

# GOOD WORK



The Greens' 10 principles  
for rewriting our labour laws



# GOOD WORK:

## The Greens' 10 principles for rewriting our labour laws

We live in a society, not an economy. And while most of us have to work to live, we should never be living just to work. Good work can help us lead a good life. However, for many people work is now insecure, unfulfilling and low paid. The economy is apparently going strong with decades of uninterrupted growth, yet work is making life far more precarious than it used to be. We live in a wealthy country where advances in technology could be making people's lives better, but instead we're heading down the road of a 'dog eat dog' US-style society, with inequality the highest it has been for 70 years.

Even though people are working harder, wages growth is flatlining and too many people – especially young people – aren't getting the hours of work they want and need to live a decent life. Insecurity is on the rise and people are in record levels of personal debt. One in four people living in poverty is working full-time.

This is happening because the economy is rigged. The 'trickle down troika' of Labor, Liberal and big business brought neoliberalism to Australia in the 1980s and implemented it with a vengeance. Under Labor and Liberal alike, labour laws were rewritten to restrict people's rights to organise, cut away at awards and restrict wages growth. Our Fair Work Act breaches international law. The minimum wage has fallen to the point where even working full-time is no longer a guarantee of security. Big corporations are wrecking our planet and making record profits while employers use labour laws to cut wages, conditions and workplace rights.

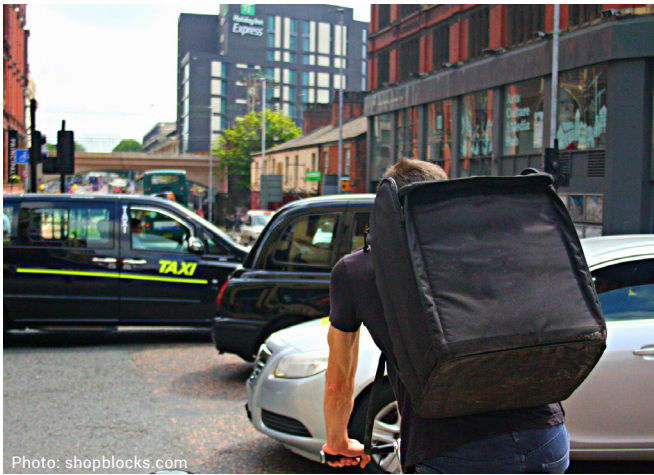


Photo: shopblocks.com



**Our industrial relations laws are broken and must be rewritten to ensure the following principles are met. Details about each of these principles follows.**

1. Labour laws must reduce inequality in society
2. Workers should be paid and treated equally for the same kind of work
3. Everyone should have the right to decent work
4. People should have greater control over their working lives, which means no more shifting of risk and insecurity onto workers and everyday people
5. Workers should be able to bargain at the level they want
6. Migration laws and free trade deals should not be able to undercut local labour laws
7. The composition of the workforce must be reflective of the population
8. The government must not use the law to attack working people and their unions
9. Union rights should be enshrined in law
10. There must be an independent workplace commission and an easy way of enforcing labour laws

## 1. Labour laws must reduce inequality in society

---

- a) Australia is experiencing record low wage growth and the minimum wage is leaving people in poverty. This is not good enough; we must increase the minimum wage to a living wage of at least 60% of the adult median wage so workers can afford to meet their basic needs.
- b) The current modern award objective does not require award conditions to improve the lives of workers. We need an award system that keeps up with the changing and dynamic nature of work and improves and protects workers' rights, pay and conditions.
- c) Employers are using their power to terminate agreements during bargaining as a weapon against workers, forcing them to accept inferior pay and conditions. It is time to level the playing field and remove the right to terminate agreements as a bargaining tactic.
- d) 10 days paid family and domestic violence leave must be available to all workers. This will give employees the time and financial independence to seek counselling, medical attention, legal advice, to relocate or any other activity associated with the experience of domestic violence.
- e) Penalty rates are not a luxury. Many low paid workers rely on penalty rates to make ends meet. Penalty rates must be restored to at least pre July 2017 levels and protected in law.

## 2. Workers should be paid and treated equally for the same kind of work

---

- a) Many employers are using contractors and labour hire workers to avoid paying minimum wages and provide basic workers' rights. 'Gig economy' and labour hire workers must receive the same minimum pay, conditions and protections as other employees.
- b) Women on average get paid 15.3% less than men. It is time to toughen laws to close the gender pay gap and stop treating women as inferior in the workplace. Achievement of gender pay equity must be a stated object of labour laws, including applying to the making and reviewing of awards.
- c) Our current laws and penalties do not deter employers from stealing from their employees. Wage theft has become common practice with low paid workers left with little recourse. Swift and accessible enforcement mechanisms are needed.
- d) Abolish Work for the Dole programs, other discriminatory programs and help jobseekers find meaningful employment.
- e) Loopholes that allow employees to be paid less than the legal minimum must be closed. Legal minimum rates of pay must not be discriminatory. Minimum standards such as penalty rates, overtime, loadings and allowances must be protected to prevent them from being negotiated out of agreements. Internships need to be properly regulated to stop exploitation.
- f) To ensure workers' wages are not stolen when a company goes into administration, insolvency laws must be reformed to ensure all outstanding wages are paid as the first priority from a company's remaining assets, ahead of both taxes and secured creditors.

## 3. Everyone should have the right to decent work

---

- a) People deserve more than jobs that pay low wages, don't offer enough hours, and are insecure, unfulfilling and in many cases dangerous.
- b) Un-and-under-employment is too high, especially for young people. 5% unemployment is now seen as 'full employment', which is reprehensible. Underemployment is even more prevalent.
- c) The government needs to lead the way with employment-creating programs and public-sector led initiatives to tackle the climate crisis and assist workers and their communities to transition to new jobs and industries.
- d) As we face greater automation and digital disruption we need to ensure workers are involved in the implementation of technology within the workplace so it is used to make workers lives better, not worse.
- e) The government should use its spending power to create and support local jobs. When the government sends taxpayer money overseas to purchase goods and services that could be provided locally, it has the potential to undercut Australian businesses that provide proper wages and conditions.
- f) Work will be more fairly shared amongst people, more jobs will be created and wages will be lifted by moving over the long term to a shorter working week without loss of pay.

## 4. People should have greater control over their working lives, which means no more shifting of risk and insecurity onto workers and everyday people

---

- a) Australians are both overworked and underworked simultaneously. Underemployment overtook unemployment in 2003 and hasn't looked back. At the same time many full time workers want to work fewer hours. We need to give workers and unions enforceable rights to create a better work-life balance for people.
- b) Secure employment is increasingly unobtainable, with employers allowed to hire workers as indefinite casuals or on rolling contracts without any obligation to provide long term job security. We need to change our laws to tackle rising job insecurity and to ensure casuals and independent contractors are not used to undermine job security. There should be a legislated presumption in favour of ongoing employment.

## 5. Workers should be able to bargain at the level they want

---

- a) Workers should be free to bargain at whatever level they consider appropriate and with whoever has real control over their work, whether at a workplace, industry or other level.
- b) Workers should be free to determine what matters relevant to their social, economic and environmental interests they want to bargain about.
- c) Workers should have the right to engage in industrial action, including the right to strike, consistent with international law and not limited to artificially restricted bargaining periods. Legislation banning secondary boycotts and strike action should be repealed.

## 6. Migration laws and free trade deals should not be able to undercut local labour laws

---

- a) Loopholes in free trade agreements allow employers to circumvent local labour laws, which leads to the systemic exploitation of temporary visa workers and local workers being denied job opportunities and training. Australia must stop signing up to these unfair trade deals.
- b) To overcome any labour shortages, skills training of local workers should be the priority. Jobs should be advertised locally first. Temporary working visas should be restricted and used only to fill genuine skill shortages or where international collaboration is important (such as research). Temporary visa holders should not be automatically locked out of the permanent migration program. The system regulating the use of guest workers should be negotiated between unions, employer organisations and the federal government.
- c) Established Australian rates of pay should be guaranteed. Labour laws must be properly enforced to ensure that local legal standards are being applied everywhere, both for local workers and for guest workers.

## 7. The composition of the workforce must be reflective of the population

---

- a) We need new laws to ensure greater employment in decent work for people with disabilities, Aboriginal and Torres Strait Islanders, people from non-English speaking, refugee and migrant backgrounds as well as other disadvantaged groups.

## 8. The government must not use the law to attack working people and their unions

---

- a) Parliament must abolish the Australian Building and Construction Commission (ABCC) and the Registered Organisations Commission (ROC) and prioritise worker and community safety by reinstating the Road Safety Remuneration Tribunal (or equivalent).

## 9. Union rights should be enshrined in law

---

- a) Unions should have enforceable rights to enter workplaces for legitimate purposes, to talk to members and potential members and to represent members.
- b) Unions should have a role in the advancing of wages and conditions through the workplace commission, including through seeking changes to awards and creating new rights.
- c) Training for union delegates and workplace safety delegates and time taken for related meetings to be held in work time and paid for.
- d) The rights of unions to organise and represent workers should be covered by law.

## 10. There must be an independent workplace commission and an easy way of enforcing labour laws

---

- a) Appointments to the commission should comprise an equal number of union and employer representatives.
- b) It must also be easy and cheap to enforce labour laws, meaning the current system of enforcement must be overhauled.

**ADAM BANDT MP** Federal Member for Melbourne  
Australian Greens Co-Deputy Leader | Workplace Relations Spokesperson

☎ (03) 9417 0759 ✉ [adam.bandt.mp@aph.gov.au](mailto:adam.bandt.mp@aph.gov.au) 📍 GF1, 296 Brunswick Street, Fitzroy VIC 3065

📘 /Adam.Bandt.MP 🐦 @AdamBandt [adambandt.com](http://adambandt.com)

Authorised by Damien Lawson, The Australian Greens, GF1 296 Brunswick St, Fitzroy VIC 3065.

June 2018

