



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



**HOUSE OF REPRESENTATIVES**

**FAIR WORK BILL 2008**

**Second Reading**

**SPEECH**

**Thursday, 4 December 2008**

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

---

## SPEECH

**Date** Thursday, 4 December 2008  
**Page** 12579  
**Questioner**  
**Speaker** Georganas, Steve, MP

**Source** House  
**Proof** No  
**Responder**  
**Question No.**

**Mr GEORGANAS** (Hindmarsh) (1.31 pm)—I too am proud to stand here today, one year after Labor promised to repeal the Howard government's extreme and unfair industrial relations system. The Fair Work Bill 2008 completely replaces the Workplace Relations Act, including the former Howard government's extreme and complex Work Choices amendments. After the introduction of Work Choices, Australians were being exploited at work like they never had been before. This was not the sort of Australia I would want for anybody trying to make his or her way in the world. The Liberal coalition government under Howard let the people down.

It is ironic that at a time when families were doing it extremely tough—tougher than they had for years, in a time when families needed every available cent to make ends meet—the Howard government introduced legislation that made it that much harder for families to make ends meet. People were having to make their mortgage repayments when the Howard government made losing your job easier and took away any recourse. Work Choices made providing for your family that much more precarious. With financial stresses, people's focus can become narrower and the bonds in families can become strained. A government should help secure family life, not rip it apart, and that is what the former government's bill did. I will just let you know about some stories and the impact of Work Choices on some of my constituents.

The first story that comes to mind is that during the actual campaign, when I was doorknocking in the suburb of Glengowrie in my electorate, I doorknocked on a house and an elderly woman answered the door. I recall giving her my card and telling her who I was. Her immediate response was, 'I am not a Labor voter.' I thanked her for her time and continued on my way. But just as I was leaving she called out and said, 'But I am voting for you this time.' When I stopped in my steps, turned around and continued the discussion, I asked her why that was. She said that the government had gone too far with industrial relations and she proceeded to tell me her grandson's story. He had worked at one of the big supermarket outlets and she told me how at the age of 17 he had been given notice after working there for 12 months without any reason or rhyme. When he tried to have his position resecured and wanted to know why and what had happened, they just said that under the new laws they were able to do it.

That elderly woman in her mid-80s voted Labor for the very first time, and at that point I thought that there were hundreds of others just like this woman out there not only in my electorate but also across Australia. And there certainly were, because there were many stories of the impact that Work Choices had on some of my constituents, and I will read some of them out.

There was Mark, a metal worker, aged 41. Mark had two negative experiences of AWAs. Firstly, there were penalties. He was required to work 12-hour shifts with one 20-minute break. There were no penalty rates for overtime or weekend work. He voluntarily left the position, as it was unfair. Then there was the matter of unfair dismissal. He was recruited for a full-time permanent position and worked for 2½ weeks as such and was then dismissed with the employer stating there was 'no demand'. There was no other explanation.

Another story concerned Sandra, a supermarket display refurbisher. Sandra accessed short-term, three-month contracts via a labour hire firm. She was offered a job and was instructed to sign the contract. There were no questions asked. Some contracts entitled her to a \$16 per hour flat rate even for work performed on Sunday evenings through to Monday mornings when the stores had to be open.

Another example was Peter. Peter came and spoke to me about his son. His son had worked for seven years from the age of 15 for a company involved in the wine industry. He was a full-time, permanent employee and over the years he undertook training for viticulture work and other duties. He was a model employee, as evidenced by the fact that he was the recipient of Employee of the Year. On the day that Work Choices came into force, his son was sacked without explanation.

Emily is another example. Emily was a cafe worker, aged 21. She was in receipt of award penalty rates et cetera while working at a particular cafe. One week prior to new management taking over on 1 July 2006 all

casual staff were given contracts to sign consisting of no penalty rates whatsoever. The new owners expected weekends to be worked without penalties on the basis of employees' loyalty to the company.

The Fair Work Bill 2008 delivers the government's election promises as set out in the Forward with Fairness policy. This bill will ensure that Australia is competitive and prosperous without compromising workplace rights and guaranteed minimum standards. The Australian government is introducing a new system with fairer laws that balance the needs of employees, unions and employers. This is a system that ensures all employers and employees have access to transparent, clear and simple information on their rights and their responsibilities. That gives Australian employers confidence, with a simple, fair dismissal system for small businesses. This is a system that protects employees by (1) outlining clear minimum wages, (2) assisting low-paid and vulnerable employees and those without access to collective bargaining, and (3) ensuring employees' freedom of association in the workplace—fundamental rights for all workers.

This bill delivers on the government's commitment to establish a new, independent industrial umpire, Fair Work Australia, for advice and support on all workplace relations issues and enforcement of legal entitlements. The Fair Work Bill 2008 will commence on 1 July 2009, following its passage through the parliament. Consistent with our election commitments and promises made during the campaign, the National Employment Standards and modern awards will commence on 1 January 2010. The Rudd Labor government ended the ability to make new Australian workplace agreements in March this year. The government's new workplace relations system will provide a strong safety net that workers can rely on in good and in uncertain economic times. The government is getting rid of the extreme Work Choices laws, the laws firmly rejected by Australians at the last federal election.

The Australian government's laws bring the workplace pendulum back to the middle—where it belongs and where Australians want it to be. These laws are good for employers, good for employees and good for the economy. In these troubled economic times, all Australians will benefit from certainty and from fair workplace relations laws. The social conscience of the next generation is such that they themselves call into question the policies of the past administration. The Howard government was totally out of step with Australians, and I know this because they told me, as I explained earlier in the story of my doorknocking experience with an elderly constituent who was voting for Labor for the very first time, specifically on Work Choices. The Australian people were concerned for their future job prospects and for those of their children and grandchildren. I am very pleased to say that Australians are now looking to the future, and with the Fair Work Bill 2008 they can have greater certainty and assurance about their futures and those of their children and grandchildren.

When I look at the previous government's Work Choices bill—the unfair Work Choices bill—I think of my own story. I think of my parents, who migrated here more than 55 years ago with very little English, very few skills and very little education. They were therefore employed in some of the lowest paid jobs. My father worked on a production line at General Motors Holden and my mother worked as a domestic at the Royal Adelaide Hospital. But, even though they could not speak the language at the time, were unskilled and had no education, there was one certainty that they had. That certainty was that they would be treated equally on that factory floor or in the hospital where my mother worked. It did not matter where they came from or what colour their skin was; there was an agreement in place that they were allowed to be members of their union, therefore giving them the fundamental rights that allowed them to live with dignity. I too would like to pay tribute to the Prime Minister and to the Deputy Prime Minister for the great and hard work that they have done with this legislation, which ensures that once again Australian workers will have a fair workplace and will be treated with dignity.