

# MEDIA RELEASE

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## Four days from the election - where is Labor's workplace relations policy?

AS we approach the end of an election campaign marred by allegation and counter-allegation of not releasing policy details, Australia's national resource industry employer group AMMA notes only one major political party has failed to release its plans on workplace relations.

AMMA's pre-election analysis document [Fair for Who?](#) highlights that on a range of important workplace policy matters, Labor has a history of breaking promise after promise to business and further acting to artificially impose trade unions between employers and employees.

"Labor has a poor track record of telling employers one thing about workplace relations before an election and then doing the opposite shortly after. But in 2013 they haven't even bothered to make any commitments to break," says AMMA chief executive Steve Knott.

"Industry already knows where the Coalition and Greens stand on workplace relations due to their publicly released policy documents, but Labor has not given any indications of its future plans. A few examples from Labor's recent history show why employers have every right to be nervous.

"In 2007, Kevin Rudd said he wouldn't stand by and let the Fair Work Commission be stacked with ex-union officials, but in government two-thirds of appointees have been ex-unionists or Labor mates.

"In 2007, Kevin Rudd and Julia Gillard both said they wouldn't touch what were balanced union site entry laws, but in 2009 they opened up Australian workplaces to the point where some resource projects experienced 200-plus visits from competing unions in just four months.

"In 2013, workplace relations minister Bill Shorten said any further changes to union site entry would help keep employers competitive, but then he passed new laws opening up lunch rooms for union intrusions and forcing employers to foot the bill for union officials' helicopter rides out to remote sites.

"Removing the building industry regulator, the ABCC; persisting with unproductive bargaining processes; and rewarding ambit union claims and militancy – the list of broken promises goes on.

"AMMA is calling on the Labor Government to this week guarantee that it will:

1. Rule out making it easier for unions to legally strike, including over matters that have nothing to do with the employment relationship (e.g. who invests in a business; board appointments; political donations; payments to union funds; environmental issues, etc).
2. Rule out forcing compulsory arbitration of industrial disputes onto businesses, including arbitration of new resource project agreements which was only removed from the latest tranche of amendments to the Fair Work Act following employer outrage.
3. Rule out any further watering down of the already weak penalties for unions and union officials found to be breaking the law and engaging in thuggery in the construction industry.
4. Ensure employers are not legally liable under Labor's OHS, IR and workplace bullying laws for incidents of bullying arising from actions of union officials.
5. Commit to protecting the rights of Australians not to join trade unions, both in law and in practice by better regulating union entry into Australian workplaces and ruling out union 'encouragement' clauses in enterprise agreements.
6. Commit to better balancing the make-up of the industrial tribunal by ensuring more appointees to the Fair Work Commission from a private enterprise or industry background.
7. Rule out retreating from requiring secret ballots for protected strike action and commit to ensuring employees who don't want to strike and who don't support union action are not subject to violence and intimidation (as can result from a 'show of hands' vote).

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8. Guarantee that individual employees who have agreed on flexible work arrangements with their employer, including balancing work and family commitments, will not have these ripped away in favour of a greater preference given to collective agreements with trade unions.
9. Commit to allowing non-unionised companies to continue to competitively tender for both government and private sector work.
10. Commit to a mechanism that ensures productivity is considered in enterprise agreements to offset increases in wages and conditions, rather than pay lip-service to productivity while our country becomes one of the most expensive places in the world to do business.

"Solid commitments on these issues must be given to provide certainty to Australian employers, particularly in the context of Labor's ongoing criticism of other parties not releasing policies despite other parties' workplace policies despite being on paper, clear as day," Mr Knott says.

"It is not at all unreasonable for Australia's business community to seek these commitments from Labor, given the significant workplace challenges employers have experienced since the Fair Work Act was introduced in 2009.

"It is unacceptable that Labor not tell the community, employers and employees what it intends for the future of our workplace relations system if re-elected."

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