



A-G slams miners' call to scrap awards

EXCLUSIVE

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Resources and energy employers have ignited a political storm by calling for the scrapping of awards and enterprise agreements for up to six months to give businesses "unprecedented" power to cut the pay and hours of workers during the coronavirus pandemic.

Small business also urged radical policy change, demanding workers be denied unfair dismissal rights until September, temporary award changes be made permanent and a post-crisis summit be convened by Scott Morrison to overhaul the industrial relations system.

The employer push was condemned by ACTU secretary Sally McManus as "disgraceful" and sparked a rebuke by Attorney-General Christian Porter, who declared it was "not the time for ambit claims for systemic or ideological changes to the IR system".

Declaring that a "tsunami of significant commercial impacts" was about to hit the resources and energy sector, Australian Mines and Metals Association chief executive Steve Knott said radical action was necessary to give employers the best chance to keep operating and save workers' jobs during the crisis.

Mr Knott's call, in a letter to Mr Porter on Thursday, stood in contrast to the Prime Minister thanking Ms McManus for her co-operative approach and praising groundbreaking changes to awards agreed by employers and unions to try to save jobs.

"There are no blue teams or red teams, there are no more unions or bosses, there are just Australians now and that's all that matters,"

Mr Morrison said. The Prime Minister spoke to Ms McManus on Thursday morning.

In the four-page letter to Mr Porter, obtained by The Australian, Mr Knott said awards and enterprise agreements should be suspended to either June 30 or September 30.

While employers could keep operating under agreements and awards if they wanted, businesses should have the right to bypass legally binding awards and agreements and reduce pay and conditions to minimum employee entitlements for six months.

He said rigidity of awards and some enterprise agreements were significantly hampering the ability of businesses to respond to the crisis, and the relief delivered by the Fair Work Commission through recent award changes had

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- Two weeks unpaid pandemic leave and ability to take annual leave at half-pay.
- One million white-collar workers forced to stay at home can change standard hours of work without getting penalty rates.
- Businesses under clerical award can cut employee hours to 75 per cent and direct workers to take annual leave at half-pay.
- Hospitality businesses can cut employees' hours and send workers on leave at half-pay with 24 hours' notice.
- Restaurants can cut employees' hours to 60 per cent and direct workers to take annual leave.



Porter slams miners' call to scrap awards

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been "far too slow". Mr Knott said award variations did nothing in isolation for employers covered by enterprise agreements. Changes to deals would almost certainly be approved too late, often after "significant and sometimes unsustainable damage to business".

Mr Knott said suspension of awards and agreements for at least three months would deliver immediate and overwhelming relief from the regulatory burden for employers and employees.

"Such a course of action would result in Australian businesses managing one level of industrial regulation — minimum wages alongside the National Employment Standards — whilst seeking to make changes to employment arrangements and maintain their viability during COVID-19," he told Mr Porter.

"This would deliver the significant capacity businesses require to enact real changes in workplaces in response to COVID-19, ultimately seeing more Australians remain in their jobs, reduced

reliance on the welfare system and swift economy recovery once this crisis is behind us."

Ms McManus slammed Mr Knott's push. "That any employer organisation would write to the government seeking the power to unilaterally cut workers' hours, suspend the minimum award conditions and be able to scrap workplace agreements would normally be unacceptable, but making such an opportunistic grab on working people's rights during this crisis, when we are supposed to be working together in the national interest, is disgraceful," she said.

"The Prime Minister told the nation 'There are no more ... bosses' but this mining lobbyist clearly didn't get the memo and is unable

to see beyond their own greed to act in the national interest.

"Luckily, many employers are not taking this approach and we will continue to work constructively with them.

"The Morrison government should rule out these ideologically extreme approaches and tell them to pull their heads in."

Mr Porter said "significant, temporary reform has been achieved within the industrial relations system through the co-operative effort of employer and employee representatives and I congratulate all parties, including the Fair Work Commission, on this achievement".

"As well as variations, by agreement between employers and employees, to awards covering hospitality, restaurants and clerks, the commission was taking sensible, considered action to increase leave flexibility in more than 100 awards," he said.

"These initiatives, along with significant government support packages, including the JobKeep-

er payment which will be legislated next week, show that even in a time of crisis, our IR system can be flexible and responsive to the needs of both employers and employees.

"This is not the time for ambit claims for systemic or ideological changes to the IR system from either side of the IR fence.

"Such ambit claims detract from a co-operative ability to achieve more sensible and time-critical and job-saving changes like those achieved so far."

Small business called on Thursday for workers to lose the right to make unfair dismissal claims for six months and recent award changes to be made permanent rather than operating for the duration of the pandemic.

Council of Small Business Organisations of Australia chief

executive Peter Strong said Mr Morrison should convene a national summit of employers and unions once the crisis was over to review operation of the workplace relation system. "The entire system needs to be reviewed because it is too complicated," he said.

'This mining lobbyist clearly didn't get the memo and is unable to see beyond their greed'

SALLY McMANUS
ACTU SECRETARY