

Opposition to back demise of Work Choices

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THE Opposition has given the Government the green light to abolish Work Choices by declaring in-principle support for Labor's system of industrial relations.

Following a testy Coalition partyroom meeting to discuss the legislation yesterday, it was decided that the bill reflected Labor's mandate. The view prevailed that the Coalition could not risk losing a second election on industrial relations.

The Opposition Leader, Malcolm Turnbull, said the Coalition would support the bill in the House of Representatives but reserved the right to make any amendments in the Senate, which may arise out of a Senate inquiry. But he did not envisage any big changes.

"We will not seek to frustrate the Government seeking to implement its Forward With Fairness policy," Mr Turnbull said.

A number of Coalition MPs and Senators argued vigorously to retain key principles of Work Choices, including Australian Workplace Agreements, but lost.

The decision signals the end of the political war that has raged over industrial relations since John Howard proposed Work Choices after his 2004 election victory.

Yesterday, a year and a day after Work Choices contributed to the Howard Government's defeat, Labor's bill was introduced by the Workplace Relations Minister, Julia Gillard.

"With the introduction today of the Fair Work Bill, Work Choices is tantalisingly close to being gone forever, along with the careers of those who tried to foist it without a mandate and without transparency on an unwilling Australian people," she said.

Reaction from big business and unions varied between acceptance and hostility, prompting Ms Gillard to proclaim the Government had got the balance right by pandering to neither side.

As promised, the bill abolished individual statutory agreements such as AWAs but still allows for individual common law contracts.

Whereas Work Choices stripped the guaranteed safety net to five conditions, Labor's laws provide for 10 legislated national employment standards for all workers. In addition, those on less than \$100,000 will be covered by a modernised system of awards providing another 10 matters, including penalty rates.

Some elements of Work Choices will survive, including secret strike ballots and docking the pay of those who stop work outside a bargaining period.

Strict conditions regarding the right of entry will remain, albeit with some relaxations.

A key win for unions was that an employer must agree to collectively bargain if a majority, no matter how slender, of workers wants to do so.

Unfair dismissal protections will be reinstated but will be watered down. Workers earning over \$100,000 will have no protection from unfair dismissal.

Small business employees cannot claim unfair dismissal for 12 months or six months from businesses of 15 or more employees.

The ACTU president, Sharan Burrow, lauded the new laws as turning the tide after a decade of assaults on workers.

The Australian Chamber of Commerce and Industry said the laws were slanted towards unions and would "carry significant risk to employers, small business and jobs, especially in a period of slowing economic growth".

The Master Builders Association hated the laws, saying they would allow unions to again flex their muscles in the building and construction industry.

LABOR'S PLAN

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- Abolishes individual statutory agreements such as AWAs but allows for individual common law contracts.
- Ten legislated National Employment Standards for all workers.
- Extra award protections for workers earning less than \$100,000.
- Secret strike ballots to remain.
- No protection from unfair dismissal for workers on more than \$100,000.
- Small business employees cannot claim unfair dismissal for 12 months, or six months for those in businesses of 15 or more.