



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



HOUSE OF REPRESENTATIVES

**FAIR WORK AMENDMENT
(STATE REFERRALS AND
OTHER MEASURES) BILL 2009**

Second Reading

SPEECH

Tuesday, 17 November 2009

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

SPEECH

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Speaker Georganas, Steve, MP	Question No.

Mr GEORGANAS (Hindmarsh) (7.41 pm)—A matter of months after this Labor government moved to repeal the Howard government's shameful Work Choices legislation with the introduction of the Fair Work Bill, I am very proud to stand here, as are all my colleagues on this side of the House, to say that we are taking it a step further and are making it even fairer for Australia's workers and employers alike.

The Fair Work Amendment (State Referrals and Other Measures) Bill 2009 will streamline our workplace relations system so that everyone concerned gets a fairer go. By replacing multiple workplace relations systems across Australia it will not only give employees greater security and certainty about their basic rights at work but reduce costs for the businesses themselves. This is a win-win situation for both employers and employees and, at the same time, cuts government costs and better uses the Australian taxpayers' money.

The Fair Work Act was introduced on 1 July 2009 to abolish the coalition's draconian industrial relations regime, cynically called Work Choices. It replaced it with something fair for all working Australians. Now we go one step further in the initiative to rid Australia of the most extreme, unpopular and unfair industrial relations system this country has ever seen. In doing so it makes it even fairer for workers and, of course, for those who employ them.

The bill will remove the state-by-state approach to industrial relations and will remove duplication and inefficiency from our workplace relations system. Currently the Commonwealth and five of the six states maintain separate workplace relations systems. This is slow, frustrating and simply not a practical way of dealing with something that affects all working Australians. We do not need the confusion and uncertainty that exists when each state has a different approach to industrial relations. This bill will do away with such inconsistencies. It will exclude state industrial legislation on antidiscrimination and equal employment opportunity, workers compensation, occupational health and safety and child labour so that there is a national, balanced and fair approach to these vital issues.

The amendment bill will produce results beyond the workplace by simply allowing the Fair Work Act to operate more smoothly. Every Australian taxpayer will benefit. Their taxes will not be wasted on maintaining and enforcing separate, competing workplace systems when one system is more cost-efficient and workable. As it stands, each of the states has its own workplace relations process. It has its own industrial tribunal or court. Each state has separate government departments for policy development, program and education management, compliance and tribunal services at a cost of more than \$60 million a year. This is an expense we neither need nor want. We will not know the exact savings until the amendment bill is passed and the changes are made, but I am sure that they will make a big cut into that \$60 million as we stop duplicating the delivery of these services.

Even the Australian Chamber of Commerce and Industry has thrown its weight behind the need for a single-handed approach to our workplace relations system. It has issued a paper stating that the various state and federal systems and tribunals benefit no-one by creating unnecessary difficulties and technicalities in dealing with our industrial relations system. The Chamber of Commerce and Industry has described the overlapping of federal and state regulations as a major national failing. It has called for urgent reform to address the confusing and costly exercise of having six separate workplace relations systems. The Australian Industry Group has also called for reform, describing the current situation as wasteful. The Productivity Commission has also called for rationalisation of the system as multiple agencies in the same jurisdiction perform exactly the same function.

Access Economics, in a report it prepared for the Business Council of Australia, criticised eight bodies doing what could be better managed by one. The Business Council itself is on record as saying that a simpler national workplace relations system is imperative to Australia's international competitiveness and productivity. These are not worker groups or employee or union advocates talking. These are business groups calling for a simpler method so that the employers themselves can better understand what is required of them and the right thing to do. The current competing systems create greater costs for the individual workplaces as they struggle to understand, and comply with, different sets of rules for each and every state. The fact that there is often confusion over which

jurisdiction should deal with a particular case can cost everyone involved time and money. It is just common sense to simplify and streamline the process. A national workplace relations system for the private sector cuts through the confusion and the potential costs across the board.

In the electorate that I represent, Hindmarsh, in Adelaide's west and south-west, there are approximately 40,000 full-time and 20,000 part-time workers who know that this amendment bill will give them a better deal and greater security. More than 30 per cent of the Hindmarsh labour force is employed on a part-time basis. That is well above the national average. This amendment bill will give those workers greater protection and peace of mind. The factories, offices, warehouses and retail outlets that employ them—from Glenelg up to Semaphore Park, through to Adelaide Airport and across to the industrial hub of Mile End—know that they are going to get a better and fairer deal as well.

Hindmarsh is home to some major employers, and many of them have national and international profiles. For example, Arnott's has a major factory presence in Marleston and employs over 400 people; Westpac has its national call centre based at Lockleys; and Ikea, with its expansive retail outlet at Adelaide Airport, has become a massive employer. Then there are the airport companies and airlines such as Qantas, Virgin Blue, Jetstar and Tiger, the 14 regional airlines and the many local, national and international freight and courier companies that employ people in the electorate of Hindmarsh. This amendment bill will help these companies. It will ensure that they are covered by the legislation. They will not need to worry about different workplace systems; they will all operate under a uniform national law. This is good news for them and good news for the thousands they employ in Hindmarsh, let alone all around Australia. It will allow these companies to get on with business. A fairer workplace relations system will promote productivity and economic growth for the people, businesses and companies not only in Hindmarsh but right across Australia, with its workforce of almost 10 million. Even though the Fair Work Act has vastly improved an inefficient and unfair situation, it will be further improved with one national law and a uniform system. The Fair Work Amendment (State Referrals and Other Measures) Bill 2009 will create uniformity and fairness. It has taken a lot of hard work to fix the industrial mess left by the Howard government, and we are continuing to do that work. This amendment will go a long way towards making that right.

Many of the migrant workers in the electorate of Hindmarsh came to Australia throughout the fifties and sixties. They were employed in back-breaking work during that period and a lot of them are now retired. That workforce is being replaced by new arrivals from Africa, Asia and the Middle East, and they are now working in the lowest paid jobs available. When I look back at the success of Australia's migration story, I see the people in my electorate who came here with very few language and employment skills, yet they carved out a living for themselves and their families and made a success of their life in this country. A reason for that was the collective agreement maintained for many years amongst workers. This enabled migrant workers to have the same rights as anyone else on the factory floor. It enabled them to have their rights respected and to be collectively represented by their union. The industrial relations legislation of the Howard government tried to break up that collective. We saw many examples of unskilled workers in low-paid jobs who were taken advantage of under the Work Choices legislation. I am very pleased to say that our bills, from the Fair Work Bill through to this amendment bill, are all about improving the situation for workers by ensuring fairness in the Australian workforce. Therefore, I commend this bill to the parliament.