

Penalty rates

Reducing or abolishing penalty rates will, in my opinion, also reduce economic growth. A worker who can get the same salary from working for example, 3 days per week or getting the unemployment benefit as working 1 or two days on the weekend would be wiser to take the weekday position and spend some time with family and friends on the weekend. This will put increased pressure on young families in terms of childcare and childcare places are already limited.

This situation will affect the rural, remote and regional areas more than metropolitan centres. In the metropolitan areas it is the full-time students who do weekend work who will be most affected. Reducing or abolishing penalty rates will make it difficult for weekend traders to attract workers, especially in the hospitality and retail trade sectors. Employers will be forced to reduce their hours, thereby reducing the same profit margin they were hoping to gain by reducing their wages.

The only benefit I can see from reducing or abolishing penalty rates is that it will increase the participation in part time work opportunities during the week, but not in the retail and hospitality sectors.

In terms of fairness, the workers in the hospitality and retail sectors are entitled to penalty rates in the same way as emergency, health and other 24/7 or 7/7 day operations. All of them are giving up time they could spend with friends and family by working. By taking away their entitlement for giving up this time, the fabric of family life and social connections will unravel for the workers in these sectors.

Enterprise agreements, the NES and the safety net in general

In the same way as there is investment in primary health care, there should be investment in the promotion and education of the rights and obligation of workers and employers in the development of enterprise agreements, adhering to the NES, etc. Enterprise agreements and modern awards are “compasses” for workers and employers, but ignorance about it leads to a variety of problems in the workplace.

The average adult spent at least 40 years of their working life from age 18 in a workplace, that is roughly 2/3 of a lifetime. Problems in the workplace outside of wage negotiations (where unions stand strong and management is across the figures) can be prevented if both parties in the employment contract know how to resolve it before it ends up before the Fair Work Commission or another court. Solid dispute resolution practices and the practical knowledge thereof will benefit all parties.

Furthermore, workplace legislation and relations are organic in nature. It moves and shifts, not always in tune with economic markets, but the effect of it is always felt in the social and community sector when it happens. It is important that the workforce and the employers are informed about changes, proposed changes and factors feeding these variations.

In my opinion, public awareness and education about the workplace is not only the responsibility of the trade unions and the chambers of business, but that of an objective third party as well. The Fair Work Commission, as that objective third party, needs resources to employ dedicated officers who can travel the length and breadth of the country to inform workers and employers using a generic, prevention-oriented model.

Negotiations

In my opinion, the process currently available to negotiate an enterprise agreement, is fair and gives all parties the opportunity to contribute.

Anti-bullying legislation and general protections

I am of the opinion that combining these aspects would form a stronger base to work from. The current general protections provisions include a wide variety of prohibitive adverse actions but sometimes an application can have elements of discrimination, bullying, coercion etc. all in one. If the definitions of the current general protections provisions are broadened, it could encompass the anti-bullying legislation.

The economic impact on businesses due to stress leave of bullied employees and the resulting reduced productivity is well known. A bullying culture in a workplace is very hard to break and unfortunately it is often only when an order is slapped on a co-worker or a manager after a long process of investigation that would make the employer take some action. Once again, ongoing information and education for prevention is vital for employers and employees in this instance.

Concluding remarks

The workplace is a place where a person works, socialise with co-workers, and interact with the public every day in some way or form. It is not an isolated environment but unfortunately it can be an isolating one. Like any other space where people congregate, such as restaurants, sporting events and public meetings, there are rules that must be adhered to in order to make it work. Why is it that these rules are broken so easily in a place where you get paid to be? The question arises whether it is because of a lack of information or no commitment to a safe workplace from either employer or employee. Both scenarios are a concern for the modern workplace.