

**Question on Notice**  
**No. 497**  
**Asked on Thursday, 15 March 2007**

**MS MALE ASKED THE MINISTER FOR STATE DEVELOPMENT, EMPLOYMENT AND INDUSTRIAL RELATIONS (MR MICKEL)—**

**QUESTION:**

What impact is the Howard Government's Work Choices having on Queensland workers?

**ANSWER:**

Work Choices has removed employment entitlements despite stating that these were protected by law. The survey of Australian Workplace Agreements (AWAs) conducted by the Office of the Employment Advocate (OEA) in May 2006 demonstrated that in a sample of 250 Australian Workplace Agreements:

- 100% excluded at least one protected award condition;
- 64% removed leave loadings;
- 63% removed penalty rates;
- 52% removed shift work loadings; and
- 40% removed gazetted public holidays.

Recently released figures show that non-managerial workers covered by Australian Workplace Agreements (AWAs) earned 3.3 per cent less than their counterparts on registered collective agreements (ABS, Employee Earning and Hours 6306.0 May 2006). And the earnings gap for this group has widened and hours of work have increased since 2004.

Pre Work Choices there was a requirement to apply a test which checked any agreement struck between an employee and employer with the existing industrial award or agreement to protect the employee from being disadvantaged. Work Choices strips away this safeguard which means that workers in weak bargaining positions, such as women in retail and hospitality, have no protection from the pressure to bargain away their existing entitlements.

The use of the five statutory minimum conditions to replace all terms, conditions and wage rates contained in awards has also permanently lowered the starting point for negotiation, presenting even less opportunity to negotiate fairly.

The removal of the right to challenge unfair dismissal and skewing of bargaining power in favour of employers means that in businesses with less than 100 employees, permanent employees effectively no longer have any more rights than casuals. Employees in larger businesses also face more precarious employment as the legislation allows larger employers to sack employees on the basis of "operational" requirements.

I have been advised that evidence shows that new businesses are using "Employer Greenfield Agreements" to strip back pay and conditions for new employees to the bare minimum under Work Choices.

This means that workers employed in businesses established post Work Choices can find themselves with virtually no entitlements other than the federal minimum wage and four minimum standards covering paid and unpaid leave. Their basic rights to award rates of pay, overtime pay, penalty rates for weekend work and shiftwork have been cancelled by Work Choices which means that a growing number of Queensland workers may only be entitled to the federal minimum weekly wage of \$511.76.