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**DEPUTY PRIME MINISTER**

Minister for Education

Minister for Employment and Workplace Relations

Minister for Social Inclusion

**SPEECH**

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**Address to ACTU Congress**

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**Introduction**

Friends, we gather at a turning point in Australia's history.

Together we face the challenge of ensuring fairness and decency in Australia's workplaces.

Together we face the challenge of improving safety at work.

Together we face the challenge of keeping Australia working during the biggest global economic crisis since the Great Depression.

I know that your Congress understands the weight of these challenges and that the labour movement's leaders, Sharan Burrow and Jeff Lawrence, have dedicated themselves to the task of the meeting them.

Today, I want to talk to you about these challenges and what history is calling on us to do.

But first, I want to remind you of what brought us to this moment.

**The Liberal Way**

Labor has always been the party of economic and social reform.

The party of fairness and decency at work.

The party of nation building.

The party that believes in opportunity for all, particularly through education, given the power of education to transform life's chances for so many.

The years of the Liberal Government dramatically showed this nation the alternative.

The Liberal years gave us Work Choices, a stain on this nation's history and a repudiation of the Australian belief in a fair go.

The Liberal years were years of coasting on the resources boom and squandering the opportunity for transformation that it gave our nation.

The Liberal years were the time when public education was stigmatised. Australia saw its educational standards fall and children locked out of life changing opportunities.

In 2007, we pledged to sweep the Liberal legacy away and we are doing just that.

Imagine, for a few moments where we would be now if the Liberals had been re-elected.

Australian employees would have been exposed to the full force of the global recession with no economic stimulus to support nation building and jobs.

The Liberal Party would simply have watched and done nothing as more Australians became unemployed, lost their homes and lost hope.

Work Choices would have stayed and Australian Workplace Agreements would have enabled pay and conditions to be cut.

During a global recession, redundancy rights would have been able to be stripped away without a cent of compensation.

Dismissed employees would have had no redress for their dismissal.

The award system would have continued to wither and die.

The industrial umpire would have sat neutered.

Public hospitals and schools would have continued to struggle with too little investment. Money the Liberal Government did invest would have been tied to Australian Workplace Agreements and workplace relations extremism.

Climate change denial would have continued.

And, emboldened by an election victory, perhaps something worse than Work Choices would have been forced on Australians or occupational health and safety would have been undermined by a Liberal system imposed through the Corporations power.

In 2007, Australians made the choice that spared them from this future, from the final destruction of any semblance of an Aussie fair go.

And in making that decision nothing weighed more heavily on the minds of Australians than fairness and decency at work. Australians overwhelmingly said – to coin a phrase well known to this audience - that their rights at work were worth voting for.

### **The end of Work Choices**

Friends, in precisely four weeks, this nation is due to finally bury Work Choices and bring to life Labor's Fair Work system.

The goal of ensuring fairness and decency in Australian workplaces is tantalisingly close.

When we reach that turning point of 1 July, we will be able to proudly say to each other we have cleansed the stain of Work Choices from the history of modern Australia.

That the nightmare that began in March 2006 is coming to an end.

We have already stopped Australian Workplace Agreements and ensured a decent safety net at work.

Now we are forging ahead so after the 1<sup>st</sup> of July, Australian life at work will be characterised by:

- The right to be represented at work;
- A guaranteed right to collective enterprise bargaining underpinned by good faith obligations;
- 10 National Employment Standards that cannot be undercut.
- Modern Awards that add to those standards. Rights to over-time, penalty rates, rest breaks, public holidays and leave entitlements that cannot be undermined.
- The ability to challenge an unfair dismissal;
- A ground breaking new bargaining system for the low paid;
- All overseen by a new, 21<sup>st</sup> Century independent industrial umpire.

But let's be very clear, while the end of Work Choices is within our reach, it is not delivered yet.

The passage of the Fair Work Act just before Easter was pivotal to ending Work Choices.

But the Liberal Party's Work Choices monster isn't dead yet.

To kill it we must ensure passage of the two pieces of associated Fair Work legislation that are now before the Parliament. Every sign from the Liberal Party so far is that they intend to obstruct these Bills to keep Work Choices as long as possible.

And beyond the passage of the legislation lies all the work to ensure the new Fair Work system isn't just words on a statutory page but alive in our workplaces.

I read that some are asking what next in relation to further legislative reform.

My reply is to ask, what now? What will this Congress determine to do now to ensure the passage of the current Fair Work Bills? What will this Congress action to ensure Australian working people enjoy the full benefits of the new Fair Work system?

Pacing the corridors of Parliament House in Canberra is no substitute for pounding the pavements bringing the Fair Work Act to life for working people. The future of Australian trade unionism will not be determined by further lobbying in Canberra, it will be determined by bringing Fair Work to working people in their workplaces.

### **Occupational Health and Safety**

Friends, as representatives of working Australians you know that nothing is more important to them than safety at work.

Recently State Ministers for occupational health and safety and I reached a vital reform milestone: agreement for the creation of a uniform national occupational health and safety regime.

This is a massive advance for workplace safety. As you will recall, the first, but ultimately unsuccessful steps towards a uniform occupational health and safety regime were taken by the Hawke Government in 1984. 25 years is too long to wait for better laws to cut preventable workplace deaths and accidents. But we are now primed to achieve a great outcome for Australian workers and businesses alike.

Under current occupational health and safety laws, only four jurisdictions allow workers to stop unsafe work – Western Australia, Tasmania, the Northern Territory and the ACT. This represents approximately 14.5% of Australian workers. The new occupational health and safety laws will extend this right to all Australian workers.

For too long employers have thought that they could cut costs by cutting corners on health and safety. Under these new laws every employer will understand that cutting corners comes at a huge price.

The penalties under the new occupational health and safety laws will far exceed existing penalties in today's legislation in Australia. Currently, the highest maximum fine for a corporation is \$1.65 million. In some jurisdictions the maximum is significantly less. Under the new laws, the maximum will be increased to \$3 million, almost double the largest penalty in the country today.

Through the tripartite body, Safe Work Australia, you will be partners in developing the model laws for this new national system.

And through tripartite engagement we will be reforming independent contracting and the transport industry.

Australia's truck drivers work hard to make a living. But they shouldn't have to die to make a living. And we will be working on safe rates to prevent them from having to take that risk.

We will work with the Transport Workers Union and responsible employers to make sure that drivers are paid for all the work they do.

We will make sure that payment methods and rates do not require drivers to speed or work excessive hours just to make ends meet.

### **Protecting jobs**

Friends, Work Choices was about combining division with inequality. Just as all the Howard Government's policies did. And it had to go.

But ending Work Choices isn't the only challenge in ensuring prosperity and fairness. The new challenge is responding to the global recession whilst keeping faith with working Australians. To ensure their prosperity and their dreams for their children continue through the bad times as well as the good.

The Labor Party and the labour movement didn't create this recession. Far from it.

It happened because too many policy makers and too many financial cowboys around the world forgot about the common good.

But regardless of who started the recession, it now falls upon us to respond to the global recession and cushion Australians from its full savage effects.

Our opponents have been asking us to run scared from this crisis. To cut spending. And to shy away from debt.

Every one of us knows what the consequences of that would be: higher taxes; savage cuts to schools, hospitals and welfare; a deeper and longer recession; and higher unemployment.

Working people were not the causes of this recession and working people should not have to bear its full brutal force.

As Employment Minister, unemployment is my personal public enemy number one.

Our economic course is based on a rock solid commitment to do absolutely everything we can to keep unemployment down.

The Government's actions so far will keep more Australians working –over 200,000 more. They are working on projects to build a better future for the nation – road, rail, ports, broadband, solar energy, hospitals and the biggest school modernisation program in Australia's history.

We believe in economic stimulus and we believe in nation building for recovery.

Creating jobs now to create even more jobs in the future.

- \$8.4 billion in new road, rail and ports infrastructure.
- \$4.7 billion as a down payment for the National Broadband Network.
- \$3.1 billion for new hospitals and medical facilities.
- \$2.6 billion for education infrastructure.
- And \$3.5 billion for clean energy developments.

A total spend of over \$22 billion from the recent Budget, on top of three previous stimulus packages, to see the nation through the current hard times to a stronger future.

For your members it means more jobs and greater security.

For their children it means real opportunities.

And for the country it means faster and stronger recovery and growth.

Instead of sitting at home, restless and frustrated, admiring the purity of Malcolm Turnbull's and Joe Hockey's fantasy budget figures, many thousands of extra working Australians will have jobs.

They will be constructing port facilities, drilling transport tunnels, laying train tracks and roads and building new kindergarten, school, TAFE and university facilities that their children can use – and that their grandchildren can use after them.

In the midst of this crisis we are also making unprecedented investments in the skills of the nation.

- With 711,000 training places for new and existing workers through the Productivity Places Program.
- Nearly 415,000 apprenticeships and traineeships.
- New initiatives to create skilled, green-collar jobs for the economy of the future.

- And more capital investment for TAFE and VET providers.

All this on top of one of the largest increases in education spending in Australia's history.

Investment in schools in the current quadrennium is being almost doubled – from \$33.5 billion to \$62.1 billion, including our \$14.7 billion Building the Education Revolution plan.

This is a transformative leap that will help more children from the families of your members gain opportunities through education.

I want the children of hotel cleaners, shop assistants, nurses and clothing outworkers to have as much chance to get a trade or a degree as any other Australian.

This won't just take dollars. It will be built on increased quality and equity for parents and students alike, informed by a new emphasis on transparency and accountability for every child and every school.

If you care passionately about what is happening in education then it seems to me self-evident that you must also be passionately committed to transparency, to complete, consistent, meaningful information being available so we know what is working, what difference extra resources make, what successes should be shared and what failure needs to be addressed.

Our focus is building for the future and keeping people in jobs. For those who are made redundant we are offering instant support with a new, reformed national Job Services Australia network and a comprehensive Jobs and Training Compact.

It includes early access to intensive employment services, extra training places, training supplements and mature age apprenticeships for those thrown out of work.

We will support those communities who end up bearing the brunt of the global recession through local projects in regions and communities most affected.

Together, we should work to ensure that when the economic recovery comes, Australia isn't held back once again by the absurd situation where some regions have skill shortages while others have pools of Australians who are long-term unemployed, trapped on welfare, cut off from our growing prosperity of the nation.

All of us have been horrified by what the recession has done in other countries that do not have the sort of social safety net that Australia does.

- People having no health cover because they have no job – praying that their children don't get sick.

- Suburbs of empty, repossessed houses slowly decaying whilst families are kicked out of their homes.

This will not happen in Australia.

That is why we're continuing the national reform agenda to strengthen our health system.

And why we've reached an agreement with the four major banks to reschedule mortgages and car loans when somebody loses their job through no fault of their own.

Protection for your family's health and your family home – these are the hallmarks of a decent, caring society.

### **Debate for the future**

Friends, I came to this Congress under no illusions.

I know that together we have much to celebrate.

And I know that there are many in this room critical of some of the Government's reforms.

Inevitably there will be differences in our views and perspectives.

We stand at different vantage points. Debate and difference is both welcome and healthy.

There is both debate and difference on display as the Rudd Government honours its election commitment to abolish the Australian Building and Construction Commission and replace it on 1 February 2010 with a new specialist Fair Work body.

But as there is debate and difference, I expect there to be one clear point of unanimity.

Like me, I am sure you were appalled to read of dangerous car chases across Melbourne City involving carloads of balaclava wearing people, criminal damage to vehicles resulting in arrests, threats of physical violence and intimidation of individuals, including damage to a private residence.

The last time I read of balaclavas in an industrial dispute they were being worn by security thugs at the Melbourne waterfront when the MUA fought its history making battle against Patricks and the Liberal Party.

Balaclavas, violence and intimidation must be unreservedly condemned as wrong by every unionist, every ALP member, every decent Australian.

And the Rudd Labor Government will do everything necessary to ensure that we do not see this appalling conduct again.

This is another part of our commitment to fairness and decency at work.

## **Conclusion**

Friends, the Rudd Government believes in making this nation stronger and fairer, indeed we believe this nation can only be stronger by being fairer.

We have shown that we are a Government that delivers reform. We have shown that we are prepared to act swiftly and boldly to safeguard the livelihoods of working Australians. We are still acting against a global economic crisis of immense proportions.

We are all living through an exceptional period of global change. Our aim is to secure prosperity and fairness for Australians for the long term.

To achieve that goal, to emerge from this international crisis a stronger, fairer Australia, we need partnership with you.

We need responsibility and discipline in every sector to make sure we do everything possible to keep Australians working.

The crisis is far from over. But we are well-positioned to reduce its negative impact and look forward to a new period of sustainable growth.

That is the agenda that we, as a nation and as a movement, should be focused on together.

Working together to increase productivity and participation, to lift living standards for all, to ensure that the future holds more promise for the next generation than it did for the last.

These are the goals that the Rudd Government has set itself.

These are the goals that drive us.

These are the goals that we are determined to achieve for the nation.

Thank you.