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**Submission to the Senate Committee regarding  
the Workplace Relations Amendment  
(Transition to Forward to Fairness) Bill 2008**

**Women's Electoral Lobby**

**and**

**National Pay Equity Coalition**

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Women's Electoral Lobby and the National Pay Equity Coalition have made many Submissions to numerous Inquiries undertaken by the Senate into the Workplace Relations Act and subsequent amendments.

We now make a brief submission to the Senate Committee Inquiry into the Workplace Relations Amendment (Transition to Forward with Fairness) Bill 2008.

In our previous Submissions to Parliamentary Inquiries we pointed out the problems associated with Australian Workplace Agreements and the detrimental impact they had on women workers. We pointed out in our Submissions that all research indicated that many workers had no choice but to accept these Agreements that in many cases removed rights and entitlements and reduced their wages and conditions. These Agreements had an adverse impact on part-time, casual and low paid workers, many of whom are women. We pointed out that the inclusion of appropriate work and family standards into these Agreements was rare and was to the detriment of women trying to balance their work and family responsibilities.

We reiterate our previous claim that AWAs did not improve productivity as suggested by their proponents. Therefore there is no justification in retaining them on the grounds of any supposed improvements in productivity and efficiency.

We support the abolition of these Agreements.

We also support the abolition of the `Fairness Test` and its replacement with a more effective `No disadvantage Test` that ensures that rights and entitlements contained in collective agreements and awards cannot be avoided through the use of AWAs.

We are concerned about the delays in the application of the Fairness Test and suggest that resources be made available to ensure the application of the No Disadvantage Test be speedy and efficient.

We also support the annual adjustment of the Federal Minimum Wage.

However we are concerned that many workers will be subject to existing Agreements that only contain the minimum entitlements set in WorkChoices Australian Fair Pay and Conditions Standards. These are inadequate. We would suggest that it would be fair that all Agreements now be underpinned by the proposed 10 National Employment Standards. All workers should have these rights and that workers should not receive lesser entitlements because of they were unfortunately caught under the very unfair WorkChoices laws.

We support the abandonment of the Award Restructuring Taskforce and new role of the Australian Industrial Relations Commission in the Award Modernisation process.

We submit that the Award Modernisation process provides a good opportunity for the Australian Industrial Relations Commission to consider work value and equal remuneration principles when modernizing awards.

We support this Bill and we look forward to consultation with Government policymakers in the development of the new Fair Work Australia. We hope that a new industrial system will be more efficient, less confusing for both employers and employees, and delivers fairness for women.

Suzanne Hammond