

December 19, 2002

ACTU BRIEFING NOTE:

What Tony Abbott doesn't say about workplace law breaches

- More than 2,500 employees die each year in Australia as a result of workplace related traumatic incidents or diseases, often involving breaches of Occupational Health and Safety (OHS) laws. Mr Abbott opposes the application of criminal sanctions where breaches of the law result in the death or serious injury of employees.

The Commonwealth's submission to the Cole Royal Commission on Occupational Health and Safety issues argued that "there is an unbalanced focus on criminal sanctions in the (OHS) enforcement regimes across Australia."

- At least 17.7 per cent of employees nationally, or 1.8 million workers, are not paid overtime by employers, often in breach of awards and workplace agreements. This was a key finding in the decision of the Full Bench of the Industrial Relations Commission in the Reasonable Hours Test Case earlier this year. Is Mr Abbott going to prosecute the tens of thousands of employers for failing to pay up?
- At least 26,011 sacked workers nationally were not paid outstanding employee entitlements as required by law in the 18 months to June 2002, according to figures from Mr Abbott's department. Is Mr Abbott going to prosecute the hundreds of employers responsible for failing to pay up?
- During 2001-2002 in Queensland alone, there were 8,000 complaints to the State Government's Wageline service about underpayment of federal and state award wages. \$7 million was recovered from employers who had breached the law. Is Mr Abbott going to prosecute these sort of offences by employers refusing to pay correct minimum wages?
- As a result of a ruling of the Australian Industrial Relations Commission on October 30, 2002, more than 3,000 companies affiliated with the Victorian Employers Chamber of Commerce and Industry (VECCI) may have failed in their legal duty to pay Federal Award rates. Is Mr Abbott going to investigate and prosecute those employers in breach for underpayment of millions of dollars in wages to more than 200,000 employees in Victoria?
- Since 1997 the Howard Government has bailed out Patrick Corporation with millions of dollars in taxpayers' money after the company was found to have breached the Workplace Relations Act by sacking its workforce. Is Mr Abbott going to take legal action against Patrick for breaching the law?