



Speech by

DESLEY BOYLE

MEMBER FOR CAIRNS

Hansard 29 November 2001

INDUSTRIAL RELATIONS AMENDMENT BILL

Ms BOYLE (Cairns—ALP) (12.53 p.m.): I am pleased indeed to join so many other honourable members of this House in supporting the Industrial Relations Amendment Bill, with its core purposes of improving pay equity for Queensland women workers and of providing greater protection and security for long-term casual employees—many of whom, of course, are women. In listening to the speakers in this debate today, I note particularly the remarks of the member for Caloundra. She gave us an example of her own practice some good number of years ago when several of the women working with her and for her apparently suggested job sharing. They were able to make arrangements to do so among themselves. She seemed to use this fine example of job sharing as an indicator that there was no need for the legislative force that we are bringing into place today and the other legislation arrangements that we have introduced on other occasions in the past to ensure that work flexibility, particularly to suit women and their various lifestyles and family commitments, is practised widely rather than being restricted to the occasional office. It is a mistake the member for Caloundra and other members opposite make quite often. They meet one person, or find that they themselves practise in some appropriate fashion and, therefore, conclude that all employers are the same. Of course, that is not so.

I have noted, too, that this morning many of the male members of the Beattie government endorsed the bill and strongly supported the drive for pay equity for women. I am very proud indeed to be on the team with them. I note that some of them have come from a background of union activism. Clearly, that has been of great benefit to them in forming their opinions and clarifying for them the need for the continuing action that the minister is taking towards ensuring pay equity.

It is timely that I noticed in today's edition of the *Cairns Post* a letter to the editor from a Cairns resident—a lady who is, in fact, one of the Australian elders of the women's movement, Ms Joan Trewern. That letter to the editor states —

Trade union groups representing the mainly feminine labour force in teaching and nursing seem to be able to negotiate with the minimum of threat to the public.

Such unions are of increasing value to women workers now, when pressures towards long hours and low wages are the greatest since workers were struggling to exist in the 19th century industrial revolution.

Women, with their claims on family values... need unionism more than ever, not just in the above, but in shops and hospitality.

That certainly applies in the fair city of Cairns where tourism and hospitality are major industries and, therefore, the major employers.

I would particularly like to recognise the bill's responsiveness to a report completed earlier this year by the Premier's Council for Women titled *Beyond the pink collar*. That report was put together with considerable effort by that council. I congratulate all the members of that council, in particular the chairperson, Cathy Miller. Already, other members have quoted many employment statistics of Queensland that are particularly relevant to women. I would like to draw several more to honourable members' attention. The first of these is that, in comparison with other groups, unemployment in Queensland is higher among women from a non-English speaking background, among indigenous women and among women with a disability. In 1999, across all regions, participation rates were lower for women from a non-English speaking background, indigenous women and women with a disability. We need to be mindful that, of course, these groups are the most disadvantaged. For those of us who do not fall into those three categories, it may not be part of our day-to-day experience that the women

who fall into those categories have a much harder time in getting full-time employment and a fair deal in the work force that so many others of us take for granted.

The report stated that women are overrepresented among the underemployed. Between 1994 and 1997, the number of underemployed women actively seeking more hours in Queensland increased by 35 per cent. I have no doubt that that is related to their increasing financial need to manage their household commitments, for example, the education of their children and opportunities for a better life for all members of their household. Therefore, it is really important that this bill addresses the issue of casual employment. In having been a small business employer myself, I understand the attraction for hiring casuals, particularly in circumstances of short-term jobs and in an uncertain market where profitability may not be as great as one would hope and prospects may not look so good. However, when people are employed casually in a job for more than a year, it really becomes an unreasonable use of the rules of casual employment by employers.

The *Beyond the pink collar* refers to the Queensland government submission to the pay equity inquiry wherein it was stated—

Casual employment is heterogeneous in nature comprising "true casuals" (those employed for irregular short term engagements) and "long term casuals" (those engaged on a long term basis). Around 60% of casuals are employed for more than 1 year.

Sitting suspended from 12.59 p.m. to 2.30 p.m.

Ms BOYLE: In relation to casualisation, I inform honourable members that ABS data shows that between 1982 and 1999 the number of employees classified as casual in their main job increased from just below 700,000 to almost two million, with the trend being particularly marked in Queensland because it has high levels of casual employment compared to the other states. Between 1988 and 1998 there was a 40.2 per cent increase in casual employment in Queensland. Moreover, casual employment in Queensland currently accounts for half of all job growth. The prevalence of seasonal work outside Brisbane probably explains why casualisation is at higher levels in particular regions of Queensland. This is certainly the case in far-north Queensland with the sugar industry, and the tourist industry has its high season from April to October.

Women are much more likely than men to be employed on a casual basis. The rate of female casual employment in Queensland is higher than the comparable national figure and is significantly higher than the rate of casual male employment in this state and nationally. Women are much more likely to be in casual employment for a significant part of their working lives as compared with men, who are much more likely to experience casual employment as they enter the labour market. A higher percentage of female as opposed to male employees is employed casually across every occupational grouping other than construction. In the accommodation, cafe and restaurant industries, 57.1 per cent of employees are women and 76 per cent of these workers are employed casually, while only 46.2 per cent of male workers in that industry are employed casually. In the Queensland public sector in June 2000 women made up 72.13 per cent of casual employees whereas men made up only 27.87 per cent.

The increasing casualisation of the work force is of particular concern for women with a non-English-speaking background. The impacts of industry reforms and enterprise restructuring have been most strongly felt in manufacturing industries that have typically employed large proportions of people from a non-English-speaking background. It is therefore no wonder that the *Beyond the pink collar* report strongly expressed recommendations to address these inequities with regard to women's employment and also with regard to the casualisation issue.

I am pleased to say that two out of three of the recommendations made under recommendation 5(b) of the report are being implemented in this bill. Firstly, it will reduce the incidence of work force casualisation and increase the entitlements attached to casual employment. I have no doubt that all of the women who were on the Premier's Council for Women would wish to congratulate the minister for his efforts on that point. Secondly, it will develop responses to adequately address inequities existing between the remuneration for casual and part-time employees with the remuneration for full-time employees. Again, we must compliment the minister for this legislation because it will go a long way towards achieving that.

There is a third recommendation, however, that is not directly addressed but I hope it is one that the minister will continue to consider—that is, addressing the causes of the undervaluation of women's work, including gender assumptions in work value assessments and occupational segregation which may cause female dominated industries to be undervalued because they are female dominated. I admit that that issue is a hard one to address and that it is probably not legislation that can cause changes to occur in that regard. I also admit that some of the problem with women's work being undervalued is as a result of the attitude of women themselves—women who are lacking in confidence and women who behave as if they do not take pride in their work and do not believe that their work is skilled and should be recognised and admired. That kind of ego attitude is a problem, particularly for women at the bottom end of the work force and for women in the 'less likely to succeed'

categories—that is, indigenous women, women with a disability and women from a non-English-speaking background. Nonetheless, this legislation will go a long way towards addressing some of the key recommendations to address some of the inequities that exist in the work force for women. Therefore, I support the efforts to improve pay equity and the efforts to provide better protection and security for long-term casual employees.

I note that in the preparation of this bill the minister charged the Queensland Industrial Relations Commission with conducting an inquiry. Much of the bill is in accord with the recommendations in the report from the QIRC by Commissioner Glenys Fischer. The major changes in the bill help to achieve greater pay equity, including the requirement that the commission ensures that state awards and agreements provide equal remuneration for men and women workers who perform work of equal or comparable value. It is amazing that this House be required to ensure that that be so in legislation in the year 2001. Nonetheless, as disappointing as it might be in principle, that is a fact and therefore action in this regard is appropriate.

It should also be emphasised that all types of agreements available under the act will also be required to provide equal remuneration in light of evidence before the inquiry that the enterprise bargaining process has not assisted in improving the gender earnings gap. We could speculate as to why that is so, and I am tempted to suggest that it may be because women have not been active enough at the negotiation level within the unions. Perhaps they have not had the confidence to stand forward to take that stronger role. Perhaps it is also the case that younger women have other commitments such as families and children who do not afford them the time to participate in that bargaining process.

I also note and support the changes with regard to the minimum wage for all employees. The bill will enable greater protection for the low paid and most disadvantaged in the labour market. The bill requires that at least once each calendar year a full bench of the commission make a general ruling about a Queensland minimum wage for all employees, including those not covered by an award or agreement. From time to time I have been shocked at the pay rates accepted by some people in Cairns who are not governed by an award or agreement. More often than not these are young people who are pleased to get any kind of work and feel that they are powerless to complain because to do so would mean they would lose the little bit of work they have. They are also woefully unaware of their rights and the support available to them were they to take up the issue and demand a reasonable minimum wage. In that regard, when this bill passes through the House and each of its recommendations is actioned I hope the QIRC will join with the minister to find ways to ensure that workers who are most vulnerable to improper payments at the bottom end of the work force are aware of their new rights and standards. I commend the bill to the House.
