the Effects of the 'Work Choices' Bill*.



The new legislation will broadly affect Aboriginal and Torres Strait Islander people's lives in direct and indirect ways with the potential to increase the already unacceptable levels of poverty, incarceration, disease and emotional ill health in the community.

The direct and most obvious impact on Indigenous Australians arises from the well-known fact that Indigenous Australians are highly over-represented amongst low skill-base workers and lower socio-economic groups, due to their unresolved history of dispossession. This aspect of the effect of the legislation – the effect on low-wage workers with little bargaining power – has already been discussed in the submission of the Group of 151 Academics.

The indirect and less obvious impact on the Indigenous community arises from the conflagration of this legislation with the 'Welfare to Work' legislation of the Federal Government and the mainstreaming of Indigenous services since the dissolution of ATSIC in July this year. Indigenous Australia has an effective unemployment rate of over 48%, considering that 25% of the Indigenous workforce is working on Community Development Employment Programs (CDEP) for welfare payments. Since July 2005 CDEP has also been mainstreamed into work for the dole schemes.

Many Indigenous people are dealing with unresolved inter- and intra-generational trauma and its effected dysfunctionalities that create barriers to the workforce. Under Welfare to Work this will mean effectively the cutting of welfare to large percentages of the community, due to their inability to cope with the working conditions created by AWAs which, particularly for new employees, will often provide 'no choice'. Those sections of the community that will be able to cope with the new working conditions will end up putting unnecessary strains on their parental responsibilities. Many Indigenous communities have a high percentage of single parent families and reside in urban environments where often extended family relationships have broken down and access to child services is often non-existent or encounters financial and cultural barriers that prevent the use of such services. This conflagration of policies will create disastrous consequences for Indigenous families.

It cannot be stressed enough that, due to language and cultural barriers, a history of exclusion in the workplace and limited education, Indigenous workers will be severely disadvantaged by individual workplace agreements in the mainstream environment. The result will be low rates of pay and unacceptable working conditions that will fail to reflect the cultural sensitivities needed to enable Indigenous Australians to integrate into the mainstream job market. For example, with the narrowing of award conditions many agreements may not be able to come to terms with significant cultural issues such as 'sorry business', and this could lead to dismissals. Under the new system not only will Indigenous people face further barriers to decent employment but they will be denied access to welfare as well.

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