

1st June 2000.

Suzanne Hammond
Industrial Relations spokesperson
Women's Electoral Lobby

Senator Natasha Stott Despoya
Australian Democrats
Parliament House
Canberra

Dear Senator Stott Despoya

Workplace Relations Amendment Bill 2000.

The Women's Electoral Lobby and the National Pay Equity Coalition have taken an interest in and been involved in industrial relations change over the last few decades. We have participated in the policy process because we acknowledge that the only means by which women can achieve greater equity in the workplace is by becoming involved and commenting on industrial relations issues in Australia.

We acknowledge the contribution that the Australian Democrats made in ensuring safeguards be included in the Workplace Relations Act 1996. We further acknowledge the Democrats concern for a fair industrial system by the role that they played in the Senate Inquiry into the Workplace Relations Legislation Amendments (More Jobs Better Pay) Bill 1999.

Our organisations are now concerned that the current Workplace Relations Amendment Bill 2000 will have a detrimental impact on women workers. We have therefore made a Submission to the current Senate Legislative Committee outlining our concerns. I have enclosed a copy of our Submission and urge you to take these concerns into account when considering these Amendments.

Yours sincerely



Suzanne Hammond
On behalf of Women's Electoral Lobby and
National Pay Equity Coalition.

1st June 2000.

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Industrial Relations spokesperson
Women's Electoral Lobby

Senator Meg Lees
Leader
Australian Democrats
Parliament House
Canberra

Dear Senator Lees

Workplace Relations Amendment Bill 2000.

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Suzanne Hammond
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SUBMISSION TO THE SENATE COMMITTEE

**INQUIRY INTO THE WORKPLACE RELATIONS
AMENDMENT BILL 2000**

**The Secretary,
Senate Employment, Workplace Relations, Small Business
And Education Legislation Committee
Parliament House
Canberra**

**Women's Electoral Lobby
National Pay Equity Coalition**

Contact: Suzanne Hammond

The Women's Electoral Lobby and the National Pay Equity Coalition have a long history of campaigning for gender equity in the Australian industrial relations system. In recent years, the Women's Electoral Lobby and the National Pay Equity Coalition have participated in debates and commented on Federal legislative proposals, including the Workplace Relations Bill in 1996 and the Workplace Relations Legislation Amendment (More Jobs, Better Pay) Bill in 1999. We continue to take an interest in the operation of the Act and in any proposals to amend it. We hope that this Submission will be of assistance to the Inquiry. We are concerned that the amendments proposed in the Workplace Relations Bill 2000 would have a detrimental impact on working women.

We argued before the Senate Inquiry into the Workplace Relations Legislation Amendment (More Jobs, Better Pay) Bill in 1999 that the monitoring and sparse nature of information regarding the operation of the Workplace Relations Act 1996 meant that it was difficult to gain an accurate picture of the effects that the Act had on workers, in particular women workers. We suggested that before any further changes in the industrial system take place that a full Inquiry into the effects of the Act be instituted. We note that this has not taken place and argue that further amendments would be unwise without full information on the effects of the Act on the wages and conditions of women workers.

In 1996 and in 1999 we argued that de-centralisation and de-regulation of the industrial relations system would be detrimental to women workers. Studies by Gregory, Hall, Harley and Whitehouse, Campbell and Whitehouse all indicated that women had not fared as well under a system based on enterprise bargaining in a de-regulated, de-centralised environment. We are now concerned that proposals to limit pattern bargaining will create further inequality in bargaining outcomes and fear that women, who often have a weak position in the labour market, will be further disadvantaged.

We suggest that pattern bargaining has been a means by which weaker groups have achieved greater equality by benefiting from the flow-on of employment conditions achieved by stronger, better organised workplaces. In many instances weaker bargaining groups are unable to achieve basic employment entitlements as they do not have the bargaining power of other groups. For instance it may be difficult for varying industrial reasons for some workplaces to bargain for family friendly work entitlements, whereas other workplaces in the same industry can effectively bargain for these entitlements. This creates

greater inequality in the workforce. We therefore submit that the proposals to restrict industrial action in support of pattern bargaining will impede this flow-on effect and create greater inequality in the workforce.

Item 6 of the Bill relating to pattern bargaining also requires that the Commission, in determining claims 'have particular regard to the views of the employer who is negotiating the agreement'. We are concerned that women, who are often in a particularly disadvantaged bargaining position in relation to their employer, would be disadvantaged if the views of employees were not given equal weight by the Commission when determining claims.

We submit that pattern and industry bargaining have been important means by which women and disadvantaged workers have advanced their employment rights.

In conclusion we submit that restrictions on pattern bargaining will create greater inequality in the workforce and will further disadvantage women workers.