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Fair Work Act: Latest attacks on workers will be costly

Changes to the Fair Work Act proposed by the Abbott Government will saddle workers with unfair individual contracts, potentially cut take home pay and significantly diminish workplace rights.

ACTU President Ged Kearney said "These proposals go much further than those indicated in the Coalition's pre-election policy and amount to yet another costly surprise for workers."

"The Abbott Government wants to make it easier for workers to be forced onto unfair individual contracts that cut hours and pay, make it easier to force unfair trade offs, make it harder to access workplace advice, representation and access to unpaid parental leave and tip the balance even more heavily in bosses' favour."

Ms Kearney described the IR laws as 'shocking', 'sneaky' and 'detrimental to people's quality of life'.

These individual contracts require that an employee must sign that they agree that they will be better off overall, removing any ability to argue at a later date that they have been ripped off."

"The 'better off over all' clause will not leave people better off at all. It's a green light for 'pizza instead of penalty rates' type negotiations between employers and workers who may feel pressured to accept unfair terms."

"Under the Abbott Government's plan workers will have fewer rights, be expected to negotiate their own contracts and have much less access to assistance and advice at work."

"Young workers, those with family responsibilities, such as working mums and dads, really the majority of people - who we know don't have negotiating experience - will be severely handicapped."

"This is the worst blow against Australia's workforce since John Howard's WorkChoices brainchild but this time it's much sneakier."

"The clear winners here are employers who will have much greater power, fewer obligations and the ability to cut take home pay in the name of 'flexibility' and the Abbott Government who will achieve its ideological goal of suppressing workers' rights."

"We are already hearing shocking stories from casual and contract workers who are at the mercy of bosses with no security or reliability around their work."

"These laws will continue the Coalition Government's push to disempower workers making it cheaper to sack them, under-cut their wages and silence their right to speak up."

"They will take workers back to where they were seven years ago and an IR system that was overwhelmingly rejected by Australians."

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Abbott Government IR amendments include:

- the abolition of important safeguards on individual flexibility arrangements , enabling businesses to utilise individual contracts in a similar manner to AWAs to drive down wages and conditions and exploit vulnerable employees;
- changes to the National Employment Standards to restrict payment of accrued annual leave entitlements on termination;
- the introduction of new provisions that over-ride laws permitting employees to accrue and take various forms of leave whilst in receipt of workers' compensation payments;
- changes to the transfer of business provisions to reduce entitlements for workers that seek to retain their job when a business is sold or transferred to a new employer;
- removal of the long-standing fundamental right to take industrial action to secure improved terms and conditions of employment where an employer refuses to engage in collective bargaining;
- restrictions on the operation of good faith bargaining in relation to greenfields agreements and the ability for employers to make an “agreement” with themselves, another revival of WorkChoices;
- undermining employee rights to representation and advice by restricting union right of entry for the purposes of discussion with employees, taking workers back to the situation under WorkChoices; and
- limiting access to a fair hearing in unfair dismissal matters.