



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



THE SENATE
MATTERS OF PUBLIC IMPORTANCE
Workplace Relations
SPEECH

Tuesday, 27 March 2007

BY AUTHORITY OF THE SENATE

SPEECH

Date Tuesday, 27 March 2007
Page 60
Questioner
Speaker Murray, Sen Andrew

Source Senate
Proof No
Responder
Question No.

Senator MURRAY (Western Australia) (4.30 pm)—I have been surprised at the volume of negative stories about Work Choices. I have been surprised because so many people do not fall under Work Choices. About a quarter of all workers still fall under the state systems and, of the other 75 per cent, the majority are still under old pre Work Choices collective and individual agreements. So in fact once those people shift over to Work Choices you should expect to see the volume of complaints lift enormously.

The second thing I have been surprised at is the debate over job creation. Since Work Choices came into law, 260,000 jobs have been created. If Work Choices had not come into law, 260,000 jobs would still have been created. I defy anyone from the government side to actually tell us how many jobs Work Choices has created—

Senator Abetz interjecting—

Senator MURRAY—because 260,000 jobs would have been created anyway, in my view. Until you can produce the statistics to show otherwise, that is a view I am entitled to hold.

The other thing I wanted to comment on in the brief amount of time I have available to me was a couple of quotes from the *Australian* today. One was in George Megalogenis's article. He quotes the following from a Labor person. I thought it was quite an interesting statement of how this debate will play out.

"Howard's key political tactic in 2001 and 2004 was to go after our base, to go after blue-collar workers, cultivating people who share his socially conservative set of values," one Labor strategist says. "What this issue does is say to those people: 'This guy is not on your side, he's out to screw you and that's the reason you have to vote Labor.' After all that work he has done to win over those voters in recent years, this has totally rebranded him as being opposed to ordinary workers."

What that quote tells you is that this debate is about how people feel, and quoting statistics at them will not interfere with their experience and how they feel about these matters. The other quote I wanted to give you was from Peter Switzer, also in the *Australian* today. He says:

In sheer weight of numbers, the benefits that the new industrial relations laws give to business look unclear, and possibly light, compared to the fears that it generates for most employees.

Later on he says that 74 per cent of employers said they would make no changes because of Work Choices. In other words, it is not affecting employers' actions or attitudes that much. Of course, if employers are saying it does not affect how they operate, you cannot claim that the job creation those employers are producing is a result of Work Choices.

Work Choices is radical. It is a radical break with the broad consensus that had previously existed. The act does assault the cultural, economic, social, institutional, legal, political and constitutional underpinnings of past work arrangements in Australia. Of course, the coalition says that this is a good thing. But my problem is still that the economic and social case has not been made for the radical change. It was faith based legislation; it was not evidence based legislation. In my view the contest at the election will come down to how people feel about matters of fairness and whether this government is in fact behaving in a way which will ensure a fair outcome for them in a situation where they are the employee and not the employer.

The question, of course, is what will happen after the election. If Mr Howard wins this election, the government are highly unlikely to change course—and I do not believe we should expect any significant law changes before the election. If, however, Mr Rudd wins, he will look to what parties hold what views. These are the Democrats' views: we agree that Work Choices has to go and that the essential features of the pre-Work Choices regime must be restored. We agree with having a national unitary system. We believe there must be a national regulator. We would restore a strong, independent Industrial Relations Commission. We would keep statutory individual agreements but abolish the current AWAs. When it comes down to negotiation time, I will be there at the table with Labor trying to work out how we replace this Work Choices regime.