

Wednesday, 04 August 2010

The Hon. Tony Abbott MP
Leader of the Opposition
PO Box 6022
House of Representatives
Parliament House
Canberra ACT 2600

Dear Mr Abbott,

RE: WORKCHOICES

The ACTU is writing on behalf of Australian workers to demand answers to a number of unanswered questions about the Liberal's workplace relations policies.

Working Australians will remember that WorkChoices was brought in without public scrutiny or approval by a Liberal Government of which you were a senior member.

The series of contradictory and equivocal statements on industrial relations you have made during the course of this year leave the Australian public with no confidence that you will not return to WorkChoices-style policies by another name.

In your Budget Reply speech in May 2010 you clearly stated your intention to cut unfair dismissal protections for workers in small businesses and to expand the use of individually-negotiated pay and conditions along the lines of WorkChoices-style AWAs.

A short time later, in the course of the election, you have attempted to say WorkChoices is 'dead and buried' but have still not guaranteed to maintain the rights of working Australians in several specific areas, leaving the door open for a range of changes.

In my letter to you on 19 July 2010 I set out, in detail, the scope for a Liberal Government under your leadership to return to the worst aspects of WorkChoices, without the need for Parliamentary approval of amendments to the *Fair Work Act*.

The ACTU has subsequently prepared an analysis of your public statements and your personal record as a Minister for Workplace Relations which we have publicly released.

It is impossible to reconcile your record as a senior Minister in the Howard Government with your recent attempt to hide from your long-term personal commitment to WorkChoices.

Given your equivocal public statements and your record as a Minister, working Australians can only assume that your intentions are to return to the worst aspects of WorkChoices.

The ACTU again asks you to reveal your actual intentions on workplace relations to the Australian public. In particular, Australians are entitled to receive guarantees on the following issues:

Unfair dismissal

- Do you support the current unfair dismissal protections for all Australian workers and will you rule out any changes to the Small Business Fair Dismissal Code?

Minimum standards

- Do you support the universal application of the *Fair Work Act* National Employment Standards and will you rule out using the regulations to allow for a reduction in minimum conditions like annual leave and sick leave, including under flexibility arrangements in awards or agreements?
- Do you agree that all workers, including young people, should be protected by a robust safety net of National Employment Standards and awards and will you rule out any moves to reduce the current safety set of minimum pay, conditions and rights – including the minimum hours that young people are required to be paid for?
- Do you now disown the efforts of the Howard Government and your own actions as the Minister for Workplace Relations to drive down minimum wages for low paid workers? Will you rule out making changes to the way that minimum wages are set and commit to an entirely independent process by Fair Work Australia?

Redundancy pay

- Do you support the minimum redundancy entitlements for workers set out in the *Fair Work Act*, and will you rule out using the regulations to reduce these entitlements, to exclude some workers, or to prevent workers from reaching agreement with their employer on more generous entitlements in agreements?

Individual Contracts

- Do you support collective bargaining and will you rule out the increased use of or scope for individual contracts or individual flexibility clauses in agreements or awards or other mechanisms?

Government funding & support

- Do you now repudiate your abuse of government funding to impose the Howard Government's industrial relations agenda? If elected, will you rule out spending taxpayers' money to reduce the rights of workers in universities, schools, hospitals, community services, government departments, publicly funded services or industries that receive government assistance?

I look forward to your urgent reply.

Yours sincerely,



Jeff Lawrence
Secretary