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Election devoid of workplace ideas

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Industrial relations

The Coalition has no positive policies, and Labor and the unions are using use a fake casualisation campaign as cover for divisive tactics.



Steve Knott

As Australia edges closer to this year's federal election, we are in an eerily familiar position on industrial relations.

Continuing its strategy of the past three elections, the Coalition sees IR as a losing area and is offering no substantial policies, fearing it would only add fuel to union and ALP scare campaigns.

Instead, the Morrison government is again focusing any IR debate on the economically damaging policies of the Opposition, such as abolishing the Australian Building and Construction Commission (ABCC).

Although this focus is vitally important – see the ABCC's historic action against the maritime division of the recidivist CFMEU launched this week – it has little impact on most Australian workplaces.

The ALP and the ACTU have seemingly dusted off the playbook from the 2019 "Change the Rules" campaign and are pushing the same divisive, protectionist policies that failed to grab the attention of anyone outside the union campaign bubble three years ago.

As our nation emerges from the pandemic into a new, volatile and ultra-competitive global marketplace, those competing to be prime minister and cabinet members in the 47th Parliament should do better.

Business leaders argue that Australia must resume the process of IR reform if we are to head off emerging threats, seize new opportunities and bounce back as swiftly and strongly as possible in the post-COVID-19 world.

But instead of debating and supporting positive policies put forward by the Coalition, we will be left to defend against terrible ideas announced by the

Opposition, formulated around myths, mistruths and gross exaggerations.

The ALP-led senate committee inquiry into job security has spent the better part of the past 15 months on an extraordinary taxpayer-funded frolic around the country, hosting an incredible 26 days of public hearings to concoct a make-believe crisis of "job insecurity" in Australia.

This is despite casual employment remaining stable at about 25 per cent of the total workforce for the past three decades, except in the past two years when it has dropped to 23 per cent.

Since 2014, casual employment in the resources industry has fluctuated anywhere from 10 per cent to 18.5 per cent and has averaged 13 per cent over the past three years, well below the all-industries average.

But this has not stopped the ALP from engaging in a massive beat-up about casualisation, labour hire and independent contracting to justify extreme IR policies that will benefit no one except the unions.

Such policies include "same job, same pay" for labour hire arrangements. The narrative unfairly demonises lawfully agreed, above award rate enterprise agreement terms – in our industry almost always reached with the CFMEU – that clearly present a strong enough employee value proposition to attract and retain thousands of workers.

The ALP is also seeking to overhaul both employment and workplace health and safety laws nationally to revolve around the ambiguous, undefined terms of "job security" and rights to work "reasonable but not excessive hours".

The latter includes new rights for employees to change their working arrangements to emphasise preferred start and finish times.

Provisions for union officials to enter workplaces will be expanded to even

include circumstances where no union members exist, to ensure all employees are aware of their rights to join the union. In other words, unfettered union recruitment activities in every Australian workplace.

Multi-employer or "industry-wide" bargaining would be facilitated, dragging workplaces with no union influence into bargaining campaigns related to competitors or other enterprises with no

commercial affiliation to them or their employees.

An ALP government will also repeal the Coalition's sensible new definition of casual employment, one aligned to the High Court's interpretation in the *Rossato* judgment of last year.

Such a move will have class action law firms, many internationally backed, licking their lips at the prospect of again pursuing Australian corporations for tens of billions of dollars in back-paid "entitlements" to which casual employees were never actually entitled.

There are also serious concerns the union movement will try once again to force "bargaining fees" upon non-union members who end up employed under a union-negotiated EBA.

The ACTU has been attempting to justify this atrocious policy since the early 2000s, and I know from personal conversations there remains great support for this concept among influential union leaders.

I have yet to hear the opposition, much less the ACTU, emphatically rule it out.

These policies reflect nothing more than the union movement's desire to build a brick wall in front of free market competition principles.

We need a far more positive vision for the future of workplace regulation in this country.

In the lead-up to the election, my organisation, AMMA, will be actively advocating new ideas and policies that can take Australian workplaces forward.

Such policies will seek to promote best practice in employee relations, workplace culture and people management.

No doubt we will be joined by other business representative groups. We only hope our political leaders might follow suit.

Steve Knott is chief executive of the Australian Resources and Energy Group. This is an edited extract from his address to the Brisbane Club today.

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