

Key elements of John Howard's WorkChoices



- 1 Removed protection from unfair dismissal to employees in companies with fewer than 100 workers, and for employees in any sized company if part of the reason for dismissal is 'operational' (which can include falling profits).
- 2 Made it easier to push workers onto individual contracts or AWAs (Australian Workplace Agreements) and gave employers the unilateral right to refuse to bargain collectively with their workers.
- 3 Stripped back award conditions and made it easier for employers to cut penalty rates, overtime pay, holiday loadings, public holidays, redundancy pay and work allowances.
The so-called 'fairness test' does not protect award conditions, including pay rises over the life of the agreement, redundancy pay, long service leave, sick leave, or parental leave. Neither does it apply to the 2.5 million workers who signed an AWA before 7 May this year, or who work for companies which claim to be in 'difficult economic circumstances'.
For more information on the gaping holes in Howard's fairness test, visit QTU's website at www.qtu.asn.au
- 4 Made ordinary union activities illegal and severely restrict unions and workers using collective bargaining to protect employees from AWAs.
- 5 Drastically reduced the power of the Industrial Relations Commission to act as an independent umpire, and handed its powers to specially established government agencies or private corporations.
- 6 Changed the way minimum wages are set to make them lower by setting up the government-run Fair Pay Commission.



A potted history of WorkChoices (the law that dare not speak its name)

2004

9 October

John Howard and his Liberal/National Coalition win the Federal Election

2005

26 May

John Howard publicly reveals his IR policy

1 July

Liberal/National Coalition take control of Senate

2 November

Kevin Andrews introduces the 700+ page WorkChoices legislation to the House of Representatives. Submissions open to the Senate Inquiry into WorkChoices

9 November

Submissions close to Senate Inquiry

14-18 November

Senate Inquiry open to public (Canberra only)

22 November

Senate Inquiry report issued, making very little change to WorkChoices

14 December

WorkChoices legislation passes through Parliament

2006

- 26 March May** New IR laws come into effect
Federal government's own report to the Budget Senate Estimates Hearings shows that workers are suffering under AWAs, with 100% of individual contracts cutting at least one allegedly 'protected award condition', 64% cutting annual leave loading, 64% cutting penalty rates and 51% cutting overtime loadings
- 26 October** Fair Pay Commission announces \$27.36 a week pay rise for low-paid workers, and \$22.04 for workers earning more than \$700 per week.
- 14 November** High Court of Australia hands down its decision on a challenge by all state and territory governments against WorkChoices; decision upholds the constitutional validity of WorkChoices.

2007

- 22 February** Australian Bureau of Statistics releases data showing total earnings for full-time workers had dropped in real terms over the past year by 0.6%; private sector workers were hit hardest, with wages dropping by 1.1% (1.8% for women)
- 27 March** David Peetz, professor of industrial relations at Griffith University, releases a report on AWAs, showing that the average hourly earnings of non-managerial employees on AWAs was 3.3% lower than those on registered collective agreements.
- 17 April** Although the Federal government has decided not to publish any more data on AWAs, a reported leaked to *The Sydney Morning Herald* shows that 45% of AWAs stripped away all conditions the Howard Government claimed would be 'protected by law'.
- 23 April** Landmark ruling by the Australian Relations Commission opens the way for employers to make employees redundant for financial reasons, then readvertise their positions at lower pay.
- 4 May** The Howard Government renames the Office of Workplace Services as the Workplace Ombudsman, and the Office of the Employment Advocate as the Workplace Authority. The word 'WorkChoices' disappears from Federal Coalition politicians' vocabulary.
- 7 May** In the face of continued public opposition to the worst excesses of WorkChoices, the government introduces the 'fairness test'.
- 5 July** The Fair Pay Commission hands down its second minimum wage decision, awarding workers only a 2% increase — less than inflation.

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INTERESTED IN ART?

We are seeking eager participants to join our group of volunteer guides. In March 2008 Hazelhurst Regional Gallery & Arts Centre will offer suitable participants a six-week training program. Upon successful completion of the course you will be able to conduct guided tours of future exhibitions at Hazelhurst. For further information please contact **Tim Beniuk on 02 8536 5732 or email tbeniuk@ssc.nsw.gov.au**

Hazelhurst Regional Gallery & Arts Centre
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www.hazelhurst.com.au



Australian Education Union — Supporting Public Education

Australia's Future

Aboriginal and Torres Strait Islander teachers and education workers make an invaluable contribution to the education of Australia's children and the AEU can provide important advice and assistance. AEU membership includes Aboriginal and/or Torres Strait Islander teachers and allied educational staff, principals and administrators (mainly in government), Early Childhood Education Centres, schools and TAFE systems

The AEU actively seeks the input of Aboriginal and Torres Strait Islander members on education, other issues and its campaigns. This input is provided through the Aboriginal and Torres Strait Islander Education Committee (General and TAFE Divisions); designated positions for Aboriginal and Torres Strait Islander members on the Union's decision-making bodies and through membership and work with other AEU Committees. In 2007, the AEU proudly celebrates the fact that we have over 1000 Indigenous members working in public education systems across Australia.

Furthermore, the Annual Aboriginal and Torres Strait Islander Education Seminar is an opportunity for the broader community to provide input. The Seminar forms an integral part of the Annual Federal Conference Program and focuses on issues that are relevant to Indigenous Education. It attracts educators from across Australia and internationally with an interest in Indigenous Education. The 2008 Seminar, to be held in Sydney on 15 January, will pursue the theme of 'Our Voices, Our Vision. Our Rights to be Heard'.

The AEU also strongly supports the provision of quality public education and training for all Australian students, particularly for Indigenous peoples and has established the Arthur Hamilton Annual Arthur Hamilton Award for Outstanding Contribution to Aboriginal and Torres Strait Islander Education for AEU members. Applications are now being invited from members with nominations closing 30 November 2007. Details were published in the Winter edition of *The Australian TAFE Teacher* or may be obtained from the AEU Federal Office. The award will be announced at the 2008 Aboriginal and Torres Strait Islander Education Seminar and the winner will be flown to Sydney to collect the \$500 award. TAFE members are encouraged to apply!

The AEU lobbies governments on several fronts, including changes to Commonwealth Indigenous Education funding, which AEU research has shown to negatively impact on parent and community participation in schools.

The AEU also campaigns for the introduction of mandatory Indigenous studies as a minimum requirement for teacher employment in Australian states and territories. The AEU believes that to be a teacher in contemporary Australia, one must know about Indigenous students, their communities, needs, heritage and appropriate pedagogical approaches to meet these needs.

The AEU represents its members industrially and professionally in diverse forums. This includes the maintenance of comprehensive industrial protection and representation through industrial awards and agreements in all industrial tribunals in Australia. This involves industrial research, negotiation and advocacy over a wide range of matters including salaries and teaching and learning conditions.

The introduction of the Federal Government's 'Work Choices' legislation which impacts hardest on the pay and working conditions of the vulnerable and low-paid and on their families means that the AEU has a vital role to play. Membership information may be obtained from your AEU Branch or Associated Body in your state or territory.



Wayne Costelloe,
AEU Federal Aboriginal Education Office