

## Federal Labor Industrial Relations Policy - Secure Australian Jobs Plan

February 2021

On Wednesday 10 February 2021, Labor Leader Anthony Albanese addressed an invited audience at TAFE Queensland's Southbank campus in Brisbane.

Albanese stated Labor's opposition to the Government's '[Fair Work Amendment \(Supporting Australia's Jobs and Economic Recovery\) Bill 2020](#)' and outlined Labor's position on gig-economy entitlements, and emerging employment paradigms.

The Labor leader noted that the "*the economy is evolving*" and that "*workplace laws must evolve with it*", in order to ensure working Australians have continued access to basic entitlements.

If elected, Labor will secure portable entitlements for casual and 'gig-economy' workers, alongside support for established workers entitlements such as superannuation and parental leave.

Federal Labor's latest Industrial Relations (IR) policy calls for:

1. 'Job security' explicitly inserted into the Fair Work Act.
2. Rights for gig economy workers through the Fair Work Commission.
3. Portable entitlements for workers in insecure industries.
4. Casual work properly defined in law.
5. Stricter regulation on labour hire firms.
6. Capping back-to-back short-term contracts.
7. Ending inappropriate temporary contracts in the Public Sector.
8. Conducting Government procurement with companies and organisations that offer secure work.

### Fair Work Act Amendments

If elected, Labor will legislate "job security" as a key objective of the Fair Work Act and require the Fair Work Commission, as the peak independent umpire, to bring a sharp focus to job security when making decisions about rights at work.

In addition, Labor would legislate to ensure more workers have access to employee protections and entitlements. Labor will extend the powers of the Fair Work Commission to include 'employee-like' forms of work, allowing the Commission to make orders for minimum standards in new forms of work including the 'gig economy'.

Labor's 'Secure Australian Jobs Plan' would safeguard the Fair Work Commission's capacity to inquire into all emerging forms of work and determine what rights and obligations should apply.

In addition, Labor would legislate to create a 'fair test' to determine when a worker can be classified as a casual.

### Portable Entitlements

Labor will consult state and territory governments, unions and industry to develop portable entitlements for annual leave, sick leave and long service leave for Australians in insecure work.

Albanese indicated several entitlement models that Federal Labor would review, including:

- Entitlements considered in the Victorian Government's '[On-Demand Workforce Inquiry](#)', as well the sick leave offered to casuals during the State's response to the COVID-19 Pandemic;
- The Queensland State Government's portable long service leave scheme for social and community services workers; and
- The ACT Government's portable long service leave scheme.

### Labour Hire Regulation

A Federal Labor Government will act to increase regulation on the use of Labour Hire, to ensure that workers employed through labour hire companies receive at least equal pay as workers employed directly.

In addition, it would limit the number of consecutive fixed-term contracts an employer can offer for the same role. This regulation would be aimed at preventing employers avoiding offering permanent status to workers by placing them in perpetual fixed-term contracts.

### Public Service Contacting

A Federal Labor Government would lead by example and mitigate the outsourcing, off-shoring and short-term contracting of Public Sector work. The policy is aimed at rebuilding the capacity of the public service and putting an end to practices that have undercut frontline public services.

Albanese announced Labor would conduct an audit of employment within the Australian Public Service. A Federal Labor Government would also work to set standards in the procurement of goods and services that would require contractors taking on work on behalf of the Australian Government to offer appropriate entitlements and secure work to employees.

### Superannuation

Albanese reaffirmed Labor's position to guarantee a superannuation increase to 12% and will oppose any legislation designed to change planned increases.

### Regulation Reform

Albanese also announced that a Federal Labor Government would abolish discredited workplace relations bodies such as the Registered Organisations Commission and the Australian Building and Construction Commission.

### **Further information**

For more information, please contact your Hawker Britton consultant [Simon Banks](#) on +61 419 638 587.