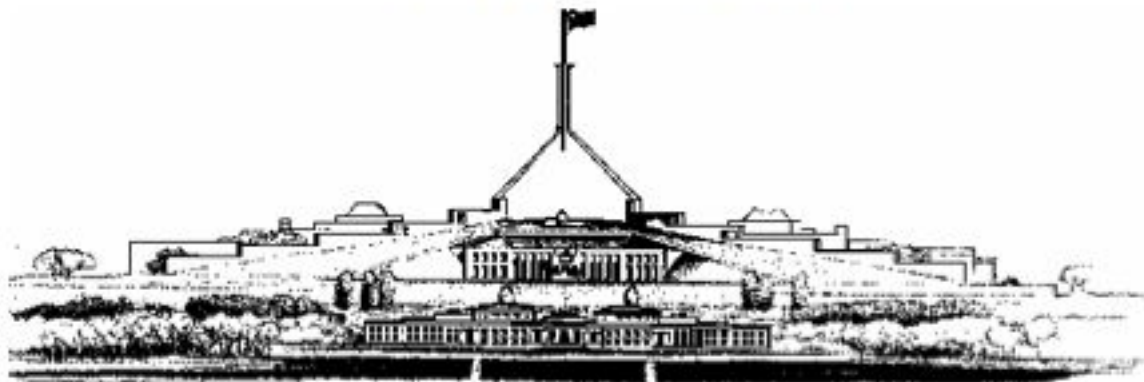




COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



HOUSE OF REPRESENTATIVES

PROOF

BILLS

**Fair Work Amendment (Protecting
Take Home Pay) Bill 2017**

Second Reading

SPEECH

Monday, 22 May 2017

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

SPEECH

<p>Date Monday, 22 May 2017 Page 36 Questioner Speaker O'Brien, Ted, MP</p>	<p>Source House Proof Yes Responder Question No.</p>
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Mr TED O'BRIEN (Fairfax) (11:33): All roads lead to the Leader of the Opposition's ambition—that is all this is about. At the end of the day, the Leader of the Opposition is under an enormous amount of strain. He knows that the member for Grayndler is going after him and he is going after him hard. And so he should, because, at the end of the day, he has failed to represent the very people he has spent his entire career purporting to represent—and that is the workers. The motion that he has put forward, the amendment he is suggesting, is to place severe restrictions on those who work under modern awards, but he wants to free up life for anybody who negotiates with a union for an enterprise agreement.

He does not want a level playing field. And that is the problem with the Leader of the Opposition—he does not want a level playing field with the member for Grayndler; he certainly does not want a level playing field out in the marketplace when it comes to the union movement, because he knows that the Australian people, the Australian workers, no longer trust the union movement. He knows that the unions will do in the workers, time and time again.

So what do you do? Well, what the Leader of the Opposition is doing is to seek to restrict what can be done under the modern award. He seeks to restrict what the Fair Work Commission can do. Why would this be? It only serves to increase the negotiating power of the union movement. That is it, period.

There is a part of me that would appreciate that, if indeed the union movement protected workers. But the union movement have proven time and again that they fail to protect the workers. Let me have a look at the EBA for those poor people who are working at KFC, who get zero penalty rates on the weekend under their union agreement. That union agreement, under clause 40.2, says that the employer undertakes to positively promote union membership by recommending that all employees join the union. All employees, including new employees at the point of recruitment, shall be given an application form to join the union together with a statement of the employer's policy.

Is it any wonder that the Labor Party will do whatever it takes to ensure that the union movement has a competitive advantage? It is very simple: the more people they can get into their union movement, the more money will flow to the Labor Party. This is a cash grab. This is an ambition of the Leader of the Opposition to ensure that one, he keeps his job; two, the Labor Party keeps getting cashed up. That is what this is about. Do not believe for a moment any of this nonsense that this motion is actually to help the workers. Not only does it harm workers and leave them vulnerable to manipulation by the union movement; it penalises small business—small businesses that not only are the lifeblood of this economy, but are the very ones who are creating jobs, particularly in regional and rural Australia; small businesses that are not unionised like big corporations. The unions do not have the same arrangement with small businesses, so what would you want to do? You would think you would want to ensure a level playing field. But no, not the Leader of the Opposition—the Leader of the Opposition wants to ensure that there is no level playing field. He wants to ensure that small businesses suffer, that they are penalised for not engaging unionised labour. That is all this is: seeking to ensure that there is a cost differential between small and large businesses.

If the Labor Party cared for the worker; if the Labor Party cared for regional and rural areas, in particular; if the Labor Party cared for small business, they would be allowing the Fair Work Commission to do their job with independence. They would not be trying to put the big guidance hand on them to take away their discretion, to apply something retrospectively which takes away their very independence. They would not be punishing small business and the worker. The Labor Party should go back to its roots and start representing what they purport to represent.