

Thursday, 2 August 2012

Unions vow to fight employer push to strip workers of rights as Fair Work review finds laws are working well

Australian unions will vigorously defend any further attack on workers' rights by big business and employer groups after the Fair Work Act review found the current laws are working well and delivering fairness.

ACTU President Ged Kearney said unions were pleased the panel had rejected calls from employers for the reintroduction of key parts of WorkChoices, but concerns remained that some of the recommendations could be used by employers to strip workers of their rights.

"As the panel has stated in its report, 'the current laws are working well and the system of enterprise bargaining underpinned by the national employment standards and modern awards is delivering fairness to employers and employees'," Ms Kearney said.

"In the wake of this report, unions maintain the view that any further changes to workplace laws should improve job security, rights and protections for Australian workers, not hand more power to employers.

"Any move to reduce workers' rights would be completely at odds with the report's overall conclusions."

She said unions would be steadfast in their opposition to any push to implement recommendations from the report that would:

- Restrict proper access to dispute resolution, including arbitration;
- Restrict collective bargaining (including rights to take protected industrial action);
- Undermine the right to organise and be represented by a union;
- Expand the use or scope of individual flexibility arrangements;
- Promote the use or scope of unfair individual contracts; or
- Reduce unfair dismissal protections for Australian workers.

"The review has confirmed that the slowdown in productivity growth over the last decade or so is not linked to workplace law, that the number of days lost to industrial action under the Fair Work Act remains at historically low levels, and that wage growth is around its decade-long average.

"The review panel also found no evidence that the Act's unfair dismissal framework has made a discernible difference to overall employment, that it is not appropriate to enter into an Individual Flexibility Agreement when employment starts, and that the current form of enterprise bargaining and agreement making have been successful in addressing problems with previous laws.

"If any changes are needed to the Fair Work Act, they should start with strengthening the bargaining system, with powers for the independent umpire to step in where employers only pay lip service to the notion of collective bargaining and never have any intention of reaching agreement."

Media contact:

Rebecca Tucker (03) 9664 7359 or 0408 031 269; rtucker@actu.org.au