

Pre-election workplace relations policy tracker

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Introduction

Since the release of the Australian Labor Party's Secure Australian Jobs Plan, the team at Corrs, including Paul Burns, Anthony Longland, Molly O'Neill, Eva Moore, Jacob Kairouz, Žemyna Kuliukas and Jackson Hurley, have been tracking key announcements made by major political figures regarding industrial relations, workplace relations and other issues potentially relevant to business.

We are proud to provide you with our 'Pre-election Tracker', which is a comprehensive overview of more than twelve months of the key opposing policy announcements of the major parties. This document summarises and explains those key policy announcements. It directly connects you with the primary source of each policy announcement. There is no editorial license; we have set out the substance for you to study and draw your own conclusions.

Following these developments is critical. The party (or parties) which forms government after the election will claim a mandate to implement the changes they took to the election. With the real possibility of a hung parliament, and the likelihood of a Senate crossbench comprised of independents and minor parties, mandates will be important.

The various policy proposals advanced ahead of this election have long gestation periods. They are developed over years; in multiple policy documents, committee reports, sometimes bills already introduced to the parliament, and they are refined and altered through politicians' speeches and public comments.

These announcements will remain relevant after May 21, regardless of who wins. Proposals for reform rarely disappear from the policy debate completely. Policies which are withdrawn or proposed by the losing party in this election may well resurface later. They may later form the basis of interest group campaigns, state government policies, private member's bills, recommendations from law reform bodies and inquiries, and potentially become government policy.

Some announcements are more likely to have a significant impact on businesses. Consequently, we have provided links to summaries of some of the policy announcements we consider to be the most likely relevant to affect businesses.

We hope you enjoy the Tracker, and are able to advise your businesses based on the primary source material.

Most significant policy announcements:

There are many entries in this tracker, each includes a 'tag' at the bottom, identifying the particular matter to which it relates to (e.g. parental leave), so as to enable easier navigation. Additionally, the below short index identifies just the major announcements so you can navigate quickly to them.

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18 May 2022

Coalition would consult with stakeholders regarding NES entitlement to paid family and domestic violence leave

Michaelia Cash, IR Minister and Attorney-General

Michaelia Cash has 'welcomed' the announcement of the Fair Work Commission's provisional view that it would include an entitlement to paid family and domestic violence leave in Modern Awards.

However, Cash did not say whether the Coalition intended to extend an entitlement to paid family and domestic violence leave to the National Employment Standards. Cash told Workplace Express the Coalition would "consult with relevant stakeholders, especially family and domestic violence advocacy groups and small business employers" on the implications of doing so.

"The Morrison Government is pleased that an increasing number of employers already provide leave to their employees for these circumstances whether through enterprise agreements or workplace policies," she said.

To see more, click [here](#).

Topics: Family and domestic violence leave

18 May 2022

Burke criticises NES casual conversion provisions following failed conversion case

Tony Burke, Shadow IR Minister

Tony Burke has criticised the casual conversion entitlements inserted into the NES as part of the Coalition's attempted omnibus, following the Fair Work Commission's decision regarding a dispute relating to the conversion entitlements.

The decision, *Application by Mr Toby Priest dispute re: right to casual conversion* [2022] FWC 478, denied Mr Priest's application to convert from casual employment. Mr Priest was a casual tutor at a university.

Burke said that the casual conversion entitlements were a 'cruel hoax' and "I said at the time you could drive a truck through their casual conversion provisions, and that's exactly what's now happening."

To see more, click [here](#) and [here](#).

Topics: Wages

15 May 2022

Morrison says wage rises should come from economic growth and reduced unemployment rather than "arbitrary rises" at campaign launch

Scott Morrison, Prime Minister

During the Coalition's campaign launch, Morrison criticised Labor's support for increasing the minimum wage by 5.1%, saying "[w]e all want to see wages rise, of course we do, but those who think you can just arbitrarily do it, you can increase wages some other way [than growing the economy and driving down unemployment] that approach only results in higher interest rates and higher costs of living, taking back any gains, leaving you worse off."

To see more, click [here](#).

Topics: Wages

13 May 2022

Coalition indicates support for status quo on gig economy

Coalition spokesperson

When asked by the Australian Financial Review, about the Coalition's gig economy policy, a Coalition spokesperson said the government had already legislated against unfair contracts between large and small businesses.

The spokesperson also said "the Morrison government supports giving Australia's genuinely self employed and independent contractors, including in the gig economy, the freedom and flexibility to enter into contracts, negotiate their own rates of pay, set their own times and duration of work, and perform services for multiple organisations at the same time – ultimately deciding for themselves how they want to operate."

To see more, click [here](#).

Topics: Gig economy

12 May 2022

Burke says Labor will “fix the stack” at the Fair Work Commission before returning to “half-half” appointments, says Labor “will have a lot more to say” about wage increases during the campaign, promises same-job same-pay consultation and provides detail on gig economy policy

Tony Burke, Shadow IR Minister

During a speech to the Transport Workers’ Union (TWU)’s national council meeting, Tony Burke said that Labor’s “objective is to fix the stack” at the Fair Work Commission, saying only “once the stack has been fixed... can [the Commission] go to half-half appointments.”

During the speech, Burke also:

- criticised the Coalition’s omnibus reforms, saying the reforms contained pay cuts for part-time employees and greenfields agreements. He also said the reforms would result in pay cuts by allowing consideration of non-monetary benefits when assessing whether an enterprise agreement passes the better off overall test;
- said that gig economy work was becoming the norm in how the National Disability Insurance Scheme, security companies and aged-care services operate;
- criticised the government for not supporting minimum wage increases which match inflation, saying anything less was an effective pay cut;
- said Labor will “have a lot more to say” about wage increases during the campaign;
- said Labor would “not compromise on the objective” of same-job same-pay, but would engage in consultation as to the details of how the policy was implemented if it won government;
- discussed Labor’s policy to extend the FWC’s power to make minimum terms and conditions of employment to gig workers, saying it would turn the employee-contractor distinction from a “cliff” to a “ramp”;
- said that Labor would give the FWC the capacity to register agreements between non-employee workers and platforms, such as that recently reached between DoorDash and the TWU, and to act as an independent arbiter between those parties.

To see more, click [here](#) and [here](#).

Topics: Wages, omnibus reforms, same-job same-pay, Fair Work Commission, gig economy

12 May 2022

Labor declines to commit to including support for 5.1% minimum wage increase in annual wage review submission

Katy Gallagher, Shadow Finance Minister

Jim Chalmers, Shadow Treasurer

During interviews with the ABC, Katy Gallagher and Jim Chalmers both declined to commit to including support for a 5.1% minimum wage increase in a formal submission to the Fair Work Commission’s annual wage review if elected.

Gallagher, when asked whether the figure would be included in a Labor government’s submission said:

“Well, we’ve said that we will make a submission. The content of that submission, if we win government, will be left to those decisions, post-winning government. But, you know, we have been clear... I don’t think anyone trying to form government should be arguing that people should go backwards. ... That’s the position we have had. That is our position. It’s clear, and I think probably clear to the Fair Work Commission as well.”

Similarly, Chalmers when asked “if Labor is elected, will a Labor Government urge, in writing, the Fair Work Commission to lift the minimum wage by 5.1 per cent in line with inflation,” said:

“The mechanism [by which] we do that is to be determined, but we’ve already made our view very clear... We haven’t determined a final position on how we make that our view... We’ve made it clear for some time that we don’t want people to go backwards. That’s been the position that we will put formally, informally... The way that we do that in a submission if we’re successful at the election is to be determined, but people know our view.”

To see more, click [here](#) and [here](#).

Topics: Wages

11 May 2022

The Greens’ Future of Work policy

The Greens

The Greens have announced that they would establish a specialised independent Future of Work Commission which would be tasked with investigating key workforce issues, including:

- how to enshrine work/life balance as a workplace right for employees, including working from home;

- the impact of digitalisation and automation on employment, including how to ensure working people have control and input into the use of technology in their workplace;
- a model for tackling underemployment by moving to a four-day work week without loss of pay for full-time workers in Australia;
- how to address stress and burnout including whether Australia's current leave entitlements are adequate and whether workers should have increased minimum annual and personal leave; and
- how Australia can achieve full employment with a 2% unemployment rate while ending insecure work.

To see more, click [here](#).

Topics: Work-life balance, future of work, four-day work week, insecure work, leave entitlements

11 May 2022

The Greens' Higher Wages policy

The Greens

The Greens have released their Higher Wages policy, which includes:

- creating a new minimum wage by legislating to set the minimum wage at 60% of the full time median wage. The Fair Work Commission would be tasked with phasing this increase in;
- legislating to give the Fair Work Commission the power to extend minimum wages, entitlements and conditions from the Fair Work Act, Modern Awards or enterprise agreements to contractors and casual employees;
- requiring the Fair Work Commission to give effect to the principle that workers are entitled to the same minimum wages and conditions whether or not they are classified as employees; and
- establishing a presumption that all employment must be ongoing unless there is a case for genuine casual or contract employment.

To see more, click [here](#).

Topics: Wages, minimum conditions for gig workers, insecure work

11 May 2022

Albanese declines to commit to including 5.1% minimum wage increase in formal annual wage review submission

Anthony Albanese, Opposition Leader

During a press conference, Anthony Albanese was asked whether he would "put forward explicitly 5.1%" in Labor's submission to the Fair Work Commission's annual wage review if elected. Albanese replied "[w]ell, if I was doing that, then that would be an announcement."

A journalist then asked if Labor's position was "TBC?"; to which Albanese said "it's very clear what our view is, and I think the Fair Work Commission have probably heard that." When further asked whether 5.1% would be in Labor's submission, Albanese said "I've answered the question".

To see more, click [here](#).

Topics: Wages

11 May 2022

Labor doubles-down on support for 5.1% increase for minimum wage, criticises employer submissions for 3% increase

Tony Burke, Shadow IR Minister

During an interview with the ABC, Burke said that Labor would not support the minimum wage going backwards. Burke criticised the Australian Chamber of Commerce's call for a 3% increase, saying "that's a pay cut. If inflation is running at 5.1 per cent, then the figure you've just nominated there is a pay cut."

Burke said 5.1% was a figure "that if you fall below, people are going backwards. Like for a long time, we've been saying people can't keep going backwards".

To see more, click [here](#).

Topics: Wages

11 May 2022

Morrison criticises Albanese's support for 5.1% increase, says Coalition would not make a Fair Work Commission submission suggesting minimum wage increase

Scott Morrison, Prime Minister

During a press conference, Scott Morrison said that Anthony Albanese's announcement that he supported a 5.1% increase in the minimum wage was "incredibly reckless."

"We all want to see wages go up. And indeed the Reserve Bank Governor has made it very clear that we are seeing wages starting to go up. But the way you engage in economic policy is not in the loose way we saw from Anthony Albanese yesterday."

"The Fair Work Commission is the appropriate body to look at all of the economic implications for where they set the minimum wage," he said.

When a journalist asked "[w]ill you even make a submission to suggest any increase when you go to Fair Work?," Morrison replied "[n]o. As you know, that's never been our Government's policy."

To see more, click [here](#).

Topics: Wages

10 May 2022

Albanese says Labor "absolutely" backs minimum wage increase of 5.1%

Anthony Albanese, Opposition Leader

During a press conference Anthony Albanese said that Labor "absolutely" supported a "wage hike of at least 5.1% just to keep up with inflation." He said "when the Fair Work Commission considers any minimum pay increase, people should not go backwards."

Albanese declined to support the ACTU's submission to the annual minimum wage review to increase the minimum wage by 5.5%, saying "5.5 is higher, of course, than the inflation rate" and "[t]he ACTU make their claim independently. We're not the ACTU."

To see more, click [here](#), [here](#) and [here](#).

Topics: Wages

10 May 2022

LNP Senator says a more nuanced approach required for gig economy regulation, suggests consideration of 'third' category of worker

Matt Canavan, LNP Senator

In an op-ed in the Australian Financial Review, Matt Canavan said that "there is no doubt that our industrial relations system was not built for the likes of Uber and Amazon Flex" and indicated reform is required.

Canavan said that it was a "real issue" that gig workers are left without protections like superannuation, sick, carers and maternity leave. "Solutions here are not easy, but there should be some consideration of what can be provided to workers who are in these situations," he said.

Canavan suggested that a "third way" of employment between an independent contractor and an employee "might be able to retain the flexibility of work while providing protections through an industry-wide leave scheme or retirement fund."

To see more, click [here](#).

Topics: Minimum standards for gig workers

8 May 2022

The Liberal Party's Women's Safety, Economic Security and Health Policy

Liberal Party

The Liberal Party has released its Women's Safety, Economic Security and Health Policy. Among other things, the policy states that a re-elected Coalition government would:

- "enhance paid parental leave to empower Australians with the choice and flexibility to make their own decisions on managing work and family";
- "continue to implement the Respect@Work recommendations," in line with the Roadmap for Respect;
- "continue to support and resource the Respect@Work Council to implement practical measures to help employers prevent and address workplace sexual harassment"; and
- "continue to work across the Parliament implementing the Jenkins recommendations: setting a new standard for our parliamentary workplace."

The policy also refers to other previously announced budget measures, such as increasing funding for the Workplace Gender Equality Agency.

The policy does not state whether the Coalition will implement a positive duty on employers to eliminate sexual harassment, as recommended in the Respect@Work report. The policy says “the Coalition has either fully implemented or fully funded 43 of the 55 recommendations of the Sex Discrimination Commissioner’s Respect@Work Report. Work is underway on all of the recommendations, with over \$70 million committed to support implementation.”

To see more, click [here](#).

Topics: Respect@Work, paid parental leave, workplace equality

8 May 2022

Labor re-affirms commitment to religious discrimination protections

Anthony Albanese, Opposition Leader

During a press conference, Anthony Albanese was asked about Labor’s plans regarding religious discrimination legislation. Albanese confirmed that Labor would legislate religious discrimination protections, but said Labor would also “take action to protect students, gay and lesbian students.”

“We need to protect people from discrimination, whether it’s religious discrimination on the basis, or on the basis of people’s sexuality,” he said.

To see more, click [here](#).

Topics: Religious discrimination

6 May 2022

Morrison declines to commit to enterprise bargaining changes beyond omnibus reforms

Scott Morrison, Prime Minister

During an interview with the Australian Financial Review, Morrison was asked whether he would have “another crack” at enterprise bargaining reform or seeking to establish a consensus between unions and business on industrial relations reform.

Morrison said that he had tried the “Bob Hawke consensus approach” but it “didn’t work.”

On enterprise bargaining Morrison said “well, I’ve already said, the [omnibus] bill that we took forward other than for the measures that were in that which were COVID related, there it is (sic). It remains. It’s all there. There’s nothing new in that.”

“We came up with that through a consensus model of what we thought were practical things that could be done to cut red tape and to ensure that agreements can be reached,” he said.

To see more, click [here](#).

Topics: Omnibus reforms, enterprise bargaining

6 May 2022

Labor confirms no superannuation on paid parental leave during its first term

Tanya Plibersek, Shadow Minister for Education and Women

During a press conference, Tanya Plibersek provided the clearest indication yet that Labor had abandoned its previous policy to pay superannuation on paid parental leave, saying the party was no longer committed to the policy during its first term.

Labor had previously indicated that it was re-examining the policy and indicated that it was likely to abandon the policy.

To see more, click [here](#).

Topics: Paid parental leave, superannuation

5 May 2022

Labor to convene Employment Summit, release White Paper on secure work and higher wages if elected

Anthony Albanese, Opposition Leader

In a speech to the Australian Chamber of Commerce and Industry regarding productivity improvements, Anthony Albanese announced that one of Labor’s first acts if elected would be to convene an Employment Summit to bring employers and unions together to collaborate on secure work and ensure enterprise bargaining works effectively.

He also said Labor would commission a White Paper on the labour market to set out a plan for how it would promote secure work and higher wages.

“This contrasts with the announcement that a re-elected Morrison Government will return to its discredited workplace legislation which had at its core the suspension of the Better Off Overall Test,” he said.

"A Labor government I lead will reinvigorate Australia's enterprise bargaining system to promote productivity... Bringing business and unions together at the enterprise bargaining table, with productivity gains as a focal point, is the only way we can increase both profits and wages without inflationary pressure."

To see more, click [here](#).

Topics: Enterprise bargaining, secure work

1 May 2022

Labor to enshrine gender pay equity as a Fair Work Act objective, strengthen equal remuneration provisions and introduce expert FWC panels

Anthony Albanese, Opposition Leader

Tony Burke, Shadow IR Minister

Tanya Plibersek, Shadow Minister for Education and Women

During its campaign launch, Labor announced it would make gender pay equity an objective of the *Fair Work Act (FW Act)* and strengthen the Fair Work Commission's (FWC) powers to order pay increases for workers in low-paid, female-dominated industries.

Labor said it would do this by strengthening the FW Act's equal remuneration provisions and introducing a statutory Equal Remuneration Principle based on provisions in force in Queensland which would guide the way that the FWC considers equal pay cases.

A 2015 Queensland parliamentary inquiry considered that Queensland's equal remuneration provisions contained important advantages, including:

- not requiring a comparator to proceed with a case;
- allowing a broad definition of what comprises undervaluation; and
- recognising that proper work value assessments may not have taken place in the past.

Labor also said it would establish a Care and Community Sector Expert Panel and a Pay Equity Panel within the Fair Work Commission.

To see more, click [here](#).

Topics: gender pay equity, equal remuneration

30 April 2022

Morrison promises to take religious discrimination legislation forward as "standalone" legislation

Scott Morrison, Prime Minister

The SBS has reported Morrison as dismissing Labor's claims that the Coalition will suspend the Better Off Overall Test (BOOT), calling the claim a "scare campaign".

During a press conference, Morrison said that he intended to "take" the Coalition's religious discrimination bill forward "as standalone legislation". He said that the legislation "will deal with the RDA...it won't be dealing with other issues".

To see more, click [here](#).

Topics: Religious discrimination

28 April 2022

Labor says it has not decided whether to dump policy to pay superannuation on paid parental leave

Jim Chalmers, Shadow Treasurer

Amanda Rishworth, Shadow Minister for Early Childhood Education and Development

During a press conference, Chalmers was asked if he could confirm whether Labor had dumped its policy to pay superannuation on paid parental leave. Chalmers replied "we haven't finalised or concluded a view on that yet... it's a very good policy idea and we need to weigh it up against a whole range of other policy ideas". "We've been consulting with stakeholders".

Rishworth noted Labor had a number of other policies aimed at addressing the gender pay gap, including getting rid of pay secrecy clauses and investing in child care.

To see more, click [here](#).

Topics: Superannuation, paid parental leave

28 April 2022

Chalmers says minimum wage case needs to recognise increased cost of living

Jim Chalmers, Shadow Treasurer

In an interview on Sunday, Chalmers said that Australia's industrial relations system and minimum wage case needed to keep up with the "skyrocketing" cost of living.

He said that the government could increase wages by supporting "minimum wage cases, and cases in areas like aged care, where people aren't being paid enough. The Fair Work Commission has a role to play there. And [doing] things like turn insecure, casual jobs - via the Fair Work Commission - into more secure, longer-term sustainable jobs."

To see more, click [here](#).

Topics: Wages, secure work

28 April 2022

Coalition rejects inclusion of superannuation in NES

Jane Hume, Financial Services Minister

Hume said that Labor's policy of placing Superannuation in the NES was "not a panacea", nothing that employees who receive superannuation rights from industrial instruments can already recover Superannuation directly, as can the ATO. Hume also said that putting Superannuation in the NES would not extend the ability to directly recover superannuation to all employees, because it would not apply to non-national system employees.

Hume also re-affirmed the Coalition's commitment to increasing the superannuation guarantee to 12% by 2025.

To see more, click [here](#).

Topics: Superannuation

28 April 2022

Labor re-affirms promise to enshrine superannuation in the NES, impose targets on ATO recovery of unpaid Super

Stephen Jones, Shadow Minister for Superannuation

The AFR has reported that Stephen Jones, has told the Association of Superannuation Funds of Australia conference that, if elected, Labor would add superannuation to the NES. This would mean that all employees could pursue employers directly for unpaid superannuation and would expand the remit of the Fair Work Ombudsman.

Jones also said that Labor would impose an unspecified target on the ATO for the recovery of unpaid superannuation in an effort to improve the recovery rate of unpaid superannuation. He also re-affirmed Labor's commitment to increasing the superannuation guarantee to 12% by 2025.

To see more, click [here](#).

Topics: Superannuation

26 April 2022

Labor criticises Omnibus proposal for allowing consideration of non-monetary benefits in BOOT assessment

Tony Sheldon, ALP Senator

In a Facebook post, Tony Sheldon criticised the Coalition's Omnibus proposal, saying "last year, McDonald's said that the chips their staff eat should count towards pay deals... this is the sort of dud deal Scott Morrison wants to allow with his Industrial Relations Omnibus legislation."

To see more, click [here](#).

Topics: Better Off Overall Test, Omnibus reforms

21 April 2022

Morrison dismisses Labor concerns in relation to BOOT test as a “scare campaign”

Scott Morrison, Prime Minister

The SBS has reported Morrison as dismissing Labor’s claims that the Coalition will suspend the Better Off Overall Test (BOOT), calling the claim a “scare campaign”.

“The pandemic has now passed. They were emergency measures that obviously no longer have an application when we are not in an economic emergency environment... If you don’t have an economic plan, you go and raise false scare campaigns against your opponents,” he said.

To see more, click [here](#).

Topics: Better Off Overall Test, Omnibus reforms

20 April 2022

Leaders argue over Coalition IR policy during first debate, Morrison confirms pandemic BOOT changes not Coalition policy

Anthony Albanese, Opposition Leader

Scott Morrison, Prime Minister

During the first leaders’ debate, Morrison raised industrial relations (IR) reform when asked how his party would help small and microbusinesses.

Morrison said that making the IR system simpler would assist small businesses.

“One of the things we’ve been trying to do, we tried to do it in the middle of the pandemic but we weren’t able to get support from the Labor party, was to make the industrial relations system simpler... Just to make sure we were able to have more practical rules,” he said.

Morrison said that simpler rules would mean that small businesses would not accidentally underpay or overpay employees and could better manage their cash flow.

Albanese responded that one way to help small businesses was to lift wages. He said that the Coalition’s rejected IR reforms, which “Scott Morrison will resurrect”, would remove the Better Off Overall Test, which would not leave employees better off overall.

Morrison denied that this was the Coalition’s policy. He said that the Coalition would be “moving forward without the emergency measures,” noting that the emergency phase of COVID-19 was now over.

To see more, click [here](#).

Topics: Better Off Overall Test, Omnibus reforms

20 April 2022

Morrison and Cash confirm no changes to the BOOT

Scott Morrison, Prime Minister

Michaelia Cash, IR Minister, Attorney-General

During a press conference, Morrison was asked whether “the longer term, more modest policy changes to the BOOT” were still Coalition policy.

Morrison said “there are no major changes to the BOOT at all” and that the Coalition’s changes were “practical, common sense changes,” such as award simplification and greenfields arrangements, protecting casual employees and imposing penalties for wage theft.

Later, Cash clarified that Labor was incorrect to say that Morrison had left the door open to changes to the BOOT by saying the Coalition did not intend to make ‘major’ changes. “The Morrison government is not changing the Better Off Overall test full stop,” Cash said.

To see more, click [here](#) and [here](#).

Topics: Better Off Overall Test, Omnibus reforms

20 April 2022

Greens promise to oppose Omnibus reform

Adam Bandt, Greens Leader

In a press release, the Greens confirmed that they would vote against the Coalition’s proposed Omnibus reforms if re-introduced.

“Putting the Greens in balance of power will ensure that the anti-worker industrial relations ideology of the Liberal party will never become law... The Greens stood firm in the last parliament and the government had to back down on its bill that would have cut wages and made work more insecure,” Bandt said.

Topics: Omnibus reforms

20 April 2022

Labor opposes increased fines for unions, criticises ABCC stance on union material on building sites

Tony Burke, Shadow IR Minister

During a press conference, Burke was asked whether Labor supported the Coalition's policy to increase fines under the BIIICP Act. Burke replied "it's no surprise....[that] is not our policy".

Burke continued to criticise the ABCC, noting that Justice Kerr had said that the ABCC had treated its job "as a blood sport", and calling it a regulator "that was set up to do a political job".

Burke criticised statements made by ABCC officials during Senate Estimates in April in relation to the interpretation of the Building Code given in *Lendlease*.

"We've got a regulator that... sees a safety poster, or a poster in a workplace, that is raising money for flood relief, if it also carries a union logo, it's an offence. They think those are the priorities. So, we make no apology for saying that [the ABCC is] ridiculously politicised," he said.

To see more, click [here](#) and [here](#).

Topics: Australian Building and Construction Commission, Building and Construction Industry (Improving Productivity) Act, civil penalties and enforcement

20 April 2022

Nationals' resources policy includes extending life of greensfields, retaining the ABCC and the ROC

The Nationals

The Nationals' recently released resources policy supports Morrison's 'standalone' greenfields reform.

The resources policy now says that a re-elected Coalition government "would introduce legislation to increase the maximum period for greenfields agreements from four to six years. Agreements would be required to have guaranteed year-on-year pay rises, which at least match the Fair Work Commission's Annual Wage Review, and the new timeframe would apply only to major projects larger than \$500 million."

The policy also says that the Coalition will retain the ABCC and ROC, which are "key bodies to enforce the rule of law".

To see more, click [here](#).

Topics: Greensfields , Registered Organisations Commission, Australian Building and Construction Commission

20 April 2022

Burke dismisses employer concerns that gig worker policy would extend to owner-driver truck drivers

Tony Burke, Shadow IR Minister

Burke dismissed concerns raised by the Ai Group that Labor's policies in relation to gig workers may extend to "many owner drivers in the transport industry."

Burke said the arguments were "no different from those we hear from the Liberal Party: that there's no need for action."

"There is all the difference in the world between someone who is genuinely running a small business with a vehicle and equipment, who is paying someone to do their bookwork, and someone who is delivering pizzas on the back of a bike for less than the minimum wage," he said.

To see more, click [here](#).

Topics: Minimum conditions for gig workers, owner-drivers

20 April 2022

Labor says Coalition's Omnibus reforms are "extreme workplace laws" which will cut some workers' pay by \$7,000-\$14,000 per year

Tony Burke, Shadow IR Minister

In two press releases, Burke said that the Coalition's proposed changes to the BOOT would cause workers to be left worst off. Burke said that the Government had not ruled out changes to the BOOT, saying that Morrison had only said there would be no "major changes".

He said that under the Coalition's proposed changes:

- "Retail store managers who work all night could cop a A\$10,000 a year pay cut.
- a part-time disability care employee working a Friday to Sunday shift could lose more than A\$14,000 a year from their take-home pay.
- a part-time car parking attendant working only three days a week, including Saturdays and Sundays, could lose more than A\$13,000 a year from their take-home pay.

- a butcher working part-time, Thursday to Sunday, could lose nearly A\$7,000 a year from their take-home pay."

Topics: Better Off Overall Test, Omnibus reforms

20 April 2022

Coalition promises to increase maximum penalties under the Building and Construction Industry (Improving Productivity) Act

Scott Morrison, Prime Minister

Michaelia Cash, IR Minister, Attorney-General

Morrison and Cash said that if re-elected, the Coalition would introduce the fines under the *Building and Construction Industry (Improving Productivity) Act (Act)* of A\$444,000 for corporations and A\$88,800 for individuals who engage in serious, deliberate and repeated breaches of the law.

The penalties would only apply to certain provisions of the Act, relating to freedom of association, unlawful picketing, unlawful industrial action and coercion.

Cash referenced the recent High Court decision in *ABCC v Pattinson* [2022] HCA 13, saying that the CFMEU was a "serial offender" and saw the existing penalties "as the cost of doing business".

To see more, click [here](#), [here](#) and [here](#).

Topics: Australian Building and Construction Commission, Building and Construction Industry (Improving Productivity) Act, civil penalties and enforcement

19 April 2022

Burke declines to commit to greenfields 'standalone reform'

Tony Burke, Shadow IR Minister

During a press conference, Burke was asked if Labor would support the Coalition's recently announced 'standalone' Greenfields reform.

Burke replied "what Mr Morrison has announced today is all over the place. It's completely different to what he said the government's policy was two days ago."

"Let's not forget, last time they introduced legislation on this, how was it taken out of the Senate? By a vote of the government...What he's referring to today [in relation to the annual wage review]... is a lower rate of increase than what's happening under current greenfields agreements," he said.

"We announced the IR policies that we would be taking to the election more than a year ago."

He said Labor's policies, unlike the government's, "deliver secure jobs, better pay and a fairer system".

To see more, click [here](#).

Topics: Greensfields

19 April 2022

The Coalition promises 'standalone' greenfields reform

Scott Morrison, Prime Minister

In a speech to Western Australia's Chamber of Minerals and Energy, Morrison said that the Coalition would extend the maximum term of greenfields agreements to 6 years for projects valued above A\$500 million.

Morrison said that these agreements would be required to have guaranteed year-on-year pay increases which at least match the Fair Work Commission's Annual Wage Review.

The reform would be a "standalone reform" and not tied to other Omnibus changes.

Morrison said "the need to renegotiate within a four-year time frame can invite investment delay, disruption and even project cancellation, with negative impacts on jobs and the economy."

To see more, click [here](#).

Topics: Greensfields

18 April 2022

Labor op-ed argues ABS data understates prevalence of insecure work

Tony Sheldon, ALP Senator

In an op-ed in the Australian Financial Review (AFR), Sheldon argued that recent AFR reporting on "selected ABS data" regarding casual employment and contracting "do not tell the full story" and "don't reflect the lived experience of millions of Australians".

Sheldon referred to the work of the Senate Select Committee on Job Security, which he chaired. That Committee, he said, “came to the inescapable conclusion that insecure work is on the rise and is having a corrosive social and economic impact.”

Sheldon pointed out that Australia has the third highest incidence of part time work in the OECD (32% of the workforce in 2018). He said Australian Bureau Statistics data only captures primary employment and fails to count people who work secondary casual or gig-work jobs.

The data, he said, also fails to account for people working part-time jobs with few or no guaranteed hours. Which, he said, some have described as “a casual job without the casual loading.” Sheldon also noted that insecure work was prevalent in publicly funded industries and that labour hire jobs had grown 48% since 2013.

To see more, click [here](#).

Topics: Insecure work, casual employment, gig workers

18 April 2022

Labor says Omnibus reforms represent cut to wages and conditions

Tony Burke, Shadow IR Minister

In response to the Coalition’s re-commitment to its Omnibus reforms, Burke said “we always expected [Morrison] would try again to implement this cut to wages and conditions and now he’s confirmed it.”

“When Scott Morrison withdrew this part of his legislation last year he made it clear he was only doing so because he couldn’t get it through the Parliament – not because he realised it was unfair,” he said.

The Australian Council of Trade Unions (ACTU) made similar criticisms. Sally McManus said that the “discredited” reforms would “cut wages for millions of working people” and “strip away some of the most basic protections working people have against pay cuts.”

To see more, click [here](#) and [here](#).

Topics: Omnibus reforms

17 April 2022

Hume criticises Labor’s portable leave and IR policies

Jane Hume, Financial Services Minister

In an interview on Sky News, Hume said Labor had questions to answer regarding its portable entitlements policy, saying it “would potentially cost employers billions”.

Hume referred to criticisms made by Master Builders, the Business Council of Australia and Ai Group of the policy, saying that “[Labor’s] industrial relations reforms are not reforms at all – they are simply costs to business”.

To see more, click [here](#).

Topics: Portable leave entitlements

16 April 2022

Albanese is asked about details of portable leave policy, says policy is to consult

Anthony Albanese, Opposition Leader

During a press conference, Albanese was asked to provide further detail regarding Labor’s portable leave policy, including which industries and employees the policy would apply to and the likely cost of the policy.

Albanese said that Labor had outlined its plan, saying “our policy...that I announced... more than a year ago was that we would consult. That is the plan. This isn’t something that we seek to impose on anybody...our plan [is] to consult with business, to consult with unions.”

“On portable entitlements, of course, you can’t have something imposed from above on everyone... But what it is about is we know there is more and more insecure work out there. We know that half a million Australians are working three jobs,” he said.

To see more, click [here](#).

Topics: Portable leave entitlements

16 April 2022

Morrison confirms commitment to Omnibus reforms

Scott Morrison, Prime Minister

Michaelia Cash, IR Minister, Attorney-General

During a press conference, Morrison said that the un-passed reforms contained in the Omnibus bill would be re-introduced to parliament if the Coalition wins the election.

He said the Coalition would “go forward and pursue those legislative changes that we wanted to pursue... Remember, they were the product of getting unions together, employers together, over countless numbers of hours to ensure that we can come up with practical things that would make the industrial relations system work better.”

Similarly, Cash said that the government was “committed to our policies that allow businesses to create jobs, improve productivity and drive wages growth, including the measures in the Omnibus bill which was put before the Parliament last year”.

“The measures in the Omnibus bill remain the policy of the Morrison government which we will pursue, should we be re-elected,” she said.

However, the AFR reported that the Coalition did not specifically respond to the AFR’s questions about whether this commitment extended to the reforms relating to approval of two-year enterprise agreements with softened BOOT requirements for business badly affected by COVID-19.

To see more, click [here](#) and [here](#).

Topics: Omnibus reforms

12 April 2022

Coalition criticizes Labor for inflating rate of casual employment

Scott Morrison, Prime Minister

In response to reporting in the AFR in relation to the rate of casual employment, Scott Morrison said that Albanese had “been going around at the unions’ behest talking about rising rates of casualisation in the workforce, and he’s been caught out there again.”

“Casualisation, as it’s been set out in the Financial Review today, shows that it’s actually been trending down, and it’s been about the same level for about 20 years.”

The Liberal Party also made a Facebook post criticizing Albanese’s comments.

To see more, click [here](#) and [here](#).

Topics: Casual employment

12 April 2022

Labor defends its characterization of the rate of insecure work, indicates support for decision in *Workpac v Skene*

Anthony Albanese, Opposition Leader

Tony Sheldon, ALP senator

During a press conference, Albanese was asked if Labor was exaggerating the rate of casual employment, which the AFR reported to be about 5%, having peaked in 2003.

Albanese replied:

“We’re not exaggerating the level of insecure work and there’s a range of areas in which it’s happening. Casualisation is one of them. The contracting-out with labour hire companies is another. The third is of course the rise of the gig economy. The gig economy doesn’t classify people as employees. It classifies them as contractors rather than employees. What we’re seeing around Australia is a massive rise in insecure work, more and more people having to work two, three, four jobs in order to get by.”

Albanese said that Labor’s plan to get people into secure work was “[first] to properly define secure work as part of the objectives of the Fair Work Act, as one of the things that the Fair Work Act (sic) consider when they’re dealing with agreements between employers and employees.”

Albanese acknowledged there is a role for casual employment, but said the problem was cases like that of “Mr Skene”, where the employee was “working, given shifts the same way through for a year in advance, but [was] defined as a casual.” Albanese then said:

“The Commonwealth Government has appealed one of the cases about the definition of casualisation. And in the IR laws, that they got rid of most of them, but one of the changes they put through, made it easier to define people as casual. We see nothing wrong with casual work. But we do think that we shouldn’t pretend that someone who’s working in a permanent job with the same shifts permanently every week, week after week after week, and given notice a long time in advance should be classified that way.”

Casual employment, he said, also “has an impact potentially on people’s super”.

Similarly, Senator Tony Sheldon criticised reporting in the AFR on April 14 in relation to the rate of insecure work, referencing the recent Senate Job Security Inquiry. He said the “inquiry demonstrates the devastating health impacts of insecure work on workers. Labor’s Secure Jobs Plan will create more secure, well paid jobs that people can rely on”

To see more, click [here](#), [here](#) and [here](#).

Topics: Casual employment, insecure work

12 April 2022

One Nation re-affirms commitment to Government's initial version of Religious Discrimination bill

Pauline Hanson, One Nation Leader

In a press release, Hanson said that One Nation was committed to supporting the government's religious discrimination bill in the form it was "before Scott Morrison capitulated to Liberal moderates".

Hanson was critical of proposed changes to the bill which would protect students and teachers from discrimination by religious educational institutions.

Hanson also said that One Nation would oppose any effort to repeal s 38(3) of the *Sex Discrimination Act*, which exempts religious educational institutions from prohibitions on discrimination.

To see more, click [here](#).

Topics: Religious discrimination

12 April 2022

Labor promises to oppose Coalition's Omnibus reforms

Tony Burke, Shadow IR Minister

Tony Sheldon, ALP Senator

In response to comments by Michaelia Cash confirming the Coalition's commitment to its Omnibus reforms, Burke said: "Labor and the parliament rejected the government's IR bill because it sought to cut the pay, conditions and job security of workers."

"Now they want to bring it back from the dead? This announcement should send a chill down the spine of every worker," Burke said.

Similarly, in response to the AFR's piece, Labor senator Tony Sheldon said "the Morrison government has just revealed they will resurrect their WorkChoices 2.0 bill if re-elected in May. The Senate narrowly stopped this bill passing last year, we cannot give Morrison a second go at attacking the wages and job security of working Australians."

To see more, click [here](#) and [here](#).

Topics: Omnibus reforms

12 April 2022

Coalition re-affirms commitment to Omnibus reforms

Michaelia Cash, IR Minister, Attorney-General

The AFR reported that Coalition has re-affirmed its commitment to the un-passed aspects of the 2020-2021 Omnibus reforms.

Cash said "it was disappointing that our full suite of critical and sensible reforms introduced in the bill did not gain the support of the Senate", Cash said. "Despite Labor's opposition to sensible reform, the Morrison government will continue to stand up for job creators in our economy".

The Omnibus bill refers to a suite of changes proposed in the initial version of the *Fair Work Amendment (Supporting Australia's Jobs and Economic Recovery) Bill 2020* (Cth), see [here](#). Those changes included:

- Defining casual employment in a manner which gave certainty in relation to the employee's status;
- Inserting a casual conversion entitlement into the National Employment Standards (NES);
- Providing for more flexible working arrangements under Modern Awards;
- Criminalising wage theft and increasing civil penalties for non-compliance with certain provisions of the Fair Work Act;
- Allowing the FWC to summarily dismiss certain applications; and
- Changes to enterprise bargaining, including:
 - Permitting the FWC to take into account only patterns or kinds of work that employees perform or could reasonably be foreseen to perform;
 - Enabling the FWC to have regard to the overall benefits (including non-monetary benefits) employees would receive under an agreement;
 - Requiring the FWC to give significant weight to the views of the parties to an enterprise agreement (EA) as to whether the EA passes the BOOT;
 - Changing the pre-approval requirements for the EAs;
 - Providing a temporary mechanism for the FWC to approve an EA which does not pass the BOOT in certain circumstances;
 - Only allowing applications to terminate an enterprise agreement after its nominal expiry date to be made after three months after the nominal expiry;
 - Requiring the FWC to determine EA approval or variation applications within 21 working days.

The bill was ultimately passed in a limited form, with the only major changes relating to casual employment being implemented.

To see more, click [here](#).

Topics: Omnibus reforms, Better Off Overall Test, casual employment, approval of enterprise agreements, Award flexibility, wage theft, civil penalties and enforcement, termination of enterprise agreements, Fair Work Commission

11 April 2022

Albanese says Labor's policies, structural reform will lift wages

Anthony Albanese, Opposition Leader

When asked how Labor would lift wages in a press conference, Albanese said "what we don't have is centralised wage fixing... what you can have in this country is enterprise bargaining that lifts wages."

He then referred to Labor's policies in relation to defining casual employment, enshrining secure work as a FW Act objective, SameJob, Same Pay and criminalising wage theft, extending minimum conditions to gig workers.

In relation to gig workers receiving minimum conditions, Albanese said: "we've seen, with deals, practical deals with companies like Menulog, that have been able to come to arrangements that put that in place."

Albanese said that particular sectors' wages can be improved and referred to submissions made by Labor in relation to the Social and Community Services Award. He said "the Government that I lead would make a submission to the Fair Work Commission (FWC) to say we support a wage increase."

To see more, click [here](#).

Topics: Wages

11 April 2022

Albanese discusses proposed changes to soften BOOT for union-endorsed deals

Anthony Albanese, Opposition Leader

During an interview with Sky News Albanese said, after being asked what he would hope to achieve during a Full Employment Summit he intended to hold if elected:

"Well, what we saw was the Business Council and the ACTU get very close to an agreement that would boost productivity."

"The way that you lift wages and lift profits can only be through productivity, that's how you can get a win-win. And that's what I'm keen on."

The BCA-ACTU near-deal suggested softening the BOOT for EAs and simplified approval requirements, including a 14-day approval deadline for EAs to which unions were party.

However, Labor sources have clarified to the AFR that Albanese was referring to the BCA-ACTU deal only as an example of the co-operation he hoped for at the forthcoming Full Employment Summit.

During the interview, Albanese also mentioned a number of previously announced Labor policies, including criminalising wage theft, defining casual employment, Same Job Same Pay, extending the IR system to gig workers, and enshrining secure work as a FW Act objective.

To see more, click [here](#) and [here](#).

Topics: Bargaining changes, Better Off Overall Test, approval of enterprise agreements

6 April 2022

Stoker indicates no plans to change Building Code, following Lendlease decision

Amanda Stoker, Assistant Minister to the Attorney-General

In Senate Estimates, Stoker was asked how she reconciled freedom of speech with the interpretation of building code provisions given in *Lendlease v ABCC* [2022] FCA 192, which prevents the display of union material on certain employer/contractor-owned property on building sites.

Stoker said:

"I do very much support free speech. I also support the workplace relations laws that exist in this country. The laws that are in place and have been ruled on in this decision have been in place for some time. They haven't changed. Indeed, it is the ongoing refusal to comply with what was a plain requirement of the workplace relations framework that necessitated this action. Of course, any individual is entitled to raise any matter of public discussion anywhere they like, really, in their own time, but when they're at work, when they are using property that is not theirs, there are limits."

Senator Pratt (a Labor senator) asked follow-up questions to Stoker and ABCC representatives about whether the interpretation would require the removal of anti-sexual harassment or WHS posters with union logos on them.

To see more, click [here](#).

Topics: Australian Building and Construction Commission, Building Code, *Building and Construction Industry (Improving Productivity) Act*

5 and 6 April 2022

Cash says Albanese needs to explain how “he will protect women in the construction industry” if Labor abolishes ABCC

Michaelia Cash, IR Minister, Attorney-General

Following the ABCC’s commencement of proceedings against the CFMMEU for alleged offensive and abusive behaviour towards women in the construction industry, Cash said “Anthony Albanese needs to explain why he continues to capitulate to the CFMMEU and their demands to abolish the building industry watchdog, the ABCC” in a press release, two media interviews and Facebook post.

“By promising to abolish the ABCC, Mr Albanese is effectively condoning the appalling treatment of women in the construction sector by the CFMMEU.”

“The ABCC is the last line of defence between a vibrant building sector and the chaos and delays caused by a Union run Albanese Government,” Cash said.

To see more, click [here](#).

Topics: Australian Building and Construction Commission, Building and Construction Industry (Improving Productivity) Act, workplace equality

5 April 2022

Burke criticizes recent FWC appointment, promises to restore balance to the FWC

Tony Burke, Shadow IR Minister

In a statement to Workplace Express, Burke responded to Paul Schenider’s FWC appointment by saying “the Liberals have spent nine years undermining that balance by only appointing employers, conservative ideologues and their Liberal Party mates....An Albanese Labor Government will restore balance to the Commission”

To see more, click [here](#).

Topics: Fair Work Commission

1 and 5 April 2022

Appointments to Federal Court, FCFCOA, and FWC

Michaelia Cash, IR Minister, Attorney-General

Cash has announced the following employment-related appointments to the Federal Court OF Australia (FCA), FCFCOA and FWC:

- **Federal Court:** Elizabeth Raper SC – Barrister
- **FCFCOA:** Amanda Mansini – Deputy President, FWC and Gillian Eldershaw – Barrister
- **FWC:** Paul Schneider, IR Manager for OSM Australia

To see more, click [here](#), [here](#) and [here](#).

Topics: Fair Work Commission, Federal Courts

5 April 2022

Australia ratifies International Labour Organisation protocol on forced labour

Michaelia Cash, IR Minister, Attorney-General

Marise Payne, Minister for Foreign Affairs, Minister for Women

In a joint statement, Cash and Payne said that Australia had now ratified the International Labour Organization (ILO) protocol of 2014, which added new elements to the 1930 ILO Forced Labour Convention 1930 aimed at tackling modern slavery and the root causes of forced labour.

Treaty obligations include preventing and suppressing forced labour, protecting victims, providing access to appropriate and effective remedies and penalising perpetrators.

Payne said that ratifying the protocol built on Australia’s National Action Plan to Combat Modern Slavery 2020-2025, the 2018 Modern Slavery Act and Australia’s international engagement.

To see more, click [here](#) and [here](#).

Topics: Modern slavery

31 March 2022

Albanese backs pay rise for aged-care workers, promises higher wages, Respect@Work implementation in Budget reply

Anthony Albanese, Opposition Leader

"In his budget reply speech, Albanese said that a Labor government would support aged-care workers' work value case and will "fund the outcome" of the work value case.

Albanese criticised the government's response to low wages, saying low wages were a deliberate part of the government's economic architecture and said Labor would increase wages and reduce cost of living pressures.

Albanese also said Labor "will be a government that creates safe and respectful workplaces for women, and we will implement every single one of the recommendations of the Respect@Work report".

Other topics discussed included skills reform, renewable energy, aged care, infrastructure, child care, education, climate change, an anti-corruption commission, defence spending, disaster relief, manufacturing, Medicare, NDIS, and an indigenous voice to parliament.

Beyond the above, Labor's IR/employment policies were not discussed in the speech.

To see more, click [here](#).

Topics: Aged-care work value case, Respect@Work, wages

31 March 2022

Labor makes further calls for federal criminalization of wage theft, following senate underpayment report

Jess Walsh, ALP Senator for Victoria

Walsh, a member of the Senate Standing Committee on Economics, discussed that Committee's recommendations in relation to underpayments in a radio interview.

She said that the penalties for wage theft are "completely inadequate today" and said that the argument that wage theft is partly due to complexity in the IR system was a "pretty poor defence".

She criticised the Committee's minority report, saying that the measures introduced by the government to support employees "were what you would expect... from the Morrison government".

To see more, click [here](#).

Topics: Wage theft, underpayment, civil penalties and enforcement

30 March 2022

Labor, Greens and independent Senators recommend major changes to workplace law enforcement in Senate Committee report into underpayments

Senate Economic References Committee

On 30 March 2022, the Senate Economic References Committee released its report on unlawful underpayment of employees' remuneration. The report is titled "Systematic, Sustained and Shameful". The committee is made up of a mix of Labor, Greens, Liberal, LNP and independent senators.

There was a majority and a minority report. The majority was made up of a mix of Labor, Greens and independent senators. The minority were Liberal or Liberal National Party (LNP) senators.

Majority Report

The Majority Report's recommendations included:

- criminalising wage theft in the FW Act;
- increasing civil penalties for wage theft in the FW Act;
- making it an offence to advertise employment at less than the national minimum wage;
- capturing all parties that participate in wage theft, including those who knowingly/recklessly create an environment of wage theft;
- considering tasking the Australian Competition and Consumer Commission (ACCC) to bring forward an amendment incorporating wage theft as an anti-competitive practice;
- establishing a small claims tribunal in the FWC;
- reviewing whether union representatives with right of entry (ROE) permits can be better utilised to investigate underpayments;
- introducing penalties for providing misleading/inaccurate documents to ROE permit-holders;
- including Superannuation in the National Employment Standards (NES) and Fair Entitlements Guarantee (FEG);
- directing the Fair Work Ombudsman (FWO) to act on non-payment of Superannuation;
- considering options to allow parties such as unions to act on employees' behalf to recover unpaid superannuation;
- implementing a national labour hire licensing scheme;
- expanding FEG to all employees;
- introducing a legal firewall between FWO and Department of Home Affairs;
- that the Australian Government act as a model procurer and ensures procurement powers are used to support businesses that demonstrate compliance with labour laws; and

- improving protections for lawful activities which prevent wage theft (including publicly speaking out against working conditions, joining a union).

Minority Report

The committee's government senators issued a minority report, saying "[i]n our view, the Majority Report proposes a range of recommendations which are insufficiently supported by evidence".

Among other things the minority report rejected the Majority Report's criticism of the ABCC and referred to the following measures introduced by the government to address underpayments:

- introduction of serious contraventions of the FW Act;
- doubling penalties for record-keeping and pay slip breaches;
- extending liability to franchisors and holding companies liable for breaches by their networks, where they knew or could reasonably be expected to have known of contraventions, and failed to take reasonable steps to address them;
- additional evidence gathering powers for the Fair Work Ombudsman;
- outlawing of cashback arrangements;
- introducing new penalties for hindering an investigation;
- A\$180 million in new funding to the FWO since 2016;
- establishment of FWO employer advisory service;
- proposed Omnibus bill measures such as criminalizing wage theft;
- the proposed Protecting Migrant Workers bill;
- new ATO powers in relation to unpaid super;
- the rollout of single-touch payroll; and
- the one-off amnesty in relation to superannuation non-compliance between May 2018 and September 2020.

To see more, click [here](#).

Wage theft, underpayment, civil penalties and enforcement

29 March 2022

Labor criticises budget, says it does not adequately address wages

Jim Chalmers, Shadow Treasurer

Labor has criticised the budget for "not seeing beyond the next six or seven weeks" and said it was a "desperate political ploy which did nothing to "make up for" a "... decade of attacks on people's wages".

To see more, click [here](#) and [here](#).

Topics: Wages

29 March 2022

Budget 2022-2023

Josh Frydenberg, Treasurer

Among other things, the following Budget measures were announced:

Increased funding for FWC, FWO and Australian Human Rights Commission (AHRC)

- A\$5.6 million over four years additional funding for the FWC to establish a dedicated unit to support small business with issues including unfair dismissal and general protections.
- A\$2.7 million in 2022-23 to extend the FWO's support to business and employers on COVID-19 workplace issues.
- A\$1.6 million over two years to establish a dedicated industry outreach and support team in the AHRC to assist industry to respond to, and support, people who may wish to come forward with historical complaints of sexual harassment at work.

Consultation on NES amendments

- The Government will consult on amendments to NES redundancy payment calculation methods to ensure that redundancy payments "more fairly reflect average working hours over the course of a person's employment". The Women's Budget statement said this measure "is important given many women move between full-time and part-time work due to caring responsibilities".
- The Government will also consult on whether to extend an unpaid leave entitlement to foster and kinship carers.

Paid parental leave

- Dad and Partner pay will be rolled into the Paid Parental Leave entitlement to create a single scheme of 20 weeks' paid leave which working parents can share and take as they like, provided it is taken within two years' of the child's birth or adoption.
- Single parents will be able to access the full 20 weeks' of paid leave.
- The income test will be changed to include an additional household income eligibility test. Under the change, households earning up to A\$350,000 a year would qualify for the scheme.
- The changes will cost A\$346 million over five years and be implemented no later than 1 March 2023.

Employee share schemes

Participants in unlisted companies' employee share schemes will be able to invest up to:

- A\$30,000 per year, accruable for up to five years, plus 70% of dividends and cash bonuses; or
- Any amount if it would allow them to immediately take advantage of a planned sale or listing of the company to sell their purchased interests at profit.

Workplace equality

- A\$18.5 million to support the Workplace Gender Equality Agency to progress gender equality in Australian workplaces.
- A\$18.5 million over four years to implement the recommendations of the review of the *Workplace Gender Equality Act 2012*, support state and territory governments to provide gender equity reporting and establish the Excellence in Workplace Gender Equity Awards.

Aged care

Bonuses of up to A\$800 to aged care workers in residential aged care and home care over 2022-23.

Skills, training and apprentices

- A\$1.3 billion over five years to support employers to engage and retain apprentices and reform the apprenticeships system. Major measures include:
 - Introducing a new apprenticeships system to provide support to employers and apprentices in priority occupations (A\$954 million over five years);
 - Extending wage subsidies to employers who engage new apprentices to 30 June 2022 (A\$365 million).
- The government also announced A\$153 million over five years to address workforce shortages, support job seekers and increase workforce participation and A\$3.86 million over four years from to provide additional support for women commencing in certain trade occupations.
- A\$3.7 billion over 5 years to work with the states and territories to agree a new National Skills Agreement.

Parliamentary workplace culture

A\$4.1 million in 2022-23 to progress the Independent Review into Commonwealth Parliamentary Workplace's recommendations. Measures include A\$2.6 million to design and establish an Office of Parliamentarian Staffing and Culture and begin establishing an Independent Parliamentary Standards Commission.

APS Employees

A\$3.5 million over four years for the Australian Public Service (APS) Commission to continue the operation of the APS Mental Health and Suicide Prevention Unit to implement and maintain a mental health framework for APS employees.

To see more, click [here](#), [here](#), [here](#) and [here](#).

Topics: Fair Work Commission, Fair Work Ombudsman, Australian Human Rights Commission, NES, paid parental leave, employee share schemes, workplace equality, aged care, skills and training, parliamentary workplace culture, public sector employment

25 March 2022

Australia's ILO director-general candidate fails to win election. Former Togo prime minister to head ILO

International Labour Organisation

Greg Vines, the ILO Deputy-Director the government had supported as its preferred candidate to become ILO Director-General has not been elected. Former Togo Prime Minister, Gilbert Houngbo, has been elected as Director-General instead.

To see more, click [here](#).

Topics: International Labour Organisation

25 March 2022

Bielecki re-appointed as ROC Commissioner for 2 years

Michaelia Cash, IR Minister, Attorney-General

Cash announced on 25 March that Mark Bielecki would be re-appointed as ROC Commissioner for a further two years. His next term begins on May 1.

To see more, click [here](#).

Topics: Registered Organisations Commission

25 March 2022

Coalition spokesperson sheds light on IR policy

"Coalition Spokesperson"

A Coalition spokesperson made a number of comments to Workplace Express which shed light on the Coalition's IR plans. The comments formed part of a major Workplace Express article comparing Greens, Labor and Coalition policies and featuring commentary by Andrew Stewart.

The Coalition Spokesperson told Workplace Express:

- The Coalition has delivered a "broad suite of policies and initiatives designed to ensure our workplace laws help businesses create jobs, drive wages growth and improve productivity". The Coalition will continue achieving this "through our reforms that we will ... deliver in the next term of government".

- The Coalition “remains committed to the remaining measures in the Omnibus bill”, such as criminalising wage theft, increasing the maximum life of Greenfields agreements for major projects to eight years, changing the BOOT test and giving the FWC power to approve deals which do not comply with the BOOT in certain circumstances.
- The Coalition would “ensure a stable and productive industrial relations framework that continues to protect workers, drive wages growth and enable businesses to grow and employ more Australians”
- The Coalition will “stop Labor’s \$20 billion jobs tax, which would either see businesses slugged with a levy to pay for new double-dipping entitlements, or cost casuals around \$8,000 a year in loading rates taken away”.
- Protecting the right of labour hire workers to “negotiate their own wages and conditions, and protect the flexibility and freedom these forms of work can offer” will be among the Coalition’s priorities.
- The Government pledged in 2019 to introduce a national labour hire registration scheme and has been in talks to harmonise state-based labour hire licensing regimes.
- The Coalition will “protect the independence” of the ABCC and the ROC, ensuring “both unions and employer organisations are subject to similar levels of transparency and accountability as companies.”
- The Coalition has “not ruled out” implementing any of the remaining Respect@Work recommendations.
- The Coalition “provides” a “democratic choice to union members by allowing union demergers”; and has “tackled powerful unions by making kickbacks and corrupting payments illegal, improv-ing accountability and transparency of registered organisations by introducing standards and obligations for union officials on par with company directors under Corporations Law”.

The article also contains issue-by-issue summaries of previously announced Labor and Greens policies.

To see more, click [here](#).

Topics: Wages, Omnibus reforms, Better of Overall Test, wage theft, greenfields, casual employment, labour hire, Australian Building and Construction Commission, Registered Organisations Commission, Respect@Work, union demergers

25 March 2022

Cash says abolishing ABCC will “lead to chaos on Australia’s building sites”

Michaelia Cash, IR Minister, Attorney-General

In response to figures indicating that 85% of the Construction Forestry Maritime Mining Energy Union (CFMMEU) construction division’s leadership had received fines or are involved in court proceedings, Cash criticised Labor’s plan to abolish the ABCC.

She said Labor would give the “green light to appalling behaviour and chaos on constructions sites if [it] wins the election and follows through with a pledge to scrap the construction watchdog.”

“This would also threaten billions of dollars in construction projects and jeopardise the livelihoods of hundreds of thousands of workers in the construction sector...The level of law-breaking committed by just [the CFMMEU] and its delegates is breathtaking,” Cash said.

To see more, click [here](#).

Topics: Australian Building and Construction Commission

25 March 2022

Burke repeats criticisms of ABCC: “politicised and totally discredited”

Tony Burke, Shadow IR Minister

Burke repeated Labor’s criticisms of the ABCC to the Courier Mail, saying was a “politicised and totally discredited organisation” and accused it of targeting workers and had previously been found to have acted unlawfully under its previous commissioner.

“It was set up by the LNP to dismantle unions and undermine the pay, conditions and job security of ordinary Australian workers,” he said.

To see more, click [here](#).

Topics: Australian Building and Construction Commission

25 March 2022

Coalition criticizes Labor for not explaining how it will fund its parental leave plan

Simon Birmingham, Finance Minister

Birmingham has criticised Labor for playing a “tricky game” by not explaining how it would fund its policy to provide 6 months of paid parental leave.

Birmingham said “Labor need to stop hiding behind the vagueness of these big-spending promises and be upfront with Australians on the details of what they’re actually promising and who’s going to pay for it.”

A government costing said Labor’s plan would cost A\$45 billion over a decade.

To see more, click [here](#).

Topics: Paid parental leave

25 March 2022

Labor maintains position on aged care work value case despite union funding threat

Clare O’Neil, Shadow Minister for Senior Australians and Aged Care Services

O’Neil repeated Labor’s position that it would support aged care workers in their FWC work value case. These comments were made following threats from Health Services Union (HSU) national president Gerard Hayes to withhold campaign assistance if Labor did not adequately support efforts to increase aged care workers’ wages.

“We will be intending to make a significant contribution to the ALP campaign, but we won’t be doing that until such time as members can understand the support we’d be getting from an ALP government,” Hayes said. The HSU, he said, “would be resourcing on the ground, as well as a financial contribution, which would be in the vicinity of half a million [dollars].”

O’Neil said aged care workers were “clearly underpaid” and maintained her party’s commitment to lodge a submission in the wage case “to support the argument that aged care workers need to be paid more.” “Any determinations about funding will rely on the decision made by the independent umpire, Fair Work, and working with the aged care sector to deliver that decision will be a core responsibility for whoever is in government at the time.”

To see more, click [here](#).

Topics: Aged care work value case

23 March 2022

Cash reiterates government’s support for Greg Vines as ILO Director-General

Michaelia Cash, IR Minister, Attorney General

In a Facebook post, Cash said “Australia is committed to fighting forced labour practices, and other forms of modern slavery around the world.”

“To build on Australia’s international engagement and leadership on this issue, Marise Payne and I strongly endorse Greg Vines as Australia’s candidate for the International Labour Organization’s Director-General.

Mr Vines’ has demonstrated tremendous leadership over the past decade, having delivered significant organisational reform and governance improvements [to the ILO].…”

To see more, click [here](#).

Topics: International Labour Organisation

23 March 2022

Labor criticises aged care bonuses plan, indicates support for FWC case

Anthony Albanese, Opposition Leader

Jim Chalmers, Shadow Treasurer

Chalmers criticised the government’s plan to pay aged care workers A\$400 bonuses. He said “these workers deserve much better than being treated as the political equivalent of panic buying. They deserve a sustainable solution”

Albanese suggested that the federal government should make a submission supporting increasing aged care workers in the FWC.

The HSU is currently seeking award rate increases of up to 25% across three awards.

To see more, click [here](#) and [here](#).

Topics: Aged care work value case

23 March 2022

Government to provide twice-off bonus payments to aged care, will not support FWC case for pay rise

Scott Morrison, Prime Minister

Jane Hume, Superannuation, Financial Services, Digital Economy Minister

Stuart Robert, Employment Minister

The ABC has reported that Scott Morrison will announce that the government will make two A\$400 payments to aged care workers. Senator Jane Hume and Employment Minister Stuart Robert said the payments were being made in recognition of the increased work demands aged care workers face due to COVID-19.

However, Hume indicated the government would not support the FWC case to increase aged care worker wages. She said “a A\$5 per hour increase would dramatically increase the cost of the aged care workforce, and we want to make sure this is a sustainable system going into the future.”

To see more, click [here](#).

Topics: Aged care work value case

23 March 2022

Tasmanian Labor Senator writes opinion piece in support of Labor’s employment policies

Helen Polley, Senator for Tasmania

In an opinion piece for the Examiner, Polley said that Tasmania has the highest capita of casual workers in the country, with 27.1% being employed on a casual basis. She also said Tasmanians earn 15% less than the Australian median wage.

Polley said that Labor will make sure every Tasmanian gets a “well-paid, secure job.” She then recapped a number of Labor policies, including: ensuring job security is an object of the FW Act, criminalising wage theft, capping fixed term contracts at 24 months, legislating an objective definition of casual employment, and same job same pay.

She also referred to Labor policies to close the gender pay gap, including requiring companies with more than 250 employees to report their gender pay gap, prohibiting pay secrecy clauses, strengthening the FWC’s power to order pay increases in female-dominated industries, and taking action in the APS.

To see more, click [here](#).

Topics: Wages, insecure work, wage theft, casual employment, gender pay gap

22 March 2022

Reports that Labor is likely to abandon policy to pay super on paid parental leave

Anonymous Labor Sources

The Daily Telegraph has reported that Labor is likely to abandon its policy to make superannuation payable on the 18 weeks of federal paid parental leave.

Daily Telegraph sources said that the main reason for abandoning the policy was that it would increase the cost of the paid parental leave scheme by A\$200 million annually.

If the Daily Telegraph is correct, this would be a departure from Labor’s National Platform, which included “extending paid parental leave to 26 weeks at full pay and with superannuation funded.”

To see more, click [here](#).

Topics: Superannuation, paid parental leave

22 March 2022

Bipartisan parliamentary Committee supports FWC providing free legal assistance, being given power to dismiss vexatious complaints

House of Representatives Standing Committee on Employment, Education and Training

The House of Representatives Standing Committee on Employment, Education and Training presented its report on the FWC’s 2019-20 annual report. The report focused on COVID-19’s effect on the Commission.

Among other things, the Committee said it “supports the provision of one hour of free legal assistance to eligible employees and employers on a range of topics by the Commission”. It also “encourage[d] the Australian Government to consider a mechanism that would allow the Commission to dismiss vexatious claims.”

The Committee’s Chair is Liberal MP Andrew Laming. Its Deputy Chair is Labor MP Lisa Chesters.

To see more, click [here](#).

Topics: Fair Work Commission

22 March 2022

Chalmers says Labor will support a “responsible increase in pay” in some FWC cases, particularly care industry. Labor unlikely to unveil further IR reforms

Jim Chalmers, Shadow Treasurer

In a doorstep interview Chalmers was asked a series of questions about its policies to increase wages. Chalmers was asked “if Labor gets into government, would you push the Fair Work Commission to increase wages?”

Chalmers replied: “we’ve said that there are some cases that will be before the Fair Work Commission, where we will support a responsible increase in pay in areas, particularly in the care economy. There is an important role to play for the Fair Work Commission when it comes to dealing with this legacy of stagnant wages... If other issues come before the Fair Work Commission we’ll treat them on their merits...”

Chalmers was then asked whether “a silver bullet might be stacking the Fair Work Commission with more Labor representatives Does Labor have any plans to actually have Fair Work decisions of higher minimum wages implemented in factories and businesses around the country to actually get higher wages?”

Chalmers replied “the Fair Work Commission’s got an important role to play when it comes to getting stagnant wages growing again. Australian workers have been confronting real wages going backwards even as the economy recovers but that’s not the only area that requires attention. There are issues around training people so they can grab these opportunities. ... I don’t believe in a silver bullet when it comes to wages growth, there are a range of issues that need to be addressed. ... We need to recognise that insecure work has been a cancer when it comes to wages growth in this country.”

Finally, Chalmers was asked “is industrial relations reform on the cards?”

Chalmers said Labor had already announced its industrial relations policy. He said Labor’s “focus is on dealing with things like labour hire, which is undercutting wages. Dealing with some of the issues in the gig economy. Making sure that the Fair Work Commission operates as its intended”.

To see more, click [here](#).

Topics: Wages, insecure work, Fair Work Commission, labour hire

22 March 2022

Chalmers gives pre-budget speech to ACCI, says Australia needs a “private sector-led recovery” with employees and employers at the table

Jim Chalmers, Shadow Treasurer

In a pre-budget speech to Australian Chamber of Commerce and Industry (ACCI), Chalmers said that Labor would seek to “brin[g] down a proper budget before the end of 2022”.

Chalmers did not foreshadow any specific major IR initiatives. However, he did indicate that labour would engage in “economic reforms to create a bigger pool of available workers, by making childcare cheaper and more accessible.”

Chalmers also said that Labor would take a consultative approach to government, saying Labor “want[ed] to govern in partnership with business”. “This needs to be a private sector-led recovery,” he said. There is an appetite for reform in our ranks that needs to be matched by an appetite for consensus [amongst members of ACCI].” “Employers, employees, government all at the same table.”

Australian Council of Trade Unions (ACTU) president Michele O’Neil welcomed the comments saying “ensuring a seat at the table for unions, as well as government and businesses, means that the needs of workers are considered in the skills and training decision-making process”.

To see more, click [here](#), [here](#) and [here](#).

Topics: Budget, skills and productivity, role of unions

21 March 2022

Burke discussed labour hire, effect of ALP policies on small-to-medium enterprises, and extension of FWC powers during 18 March visit to TWU members at Toll worksite

Tony Burke, Shadow IR Minister

The Jimboomba Times have reported further details from Tony Burke’s visit to Transport Workers’ Union (TWU) workers at a Toll worksite. Burke told the workers that Labor “would put an end to unfair pay at large companies”, referencing Labor’s Same Job, Same Pay plan.

"First of all, [this plan] means that we do stop replacing permanent jobs with lower-paid casual ones .. Secondly, it means if you negotiate a rate of pay for the site, that becomes the rate of pay at the site."

He also referred to Labor's plans to extend FWC powers to employee-like forms of labour. "At companies like Amazon, the Fair Work Commission has no access to the workers because they're technically not employees," he said.

Burke said Labor's plan would have less impact on small-to-medium enterprises: "What tends to happen is in some of the larger companies we've seen situations where an enterprise agreement gets negotiated. Then a few months later, labour-hire starts turning up, undercutting the agreement... Very few small and medium businesses have enterprise agreements of that nature."

Burke also acknowledged the value of the labour-hire industry: "There'll always be a role for labour-hire," he said. "At the moment where there's a shortage of workers, a lot of businesses are using [labour] hire because they can't find people. So they're outsourcing recruitment and that's completely reasonable."

To see more, click [here](#).

Topics: Wages, insecure work, Same Job, Same Pay, labour hire

21 March 2022

Morrison criticises Albanese's response to allegations of workplace bullying in Labor Party

Scott Morrison, Prime Minister

During an interview, Neil Breen asked Morrison whether Labor was being hypocritical in not conducting an investigation into allegations that Kimberly Kitching had been bullied, given Labor's criticism of the Coalition concerning treatment of women in Parliament. Morrison replied:

"The Labor Party and Anthony Albanese in particular has been very quick to throw stones, very quick to make accusations, but when he has to do with the same issues in his own house, well, he shuts up shop and gets into the basement."

Earlier this week HWU Secretary Diana Asmar said Kitching had been under "severe stress caused by workplace bullying". Former Labor MP Michael Danby said Labor should "follow [its] own procedures on bullying".

To see more, click [here](#) and [here](#).

Topics: Workplace bullying, workplace health and safety

19 March 2022

Labor says cost of living pressures due to government's wage and job security policies

Jim Chalmers, Shadow Treasurer

In a doorstep interview, Chalmers criticised the government's attitude towards cost of living pressures, saying:

"If [the government] really cared about the costs of living pressures... they wouldn't have spent the best part of a decade coming after people's take home pay. The costs of living pressures... began when the Liberals and Nationals started attacking wages and job security for the best part of the last decade."

To see more, click [here](#).

Topics: Wages, insecure work

18 March 2022

Frydenberg's pre-budget speech touts job numbers, no IR initiatives foreshadowed

Josh Frydenberg, Treasurer

Frydenberg delivered a pre-budget speech to ACCI today. In the speech, he said:

"Australia's unemployment rate is at 4 per cent - the equal lowest in 48 years." And said "the unemployment rate is now on track to have a three in front of it for the first time in half a century".

No IR policies were foreshadowed in the speech. Frydenberg foreshadowed initiatives in other areas:

"this year's Budget will see a continuation of our economic plan with further investments in infrastructure, skills, digital transformation, energy, our regions and Australia's sovereign manufacturing capability....We are sensibly transitioning to the next stage of our fiscal strategy, beginning to rebuild our fiscal buffers. We are at the same time, sticking to our economic plan, investing in our future, creating more jobs and guaranteeing the essential services that Australians rely on."

To see more, click [here](#).

Topics: Unemployment

17 March 2022

Frydenberg makes no comment on public sector wage rise, will continue not “taking a side” in wage increase demands to FWC

Josh Frydenberg, Treasurer

In an interview on Radio National Breakfast, Frydenberg was asked “why doesn’t the government take the lead and boost public sector wages and support demands for wages in the Fair Work Commission for sectors like aged care...?”

Frydenberg said he “obviously want[ed] to see wages rise”, but the “Commonwealth’s position has been consistent with those wage cases, which is, we provide advice as to what is the economic environment in which decisions will be taken. But we don’t take a side as to what the particular outcome should be.”

Frydenberg noted that the government had made additional retention bonuses for the aged care sector and said “the best way to create higher wages is through a tighter labour market.”

He blamed the lack of real wages rises on the higher inflation rate, which he said was a result of international factors beyond the government’s control.

Frydenberg did not comment on increasing public sector wages.

To see more, click [here](#).

Topics: Public sector employment policy, wages

18 March 2022

Morrison lauds trade training and apprenticeship numbers

Scott Morrison, Prime Minister

In a Facebook post, Scott Morrison said that the number of people in trade training and apprenticeships was the highest number “since records began”

“Investing in the skills and infrastructure we need for our economy to grow is a key part of our strong economic plan to secure our recovery and build a stronger economy and a stronger future for all Australians,” he said.

To see more, click [here](#).

Topics: Skills and training

18 March 2022

Employment minister says public schools should be “free” to dismiss underperforming teaching staff where necessary

Stuart Robert, Minister for Employment, Workforce, Skills, Small and Family Business

In an interview regarding the quality of teachers in public schools, Stuart Robert was asked “would you like to make it easier, or see that it would be easier for public schools to hire and fire teachers?” Robert replied:

“I think every employer should have the right to be able to hire their own excellent staff and to ensure those staff are performing, and if need to, to actually address that performance and move on....[Public school principals] should be free to employ, and if need be, dismiss teaching staff that aren’t teaching to the appropriate standard. Why should we ever be afraid about our leader exercising their judgment.”

To see more, click [here](#).

Topics: Education sector, public sector employment policy

18 March 2022

Stoker criticises Labor for failing to meet own standards on workplace bullying

Amanda Stoker, Assistant Minister for Industrial Relations, Assistant Minister to Attorney-General, Assistant Minister for Women

In an interview with Steve Price, Stoker suggested that Labor’s failure to investigate allegations of bullying within the Labor Party meant the party had failed to meet its own standards on workplace safety. Stoker said:

“If you are working in a shop, or if you work on a construction site, or in a factory, and you’re bullied to the point where it adversely affects your health, there’d be a workplace health and safety investigation, and it’s very likely there’d be compensation and dramatic action taken to make sure you could be able to work safely....Why on Earth would Labor – the party who pretends they’re all about workplace safety – shirk their responsibilities...”

Topics: Workplace bullying, workplace health and safety

17 March 2022

Marles likely to be moved from Employment, Skills and Small Business to Defence if Labor wins

Anonymous sources

The Australian has reported that it is understood to be “increasingly likely” that if Labor wins, Shadow Employment, Skills and Small Business Minister, Richard Marles could be moved into the Defence portfolio. The Australian does not indicate who is likely to replace Marles.

To see more, click [here](#).

Topics: Responsible minister, skills and training

17 March 2022

Unions and Business would be “consultative partners with Labor’s proposed Jobs and Skills Australia agency

Richard Marles, Shadow Employment Skills and Small Business Minister

Labor’s proposed Jobs and Skills Australia Agency will “will work with businesses and unions on plans to improve outcomes for targeted cohorts, including in the regions,” Marles said in draft speech to the National Apprentice Employment Network Conference seen by The Australian.

The proposed agency will “research workforce trends and provide impartial advice about what skills are needed now and what skills will be sought after in the future”

To see more, click [here](#).

Topics: Role of unions, skills and training

17 March 2022

First Labor TV ad promises to invest in manufacturing to “create more secure jobs here”

Anthony Albanese, Opposition Leader

The Labor party has released its first TV ad ahead of the election. Among other things, the ad features Albanese promising to invest in manufacturing to “create more secure jobs here.” The ad will air from Friday afternoon and run during primetime and during NRL and AFL matches.

To see more, click [here](#).

Topics: Wages, unemployment, insecure work

17 March 2022

Morrison says more people in work today than at any other time

Scott Morrison, Prime Minister

Scott Morrison lauded the ABS’ latest employment figures, saying there are around 325,000 more jobs now than before COVID-19. Full time employment increased by 121,900 in February. Part time employment decreased by 44,500. This is a net gain of 77,400.

“We have got more people in work today of working age than at any other time of records for jobs in this country.”

“We have had greater employment growth through the pandemic than any of the G7 countries,” Morrison said.

To see more, click [here](#).

Topics: Unemployment

15 March 2022

Labor foreshadows cost of living and wages growth measures

Anthony Albanese, Opposition Leader

Albanese told reporters that “cost of living pressures won’t be dealt with by this government, because this government declared ... reduced or low wages, stopping downward pressure on wages, was a key part of the economic architecture”

“There’s a range of measures that could be looked at in terms of cost of living, we’ll wait and see.”

To see more, click [here](#).

Topics: Wages

15 March 2022

Victorian Casual Sick Pay Trial a “tax on jobs” and “handbrake on our economy”, says Coalition

Michaelia Cash, IR Minister, Attorney General

Michaelia Cash attacked the Victorian Casual Sick Pay Trial, calling it a “tax” and a “sign of things to come under an Albanese Labor Government”

“Victorian employers should not have to pay a casual worker tax, which is nothing but a tax on jobs and a handbrake on our economy,” she said.

Cash also said “Labor have consistently attacked those who choose to undertake casual work and the businesses that employ them and when they talk about a ‘portable leave policy’ what they really mean is a casual worker tax on businesses.”

To see more, click [here](#) and [here](#).

Topics: Casual employment, insecure work

15 March 2022

Federal Labor will “watch” Victorian Casual Sick Pay Trial “closely”

Tony Burke, Shadow IR Minister

In response to the Victorian government’s Casual Sick Pay Trial, Shadow Industrial Relations Minister, Tony Burke said that the federal Labor Party would “watch the Victorian trial closely. But Anthony Albanese announced federal Labor’s response to the scourge of insecure work more than a year ago. Our Secure Australian Jobs plan will deliver secure jobs, better pay and a fairer system.”

In contrast, he said, “Scott Morrison has refused to do anything about it – other than to make casualisation easier.”

To see more, click [here](#), [here](#) and [here](#).

Topics: Casual employment, insecure work

9 March 2022

Labor says wages backslide means record number of Australians working multiple jobs

Tony Burke, Shadow IR Minister

Richard Marles, Shadow Employment Skills and Small Business Minister

Burke and Marles noted that “a record 954,000 Australians are now working multiple jobs” due to “real wages going backwards” under the government.

Burke and Marles said “under [Labor’s] Secure Australian Jobs Plan more Australians will have jobs they can rely on – and enough money so they... [wont be] forced to get a second job.”

To see more, click [here](#).

Topics: Wages growth

8 March 2022

The Greens’ Economic Security for Women policy

Greens policy platform

Policies relating to employment and labour include:

Fairer paid parental leave

- investing A\$24.5bn over ten years to reform paid parental leave;
- establishing a 26-week paid parental leave package to be shared between parents (2 x 6 weeks to be taken by each parent plus 14 weeks to be taken how the family chooses). Single parents may take the entire 26 weeks;
- changing parental leave to be paid at pro rata of the parent’s existing wage (up to A\$100,000 p/a) on top of employer policies;
- requiring superannuation contributions to be paid on parental leave;
- Removing the restriction on transferring leave entitlements where a birth mother earns above the threshold.

Flexible work

Requiring employers to grant reasonable requests for family friendly working arrangements, including later start times, shared roles and days working from home.

Higher wages

Rewriting labour laws to raise the minimum wage and ensure women in part-time, casual and low income roles have greater economic security.

Addressing the parenting penalty for low income workers

A\$500 per year to be contributed by government to the superannuation accounts of low income earners who the primary carers for children under six or children who have a disability requiring intensive care under 16.

Target the gender pay cap

- investing A\$40 million over 10 years to extend workplace gender reporting obligations to the public sector and businesses employing more than 50 staff;
- requiring large businesses to include gender pay gap data in annual reports;
- boosting the Workplace Gender Equality Agency’s (WGEA) powers to take action against employers who do not take action to address gender pay gaps in their organisation, including making lagging companies ineligible for government grants and contracts;
- implementing a legislative prohibition on pay secrecy clauses in the private sector.

Boosting retirement savings for low income earners

Doubling the Low Income Superannuation Tax Offset to A\$1,000.

Safer workplaces

- implementing all 55 Respect@Work recommendations in full;
- prohibiting non-disclosure agreements unless requested by victims and allowing factual information about the outcome of harassment claims to be made public by the victim;
- implementing all 28 recommendations of the AHRC's Set the Standard report.

To see more, click [here](#).

Topics: Gender equality, paid parental leave, flexible work, wages, Workplace Gender Equality Agency, gender pay gap reporting obligations, Respect@Work

25 February 2022

Labor calls ROC "politicised waste of space" following decision not to prosecute after AWU investigation

Tony Burke, Shadow IR Minister

Following the ROC's announcement that it would not proceed with prosecutions in relation to its Australian Workers Union (AWU) investigation, Burke said that the ROC was a "totally discredited and unnecessary body designed to attack working people. It's a biased and politicised body set up by the Liberals and Nationals to go after unions."

The ROC's AWU investigation, Burke said, "spent nearly five years and more than A\$1.3 million dollars of taxpayers' money on a shameless political witch hunt that has come to nothing."

Burke criticised Michaelia Cash's fitness for the IR portfolio citing allegations her office informed the media about raids on the AWU and stating that Cash had failed to answer questions regarding the leak or cooperate with the Australian Federal Police (AFP).

To see more, click [here](#).

Topics: Registered Organisations Commission

23 February 2022

Labor says ABS data shows real wages have "continued to fall by 1.2%"

Tony Burke, Shadow IR Minister

Jim Chalmers, Shadow Treasurer

Richard Marles, Shadow Employment Skills and Small Business Minister

In response to ABS data regarding the CPI and real wages, Burke, Chalmers and Marles said that ABS data showed "wages lagged behind [3.5% CPI] on 2.3 per cent, so real wages have continued to fall by 1.2 per cent"

The release said "the Government's own Budget reveals real wages will keep going backwards over the course of this year."

The press release criticised wage growth under the government: "wages growth has been at or near record lows for much of the Liberals' decade in office." It further said, "real wage growth under the Coalition has been almost a third of what it was under the last Labor government."

To see more, click [here](#).

Topics: Wages growth

18 February 2022

Burke says NSW IRC Amazon Flex decision proves it is possible to extend proper pay and protections to gig workers

Tony Burke, Shadow IR Minister

Burke said the NSW Industrial Relations Commission's (NSW IRC) decision to grant enforceable minimum pay rates to Amazon Flex gig workers "shows it's possible to give gig workers a better deal so they're not underpaid and exploited – we just need a federal government with the political will to deliver minimum standards for all gig workers"

Burke reiterated that rather than "wait[ing] for courts in tribunals to "catch up", an ALP government would give the FWC power to set minimum pay and conditions for all gig workers.

To see more, click [here](#).

Topics: Minimum standards for gig workers, insecure work

10 February 2022

Labor criticises government decision to put religious discrimination legislation “on indefinite hiatus” and outlines ALP position

Anthony Albanese, Opposition Leader

Mark Dreyfus, Shadow Attorney General

Albanese and Dreyfus criticised the religious discrimination legislation introduced by the government as “flawed” and “produced at the last minute”. They said the decision to place the legislation on “indefinite hiatus” broke the Prime Minister’s 2019 election commitment.

Albanese and Dreyfus said a Labor government would:

- prevent discrimination against people of faith, including anti-vilification protections;
- act to protect all students from discrimination on any grounds; and,
- protect teachers from discrimination at work, whilst maintaining the right of religious schools to preference people of their faith in the selection of staff.

To see more, click [here](#) and [here](#).

Topics: Religious discrimination

9 February 2022

Labor outlines stance on religious discrimination legislation

Mark Dreyfus, Shadow Attorney General

Dreyfus outlined Labor’s stance on religious discrimination legislation. In summary, Labor will be moving the following four amendments to the bill to ensure it is more balanced:

- prohibit religious vilification;
- prohibit discrimination against children on the grounds of sexuality and gender identity;
- make it clear that in-home aged service providers cannot discriminate on the basis of religion in the provision of aged care services; and
- make it clear that the ‘statement of belief’ provision does not remove or diminish any existing protections against discrimination.

Labor would also amend the Sex Discrimination Act to remove existing exemptions which permit religious schools to discriminate against students and teachers on the basis of sex.

Labor’s proposed anti-vilification provision would make it unlawful for a person to engage in conduct on the ground of the religious belief or activity of another person or group of persons:

- that is not in private; and
- that a reasonable person would consider would threaten, intimidate, harass or vilify the other person or group.

To see more, click [here](#).

Topics: Religious discrimination

9 February 2022

Albanese criticises government’s religious discrimination bill, moves amendments

Anthony Albanese, Opposition Leader

In a speech to parliament, Albanese criticised the *Religious Discrimination Bill 2021*, *Religious Discrimination (Consequential Amendments) Bill 2021*, and the *Human Rights Legislation Amendment Bill 2021* because they do not balance the need to provide protection from religious discrimination against the rights of others.

“It should be very possible for this parliament, with people with goodwill, to be able to have provisions which ensure protections for people of faith without removing protections for others. That is what this amendment is aiming to do,” Albanese said.

To see more, click [here](#).

Topics: Religious discrimination

8 February 2022

Albanese comments on the Set the Standard report, promises to implement every recommendation

Anthony Albanese, Opposition Leader

In a speech to parliament, Albanese said:

“We are committing to change. The Jenkins report, with its piercing honesty about the treatment of women and men both, has exposed a damaged culture, and no word any of us says in here is worth a thing if it does not lead to action. We can make a difference, but it will take real and sustained effort to create the lasting cultural change that we need.

I believe we can do it. I know that we have to. How we can start doing that is by working across the parliament to implement every single recommendation of the Jenkins report.”

To see more, click [here](#).

Topics: Parliamentary workplace culture

4 February 2022

Albanese says “Australians deserve a pay rise”

Anthony Albanese, Opposition Leader

In a media release, Albanese outlined a number of things Labor will do to improve wages. Most related to productivity, training, childcare, electricity prices. However, Albanese did say:

“We will also work with businesses and trade unions to improve security of work for Australians. The drift to casualisation in recent years means about four million Australians do not have secure work providing them with stable incomes. Casual work suits many Australians. But for many others, secure work will make their lives more stable, allowing them to plan ahead, build homes, raise families and generate more economic activity in their own communities.”

To see more, click [here](#).

Topics: Wages

January 2022

The Greens’ Rewrite our Labour Laws policy

Greens policy platform

Policy proposals include:

Reducing inequality

- increasing the minimum wage to at least 60% of the full-time adult median wage;
- ensuring awards keep up with the changing and dynamic nature of work and improves workers’ rights, pay and conditions;
- implementing 10 days’ paid family and domestic violence leave;
- restoring Penalty rates to pre-July 2017 levels and protecting them in law;
- providing all workers with leave entitlements, including sick leave;

- providing gig economy and labour hire workers with the same minimum pay, conditions and protections as other workers.

Equal pay and treatment for the same work

- making achieving gender pay equity a stated object of labour laws, including in relation to the making and review of awards;
- providing swift and accessible enforcement for wage theft;
- preventing minimum standards, including penalty rates, overtime, loading and allowances from negotiated out of agreements;
- regulating internships;
- reforming insolvency laws to ensure wages are paid as a first priority, ahead of taxes and secured creditors.

Right to decent work

- creating employment-creating programs and tackling the climate crisis and assisting workers transition to new jobs and industries, supported by a jobs guarantee;
- working towards full-employment;
- ensuring workers are involved in the implementation of technology in the workplace;
- government procurement to be used to create and support local jobs;
- moving towards a shorter working week without loss of pay.

Protecting rights of workers and unions

- allowing workers to engage in industrial action in a manner consistent with international law and not limited to bargaining periods;
- repealing legislation banning secondary boycotts and strikes;
- unions should have enforceable rights to enter workplaces for legitimate purposes, hold discussions with members and potential members and to represent members;
- unions should have a role in advancing conditions through the FWC, including seeking changes to awards;
- training for union and WHS delegates should be held in work time and paid for;
- covering unions’ rights to organise and represent workers in law.

Insecure work must be outlawed

- outlawing insecure work and establishing a legislated presumption in favor of ongoing employment;
- giving workers and unions enforceable rights to create a better work-life balance;
- legislating a requirement for corporations to include employees or their representatives on their boards.

Workers should have more power to bargain

- workers should be free to collectively bargain at whatever level they consider appropriate, whether it be at the workplace, industry or sector level;
- workers should be free to determine what matters relevant to their social, economic and environmental interests they want to bargain;
- removing the right to terminate an agreement as a bargaining tactic;
- the life of greenfields agreements should not be extended.

Migration laws and free trade deals should not be able to undercut local labour laws

- Australia must stop signing trade deals which allow the exploitation of temporary visa workers;
- jobs should be advertised locally first;
- temporary working visas should only be used to fill genuine skills shortages or where international collaboration is important;
- the system regulating the use of guest workers should be negotiated between unions, employer organisations and the federal government;
- labour laws must be enforced to ensure standards are applied to both local and guest workers.

The composition of the workforce must reflect the population

Implementing laws to ensure greater employment with equal pay for people with disabilities, First Nations people, and people from non-English speaking, refugee and migrant backgrounds.

The government must not use the law to attack working people and unions

- abolishing the ABCC and ROC;
- reinstating the Road Safety Remuneration Tribunal.

There must be an independent workplace commission and easy way of enforcing labour laws

- FWC appointments should be an equal number of union and employer representatives.
- the current system of enforcement must be overhauled to make it easy and cheap to enforce labour laws.

To see more, click [here](#).

Further policy specifics in relation to higher wages and ending secure work “will be released in the weeks ahead.”

Topic: Wages, domestic violence leave, penalty rates, casual employment, gig workers, gender equality, wage theft, industry bargaining, Australian Building and Construction Commission, Registered Organisations Commission, role of unions, insecure work, visa requirements, Fair Work Commission

22 November 2021

Labor’s Fair Work Amendment (Same Job, Same Pay) Bill 2021

Anthony Albanese, Opposition Leader

Tony Burke, Shadow IR Minister

The Fair Work Amendment (Same Job, Same Pay) Bill 2021 was introduced by Anthony Albanese to the Parliament on 22 November. The bill introduces a new “Same Job, Same Pay” NES entitlement, designed to ensure that labour hire workers have pay and conditions no less favourable than those which would be required to be paid to employees doing the same work.

The full bill is available [here](#). A Corrs Insight is available [here](#).

In press releases, Burke said “right now companies are deliberately using labour hire firms that exploit casual workers to undermine job security and undercut wages. These dodgy arrangements are rife in the mining industry but are increasingly being used in other industries as well such as meat work, construction, hospitality and even aged care.”

Burke criticised government minister, Paul Fletcher, for reportedly saying “so-called Same Job, Same Pay issue” is a “made up the issue”.

To see more, click [here](#) and [here](#).

Topics: Same Job, Same Pay, labour hire

20 November 2021

Labor disavows industry bargaining

Jim Chalmers, Shadow Treasurer

Shadow treasurer, Jim Chalmers, said in an interview on *Insiders*:

“[Industry-wide bargaining is] not part of our policy... I’ve just explained to you what our policy is on industrial relations, we’ve already announced that some time ago.

[On how to improve wages]. If you ask any credible economist, they say you’ve got to come at it at multiple levels. At the macro level, the key to wages is to get productivity growing again, and to get business investment at acceptable levels. And on both of those fronts - if you look at the last eight years - we’ve had flatlining productivity and flatlining business investment. That’s what matters most at the macro level. But at the very specific level, we’ve got a policy out there about making work more secure. The main thing that has been undermining real wages in this country is the cancer of insecure work, and that’s been flowing through into wages outcomes.

Productivity, business investment, and dealing with insecure work - we've got policies on each of those fronts. When it comes to the comments made by the ACTU, I think for the last few years people on all sides of the employment relationship have expressed their concerns about enterprise bargaining and have proposed ways to make it better. We take suggestions made by the unions and made by the employer groups very seriously."

To see more, click [here](#).

Topics: Industry bargaining, wages

6 September 2021

Labor welcomes BCA's backing of 10 days' paid domestic violence leave

Tony Burke, Shadow IR Minister

Linda Burney MP

Jenny McAllister, ALP Senator

In a press release, Labor said it congratulates the Business Council of Australia for recognising that paid domestic violence leave would save lives. Labor also noted that many employers already provide paid domestic violence leave, including Telstra, Medicare, CUB, NAB, Virgin Australia, Qantas, IKEA and the NSW Government.

To see more, click [here](#).

Topics: Paid domestic violence leave

31 August 2021

Labor commits to funding Working Women's Centres and to providing funding to establish additional AHRC functions

Anthony Albanese

Tony Burke, Shadow IR Minister

Tanya Plibersek, Shadow Minister for Education and Training

Mark Dreyfus, Shadow Attorney General

In a press release, Labor said "Labor will commit around \$24 million to ensure there are properly funded Working Women's Centres in every Australian state and territory."

Working Women's Centres provide free, confidential assistance and advice about workplace matters, including sexual harassment, wage theft and discrimination.

Labor will invest A\$1.27 million to establish a one-stop shop, within the Australian Human Rights Commission, to assist victims of workplace sexual harassment. The one-stop shop would provide information about a victim's rights, options for making a complaint, and referrals to support services. Employers will be able to access the one-stop shop for help understanding their responsibilities.

The Australian Human Rights Commission would also receive A\$1.5 million to hear and confidentially document the experiences of victims of historical workplace sexual harassment. This will allow the Commission to better identify how to strengthen the way we prevent and respond to sexual harassment at work, as well as helping victims come to terms with their experiences.

To see more, click [here](#).

Topics: Workplace sexual harassment, Australian Human Rights Commission, community legal aid

26 July 2021

Labor to amend FW Act to provide paid parental leave for parents who experience stillbirth

Tony Burke, Shadow IR Minister

Kristina Keneally, Shadow Home Affairs Minister

In a press release, Labor said it would introduce a private member's bill called the *Fair Work Amendment (Improving Paid Parental Leave for Parents of Stillborn Babies)*.

The Commonwealth's Parental Leave Pay already provides parents of a stillborn baby the same leave entitlements as parents of a baby born live.

The bill aims to extend similar entitlements to employees in the private sector.

To see more, click [here](#).

Topics: Paid parental leave

30 March 2021

ALP 2021 Special Platform Conference

Special platform conference

During the Special Platform Conference, the ALP outlined further IR policies including:

Union demerger reform

Reversing the Morrison Government's legislative changes that make it easier for unions to demerge.

Wage theft

Burke criticised the Government for promising to take action on wage theft only to withdraw the legislation in the Senate.

Minimum pay

Supporting a push by the Retail Supply Chain Alliance (the AWU, SDA and TWU) for horticultural workers to be paid guaranteed minimum rates rather than piece rates that can be "gamed".

Two years unpaid parental leave

- Amending the NES to provide a right to up to two years unpaid parental leave.
- Introducing an enforceable right to request changes in hours or other flexible work arrangements for parenting and caring.

Mandatory training for MPs and staff

Implementing mandatory training for MPs and staff to reduce hazards such as bullying and harassment, with reports to the next national conference from the national and state parties.

Extension of sham contracting provisions

- Amending the FW Act so that sham contracting prohibitions apply to intermediaries as well as employers
- Removing "provisions which enable employers to escape liability ... requiring 'recklessness' or proof of a state of mind"

Paid sick leave for vulnerable workers

Working towards a federally-funded scheme to give vulnerable workers access to paid sick leave, to help deal with ongoing future localised outbreaks of COVID-19

To see more, click [here](#) and [here](#).

Topics: Wage theft, unions' powers, Parliamentary workplace culture, parental leave, wages, sham contracting

1 March 2021

ALP National Platform

ALP National Platform

Major IR policies outlined include:

Building full time employment and higher workforce participation

- creating an effective employment services system, including by using the public service;
- replacing the 'discriminatory' Community Development Program;
- growing employment opportunities for people with disability and creating a disability employment system;
- implementing reforms to parental leave, including creating:
 - a right to unpaid parental leave of up to two years;
 - a right to request a change of hours or other flexible work arrangements for parenting and caring;
 - a right to work reasonable but not excessive hours.
- extending paid parental leave to 26 weeks at full pay and with superannuation funded;
- changing tax, superannuation, work and industry arrangements to deliver affordable, quality childcare and before and after school care;
- ensuring flexible working arrangements accommodate unpaid caring work, including care for family members with a disability, without discrimination.

Better work conditions

- inserting a national minimum standard for long service leave into the NES;
- ensuring consistent treatment of public holidays, including the issue of public holidays falling on weekends;
- ensuring that other days of religious and cultural significance are acknowledged;
- conducting a review of the NES and clarifying questions relating to their application;
- legislating to include a right to superannuation in the NES to give all employees the power to pursue their unpaid superannuation;
- establishing a new Pay Equity Panel within the FWC and funding the establishment of a Pay Equity Unit;
- ensuring that workers experiencing workplace discrimination, sexual violence and harassment are able to address this through a fair, expedient resolution process in the workplace relations system;
- facilitating and establishing the portability of entitlements through industry-wide schemes;
- empowering the FWC to oversee an industry-based system for selecting default funds in modern awards;

- developing working time arrangements that are consistent with workers' preferences and needs and that will reduce excessive working hours;
- preventing the variation of awards to cut take home pay or penalty rates;
- strengthen laws prohibiting sham contracting;
- inserting an objective test in legislation for determining when a worker is a casual;
- establishing a national labour hire licensing scheme to regulate the labour hire industry and ensure that minimum legal standards are met;
- legislating to guarantee that labour hire workers receive the same pay and conditions as directly employed workers doing the same work;
- preventing the unilateral terminations of collective agreements that reduce workers' entitlements;
- implementing a mechanism to terminate any remaining 'WorkChoices' agreements;
- protecting the right of unions to communicate with workers about industrial rights, including their right to join a union;
- ensuring the FWA provides coverage and protection for all forms of work and that gig economy platforms and other working arrangements are not used to circumvent industrial standards or undermine workers' rights to collectively organise;
- ensuring the contracting out of local government services does not diminish the quality of service and is not used to cut wages, conditions or job security;
- supporting industry best practice in work patterns, accommodation standards, communication technology and mental health support for Fly-In, Fly-Out (FIFO) and Drive-In Drive-Out (DIDO) workers;
- Preventing employers from avoiding legal obligations through 'evasive practices' like:
 - transfer of business;
 - corporate restructuring;
 - phoenixing;
 - labour hire;
 - sham insourcing or outsourcing arrangements;
 - misuse of partnership agreements;
 - termination of agreements;
 - unrepresentative agreements; and
 - sham independent contracting.
- extending responsibility for compliance with workplace laws to corporations that are economic decision makers throughout the supply chain, including to franchisors and franchisees;
- increasing penalties for employers and related entities that systematically underpay and exploit workers;
- ensuring effective regulation of internships, including banning unpaid internships that are not part of an accredited program of study;
- introducing a Fair Entitlements Guarantee that includes:
 - redundancy pay of up to four weeks per year of service;
 - annual leave;
 - long service leave;
 - notice;
 - superannuation; and
 - unpaid wages.
- requiring employers to make proper provision for employee entitlements in the event of corporate collapse;
- prioritising employee entitlements relative to other creditors by amending corporations law;
- ensure genuine testing of the Australian labour market before temporary overseas labour is engaged and ensuring that migrant workers have access to adequate information on their workplace rights.

Safer workplaces

- focus on the increasing prevalence of psychological injuries in the workplace, including as a result of unsafe and unhealthy work practices and cultures;
- advancing a national WHS agenda through a refinanced, enhanced and properly tripartite Safe Work Australia, including by implementing the following key reforms:
 - effective and nationally consistent enforcement strategies to ensure compliance with WHS requirements, including for failing to genuinely consult with workers;
 - enabling affected workers, families and unions to prosecute for breaches of WHS laws;
 - requiring those who conduct businesses and their officers to bear the onus of proving that they have taken reasonably practicable measures to prevent a WHS offence occurring;
 - supporting the states and territories to implement harmonised industrial manslaughter laws;
 - fully implementing the recommendations from the Boland Review of Australia's Model WHS Laws and the Sex Discrimination Commissioner's Respect@ Work Report;
 - developing a national strategy on industrial disease;
- further regulating the use of hazardous chemicals by:
 - ensuring the efficient and timely assessment of all chemicals and adopting a toxic use reduction policy;
 - supporting industry initiatives that encourage development of sustainable and environmentally responsible chemical usage;

- establishing a database using existing incident reporting and health monitoring protocols to record, track and support treatment.
- improving and harmonising the WHS regulatory frameworks covering workers in dangerous industries, including shipping, offshore oil and gas, stevedoring and offshore clean energy;
- retaining Seacare as an independent Commonwealth statutory authority;
- conducting a review of workers compensation schemes, including Comcare. New entrants into the Comcare scheme will be suspended until the review is finalised;
- improving asbestos awareness and management and prioritising removal of asbestos.

Defending the right to organise

- ensuring delegates are able to organise and effectively represent workers, including through paid training leave;
- developing guidelines on good faith conduct in negotiations to allow access to, and assistance from the FWC, to resolve disputes, including by giving parties access to arbitration;
- improving access to collective bargaining, including through multi-employer collective bargaining where appropriate, including across the public sector;
- delivering effective, low-cost, informal and prompt resolution of disputes through the FWC, the FWO and small claims procedures in courts;
- abolishing the Australian Building and Construction Commission and repealing *the Building and Construction Industry (Improving Productivity) Act*, including *the Code for Tendering and Performance of Building Work 2016*.
- abolishing the Registered Organisations Commission. Serious contraventions of regulatory laws by registered organisations will be referred to ASIC.

Education and training – a ticket to opportunity

- encouraging the growth of apprenticeships and trainees by ensuring at least 1 in 10 workers on major government projects are apprentices or trainees. A similar approach will be taken in government funded workplaces like disability care, aged care and early childhood education care;
- ensuring apprentices and trainees are not exploited as cheap labour, are provided with meaningful work and are trained and paid appropriately.

To see more, click [here](#).

Topics: Public sector employment policy, parental leave, flexible work, minimum standards, public holidays, portable entitlements, casual employment, enterprise agreements, freedom of association, minimum standards for gig workers, contractor-employee distinction, compliance with workplace laws, Fair Entitlements Guarantee, overseas labour, workplace health and safety, Respect@Work, Boland Review, bargaining, Australian Building and Construction Commission, Registered Organisations Commission

11 February 2021

Labor criticizes government for not helping gig workers, reiterates plan to extend FWC powers

Tony Burke, Shadow IR Minister

Burke criticised then IR Minister Christian Porter for “abandon[ing] gig workers” to “19th century working conditions. Burke said that it was “ridiculous” to say that gig worker pay was not linked to safety.

“Everyone knows that when delivery drivers and riders are forced to complete as many deliveries as possible just to make ends meet, they will cut corners and take more risks on our roads. That is exactly what’s happening right now and people are dying.”

Burke said the death of five food delivery workers in Australia in late 2020 showed the “dire impact” of the lack of regulation and the denial of worker’s compensation. Burke reiterated that it would extend the powers of the FWC to include “employee-like forms of work”.

To see more, click [here](#).

Topics: Gig workers

10 February 2021

Labor’s Secure Australian Jobs Plan

Anthony Albanese, Opposition Leader

In a speech to the Labor National Conference, Albanese outlined Labor’s key IR policies in Labor’s Secure Australian Jobs plan:

Definition of ‘job security’ in the FW Act

“Job security” will be added as a key objective of the FW Act (which will require the FWC to bring a sharp focus to job security when making decisions about workers’ rights).

Casual definition

- creation of a “fair test” to determine when a worker can be classified as a casual;
- Labor will ensure the workplace relations system reduces the incidence of underemployment and insecure work... Labor will set an objective test in legislation for determining when a worker is a casual.

Extension of FWC powers

- Labor will extend the powers of the FWC to include employee-like forms of work, allowing the Commission to make orders for minimum standards in new forms of work (for example in relation to gig or on demand economy). The FWC will have the capacity to inquire into all forms of work and determine what rights and obligations should apply;
- establishing a new Pay Equity Panel within the Commission;
- implementing a practical industry based system for selecting default funds in Modern Awards to be overseen by the FWC;
- giving the Fair Work Commission the power to regulate registered organisations.

Labour hire – Same Job, Same Pay

- Labor will legislate that workers employed through labour hire companies receive at least the same pay as workers employed directly – “same job for the same pay”;
- establishing a national labour hire licensing scheme to regulate the labour hire industry and ensure that minimum legal standards are met.

Limitation of maximum term contracts

Labor will legislate for fixed term contract limits for the same role of 24 months or no more than two consecutive contracts, whatever comes first. Once that limit is reached, the employer will be required to offer a permanent position – either part time or full time.

Portable leave entitlements

Labor will consult with state and territory governments, unions and industry, to develop portable entitlements for annual leave, sick leave and long service leave for Australians in insecure work.

APS audit

- Labor will conduct an audit of employment within the Australian Public Service and take steps to create more secure employment where temporary forms of work are being used inappropriately;
- working with the public service and unions to build an effective public sector with fair and equitable conditions of employment and job security;

- Labor will:
 - increase the number of direct, permanent jobs in the public service, and reduce the use of contractors, casual, labour hire and non-ongoing positions;
 - stop wasting taxpayers’ money on contractors, consultants and labour hire firms for work that could be done more effectively by public servants;
 - ensure contracting and labour hire is not used as a vehicle to cut wages, conditions or job security for public servants, including by government agencies being required to ensure labour hire firms pay the same wages and conditions as directly employed public servants.

Government procurement process to favour secure work

When procuring goods or services, the Commonwealth government will support bids from companies and organisations that are providers of good, secure jobs.

Abolition of ABCC and ROC

- Labor will abolish the Australian Building and Construction Commission and repeal the *Building and Construction Industry (Improving Productivity) Act*, including the *Code for the Tendering and Performance of Building Work 2016*;
- the appropriate body to regulate registered organisations is the FWC. Labor will abolish the Registered Organisations Commission and will refer serious contraventions of regulatory laws by registered organisations to the Australian Securities and Investments Commission for investigation and prosecution.

To see more, click [here](#).

Topics: Maximum term contracts, insecure work, public sector employment policy, government procurement, portable leave entitlements, minimum standards for gig workers, Same Job Same Pay, labour hire, casual employment, Australian Building and Construction Commission, Registered Organisations Commission

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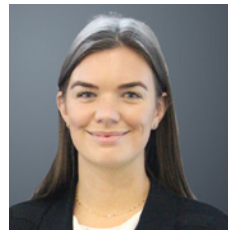
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