

13 March 2008

WORKPLACE RELATIONS AMENDMENT (TRANSITION TO FORWARD WITH FAIRNESS) BILL 2008

Second Reading

Mr BRADBURY (Lindsay) (12.36 p.m.)—I rise in support of the Workplace Relations Amendment (Transition to Forward with Fairness) Bill 2008. I must say that it is with a real sense of honour that I come to this place to speak in support of this bill which begins the process of dismantling the Work Choices legislation. Forward with Fairness is the policy that the Labor Party released back in April 2007. Following on from Forward with Fairness was the Forward with Fairness policy implementation plan, which was released in August 2007. It is a matter of record that we had an election on 24 November 2007. In my electorate, the consensus amongst the people that I spent my time speaking to was that that election was a referendum on Work Choices.

I must say that I find it curious to hear those on the other side suggest that the government does not have a mandate to begin the process of dismantling and killing off Work Choices, and in particular AWAs. If ever there was an example of a mandate then this is clearly it. If the government does not have a mandate in these circumstances then the doctrine of electoral mandate has no existence in democratic theory. I do subscribe to the belief that there is such a thing as a mandate, and that is why I am very pleased to be here in support of this bill.

In beginning the process of killing off AWAs, throughout the last election campaign I doorknocked many thousands—in fact, over 23,000—households. I engaged with many people at street meetings, through mobile offices and throughout the community in the course of that campaign. Overwhelmingly in the electorate of Lindsay the view held by people was that Work Choices had gone too far, that the former government—having gone to the 2004 election without having put to the Australian people their plans for changes to workplace laws in this country, having not only been elected in 2004 but having received a majority in the upper house and having then taking advantage of the power that had been entrusted to them by the Australian people—rammed through these changes without the consent of, or consultation with, the Australian people. Whilst in my experience people were very upset about the impact of these changes, there was also a real degree of anger at the lack of process, the fact that the government had won office and then gone on to introduce laws that it had not put before the people. In sharp contradistinction to that, having laid out our program before the last election and having now been elected, we are bringing forward those proposals chapter and verse, as they were put to the Australian people before the 2007 election.

AWAs were a policy issue that people in my electorate expressed particular concern about. Many people had been offered AWAs or knew family members who had been offered AWAs and felt that they were not given adequate protections in order to stand up against those that had provided those AWAs. We all know that there is an inherent inequality of power in the workplace context between employer and

employee. It is against that backdrop of inequality that many employees found themselves having a document presented to them on a take-it-or-leave-it basis. There was a lot of anecdotal evidence of that in my travels in talking to people in the community, but before the last election members of the opposition, as the Labor Party then was, sought on many occasions to find some objective evidence of the impact of AWAs. The then government went to great lengths to try and conceal the facts—the facts that told the story that many people in my community already knew. The anecdotal evidence that was provided to me throughout the Lindsay electorate was justified and supported by the facts. It is just that the previous government went to great lengths to conceal those facts.

Now that those facts have been released—the current Minister for Employment and Workplace Relations has released many of those details—we see a range of injustices. If we take the figures released in April 2007 by the Workplace Authority in relation to AWAs entered into, for example, 75 per cent of agreements cut shift loadings, 68 per cent cut penalty rates, 57 per cent cut monetary allowances, 52 per cent cut public holiday pay, 89 per cent removed at least one protected award condition, 83 per cent removed two or more protected conditions, and it goes on. This was a particularly big issue in my electorate. Many working families throughout my electorate rely upon their penalty rates in order to make ends meet. To threaten those penalty rates in the way in which Work Choices has done has been to threaten the very living standards of working families in my electorate. It is on their behalf that I stand here today in the House of Representatives to support this bill that unwinds the legislation that allowed that threat and that attack on their living standards to be carried out.

It is interesting that, even though the electorate was aware of the damage that this legislation was doing, we see now—and I refer in particular to the member for North Sydney's comments on the Four Corners program—that those sitting around the cabinet table seemed to have had no idea. The people in the community that I spoke to were telling me they felt the government had no idea, but now we have the member for North Sydney confirming this. He said:

Quite frankly, when I took over the job, I don't think many Ministers in Cabinet were aware that you could be worse off under WorkChoices. And that you could actually have certain conditions taken away without compensation.

If those sitting around the cabinet table did not know that, the lights were on but nobody was home. Working families, individuals in their workplaces across this country, became aware of that the hard way, and that is why we are taking action. Perhaps the most insightful comments coming out of that program were the comments of Andrew Robb, the member for Goldstein, who said:

I think it was the most powerful symbol of the fact that we'd stopped listening and that we'd run our race and that we'd been there so long, that we were no longer alert to the views of the Howard battlers, the people who put us there in the first place.

The member for Goldstein hit the nail on the head.

What has the opposition now chosen to do? Rather than move forward and recognise that Work Choices was a mistake, they have now moved into this ludicrous position where they neither support nor oppose this bill that begins the process of ripping away Work Choices. The opposition find themselves in some sort of twilight zone of policy conviction—not supporting and not opposing the legislation. I will be returning to my electorate and letting each and every person there know that those on the other side have refused to support this bill. Australians around the country have indicated that they feel that



Work Choices went too far. They have expressed their anger at the fact that the previous government introduced this legislation without their consent. They have given us a mandate to dismantle those laws and to put in place a new, fairer system of workplace relations in this country. I am very proud to be speaking in support of the bill that initiates that process.

One of the essential elements of the last election was the extraordinary community campaign of those working people around this country who came forward, stood up to be counted and mounted the single biggest community campaign that this country has ever seen. Those working men and women, and many retirees and those who were not working, who supported that campaign should be acknowledged for their role in making the contribution that they did.

In conclusion, I also acknowledge the fact that, when I gave my first speech, I thanked many people for their contribution but I failed to mention one individual, and I wish to put his name on the record today. Mark Bell is another of those hardworking people who was involved in the community campaign that led to a change of government and, as a result of that change, the new government is now introducing legislation to repeal the Work Choices legislation which was such a threat to the living standards of working Australians.