

Wednesday, 21 August 2019

Business lobby urges Porter to take away rights

Big business lobbyists are demanding Minister Porter change the law to allow employers to convert permanent jobs into casual jobs with less rights and less job security.

Acting on behalf of multi-nationals, the Australian Industry Groups has urged changes to the law so that employers are able to designate any job they like as a casual after a big labour hire company was caught out by the CFMEU abusing workers' rights.

Court rulings going back decades have defined casual work as having certain objective characteristics, such as being regular and ongoing.

The CFMEU has launched a court action on behalf of labour-hire workers who they argue were misclassified as casual by labour hire company Workpac.

The ACTU has long argued for a legislative definition of casual work that matches the one used by our courts.

Such a change would make it crystal clear to employers what is and is not a casual job, and would mean workers do not have to run expensive and lengthy cases just to enforce their rights.

Quotes attributable to ACTU Secretary Sally McManus:

“Some employers – especially labour-hire companies – have been deliberately mis-classifying people as casuals despite a very clear, decades-long history of court rulings that have found that ongoing regular work is not casual work. These companies do this because casual workers have less rights and less security than permanent workers.

“Now that one big labour hire business has been caught out and is facing the prospect of having to pay people what they're owed, the business lobby is arguing for the rules to be changed in their favour so they can keep employees in a situation where they have less rights and less security.

“They're asking for new laws that would allow them to make any worker a casual – even if the job is permanent and ongoing. If this happened, many employers would convert permanent jobs with rights, into casual jobs with few rights. Research shows that most casual workers are not paid anything like a 25 percent premium and that in most industries it's closer to five percent.

“This is why some big businesses like casual work and labour hire – it is cheap, workers can be let go easily and have very little bargaining power”

“The law does need to be changed. It needs to be changed to make it perfectly clear that permanent work is not casual work so workers do not have to take expensive legal cases just to enforce their rights.”

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