Thank you very much, Deputy President. It’s a delight to be with you, especially on the Gold Coast, where the temperature, can I assure you, is somewhat warmer than in my home state of Tasmania or, indeed, in Canberra, where I left this morning.

Before commencing, can I acknowledge the wonderful sponsorship that this conference has got from a range of sources. These conferences cannot occur without such sponsorship. And can I just acknowledge their corporate citizenry.

I’ve been told that the task I have today is to talk about our plan for workplaces. Well, it’s always good to try to deal with it in the form of “building blocks”.

And the first and basic building block is this: you need a strong economy to be able to create jobs, have jobs, career paths, well-paying jobs, stable jobs – you need a good, sound economy for that.

And that is why the Government has been so committed to getting rid of the carbon tax, getting rid of the mining tax, getting rid of red and green tape, signing up free-trade agreements, trying to re-establish the Australian Building and Construction Commission, and so the list goes on.

Because they are all building blocks in creating a stronger economy from which job creation can flow.

And as I often say to those in the Senate who assert that they’ve got a stronger social conscience than myself, you can’t really have a social conscience unless you’ve got a strong economy that can fund all those things that you want. So the first building block, if I might say, is the need for a strong economy.

Now, what would be the best workplace relations laws? Somebody other than myself has basically said a fair workplace relations system is absolutely meaningless and is absolutely hypothetical for everybody that does not have a job.
First of all, you need a job. And so the talk about fairness only comes into play if you’ve got a job. And that is why, in creating the parameters for a good workplace relations system, you cannot only look after those that are in a job – “thank you very much, I am comfortable” – and we’ll ignore all those that are not in employment. You’ve got to look after those that are unemployed as well.

For workplace relations laws to work – and if I might say, I think, both sides of politics have found this in the last decade or so – you need a degree of stability and you need a degree of evolution of those changes.

Swinging the pendulum too much one way or the other, ultimately, might serve some people’s ideological interests – it does not serve the practical interests of the economy generally, individual workplaces and, most importantly, the workers.

Now, our plan for workplace relations was set out in a 38-page document that the then Leader of the Opposition and myself launched in May, some four months before the last Federal Election.

We believe that it was pretty clear document – 38 pages, black on white, albeit with a blue-yellow cover as every Liberal or Coalition document has, of course, but it was there for all to see and read. If I might say, we have moved very quickly in introducing that to which we believe we’ve got a mandate – namely, re-introduction of the Australian Building and Construction Commission, a Registered Organisations Commission, changes to the Fair Work Act.

And, regrettably, the legislation has stalled in the place that I call home – namely, the Senate.

And when you know that you’ve only got a three-year term, and you have legislation that is just “block, block, block” for the first nine months of that term of government – that is 25 per cent or one quarter of your term is basically denied to you.

So we did sit the Senate early for the new Senate, and in that very first fortnight we dealt with our signature policy, the carbon tax.

I’m hopeful that, during the rest of this year, we will be able to pass that legislation which we took to the Australian people.

And I dare say you are all aware of why we want to re-introduce the Australian Building and Construction Commission. Let’s be very clear, in my ideal world, there would be one law for everybody. But you know what? The unions never complain when in the Fair Work Act, there are special provisions to protect people in the textile, clothing and footwear sector because of their particular vulnerabilities. They think that’s a good idea. Yet, if you move to the other side of the ledger, and you say well, there are some unions that do not abide by the rule of law, that engage in intimidation and thuggery and therefore you need special laws in that area, all of a sudden the mantra is one law for all, but they forget about what they champion for textile, clothing and footwear workers.

Regrettably, the ideal is one rule for all, but when you see a problem, any responsible Government needs to deal with it. And if you come from Western Australia, South Australia, Victoria, New South Wales, Queensland or my home state of Tasmania,
you have seen activities that the average Australian just shakes their head at and asks ‘what on earth is happening?’

If I might say, I think some of our other law enforcement authorities could do a little bit better but I note the Director of the Fair Work Building and Construction here Mr Hadgkiss, and say thank you very much on behalf of the Australian people for the wonderful work you are doing, in circumstances where you are particularly constrained by the gutted legislation that was left behind when we came to office.

Registered Organisations Commission. I’ll just put that out there, I trust that you understand the rationale for it.

With the Fair Work amendments we have adopted, in those, a lot of the recommendations from Labor’s own review panel of the Fair Work Act. And yet, Labor are opposing them.

We believe that there are a lot of good things to be done. For example, with Individual Flexibility Arrangements we believe that they can be made more workable. And indeed, I recall having a debate with the now Leader of the Opposition, with Minister for Workplace Relations, asserting ‘what idiot’ – and that’s the word he used – what idiot would ever have thought of allowing a worker to trade a monetary benefit for a non-monetary benefit.

Well, it was none other than, at that time, his Prime Minister, Ms Gillard, when she was Workplace Relations Minister, in introducing the Fair Work Act where the explanatory memorandum told us that that was exactly one of the bases for individual flexibility arrangements.

So Labor introduced it. All good. We say that it’s a good idea and we will enhance it. All of a sudden, it becomes the worst thing in the world, that we will be instilling individual flexibility arrangements.

Wherever I go people are saying ‘I wish I could have some more flexibility’. And we say yes to that, subject to one test – Labor’s test – that the worker has to be better off overall. The Better Off Overall Test, or the BOOT. We don’t think there is any problem with that. Nor should there be unless you have a manic determination to stovepipe everybody into one set of working conditions that you, as a particular shop steward, believe should be foisted on everybody.

Other than that, why wouldn’t you want the worker to in fact be better off overall? Why wouldn’t you want that for individual workers and for the members of your particular organisation? I must say, I just don’t get it.

We will have amendments for the Greenfields situation. For too long, resource projects in particular have been stymied with standoffs between employers and unions in circumstances where we desperately need new projects to get underway. And with the interest bills, the capital that is involved in those Greenfields projects, it does make the developer a substantially easy target.

If after three months, an agreement has not been able to reached, the developer can go to the Fair Work Commission and say ‘what we are offering is fair and reasonable.
in all the circumstances’. And then it will be for the Commission to determine whether that is the case or not.

We are going to change the rules on right of entry. Ms Gillard went to the 2007 election promising that we could take her mother as a hostage no less, if she were to change the right of entry rules. Well, I don’t know what she thinks about her mother, but she did change the right of entry rules. We will be implementing Labor’s 2007 election policy and bring it back to where the right of entry rules were, as Ms Gillard promised.

We will ensure that good faith bargaining is genuinely part and parcel of the process. We were promised by no less than Mr Rudd that, there would be no strike, strike first talk later provisions in the Fair Work Act.

Well, we now know, courtesy of the J.J Richards case, that that is not necessarily the case. And with that case I invited the Labor Party whilst they were in government, if you want to, this is clearly a mistake in the legislation, an inadvertent slip up, often happens in new legislation, no blame on anyone, but if you want to get an amendment rushed through the Parliament, the Coalition will assist, not even speak on the matter to get this amendment through as quickly as possible. That offer was never taken up. Which makes me think it was not a slip up. It was deliberate and we will fix it, and once again, introduce Labor’s policy of 2007.

We do have a few other bits and pieces on the agenda as well, including with the Safety Rehabilitation and Compensation Act. I just simply ask you, why should an employer be responsible if a worker working somewhere here on a building site on the Gold Coast decides to go surfing during lunchtime and has an accident. Why should that be a workers’ compensation issue? I’m not sure that there is any rationale as to why that should be the case. And indeed, as some of the other Labor states have in fact said, ‘no it shouldn’t be either, we should be going down that path as well’.

I suppose most importantly for all of those of you who are interested in matters workplace relations – and I suggest that is all of you because that is why you are here – we have the Productivity Commission review which will be taking place shortly. It will be a wide terms of reference which will enable you to basically canvas anything you wish in relation to the Fair Work framework.

Now, talking about frameworks and reviews, there is also of course, the very important area of the Modern Awards being reviewed. And if I might say, very cognisant of the very practical problems being experienced, especially by small businesses and workers. And we encourage the Fair Work Commission to take a common-sense approach which I am sure they will.

Can I simply remind everybody, in making their submissions, of what Prime Minister Paul Keating said in 1993 in relation to the workplace relations framework. That is should shift to, and I quote, ‘A primary emphasis on bargaining at the workplace level within a framework of minimum standards provided by arbitral tribunals. It is a model under which awards and centralised wage increases would be there only as a safety net’.
He went on to say ‘Over time, the safety net would inevitably become simpler. We would have fewer awards with fewer clauses.’

Well, the Modern Awards did make fewer awards. Chances are, with a few less clauses, but still they are quite weighty documents.

Modern Awards range in size from 31 pages for the Higher Education Industry General Staff Award 2010, to 179 for the Broadcasting and Recorded Entertainment Award 2010.

The average length of an award I am told, is 62 pages. Guess what I do in my spare time? The Building and Construction General On-site Award 2010 at 140 pages, includes 69 separate allowances including where there are two or more forklifts or cranes, the drivers must be paid an additional 16.2 per cent of the hourly standard rate. Employees who are regularly required to compute or estimate quantities of materials in respect of the work performed by other employees must be paid an additional 23.3 per cent of the hourly standard rate.

And under this award you will be pleased to learn that no apprentice under the age of 18 years will be required to work overtime unless they so desire. If the apprentice is over 18, then only to enable requirements of the training plan to be met. I must say, one wonders whether this is designed to acclimatise them to the rigours and realities of the sector.

But to really highlight how modern some terms of these awards are – or are not – bricklayers working in the tuberculosis hospital are entitled to have a x-ray every six months during work hours, at the employer’s expense. Just an inconvenient aside, the last dedicated TB ward was closed in 1981. So much for being modern. Yet, that clause is just thrown in and sure, it was all done in a rush, I understand that, but I think now in the Modern Award review some of these matters may be able to be addressed.

So as this four-yearly review is undertaken, I suggest the time has come for some careful and critical work to try to make them genuinely modern. So I invite participants to be actively engaged in that process.

Having mentioned all the above I note there will be a speaker after me, who was in the media this morning, Mr Willox, a good man from AiG. No criticism, but suggesting a new agenda for workplace relations reform. And I simply say to everybody in Australia, let’s take a deep breath and deal with the reforms that are actually on the table that still need to be progressed. Let’s do this in an orderly manner, in a sensible, evolutionary manner and not take those which have come through the Parliament for granted because as we know, the last Senate rejected these very modest proposals. And there is no guarantee that these modest proposals will in fact find favour with the new Senate. As a result of which, I would just encourage people to take a deep breath and take it step by step by step. And also I can assure you that we promised the Australian people no changes other than in those 38 pages and we are sticking to that. And so people who are getting excited with new and other agendas, well, you will have to wait until after the next election in relation to that.

Then also can I quickly make a comment about the front page of The Australian today in relation to some migrant workers, the suggestion that they would be allowed
to be paid 10 per cent less that Australians. Now we as a government are most concerned to ensure that all workers in Australia are paid according to law and when you have a high rate of unemployment, you do not want to see them coming in and then being allowed to be paid at a lower rate.

And wherever you are Fair Work Ombudsman, I saw you somewhere, you have a task to ensure that that does not occur.

That whilst I am on that topic, can I say that I am surprised as I travel around Australia, how many backpackers there are in work. Well over 100,000 of them. And I scratch my head and say ‘where are the young Australians that might be able to undertake those tasks?’

Whilst I am on that, can I make a plea for the importance of work, the dignity of work? Everyone says they believe in dignity of work. Well, if you believe in the dignity of work, there is a corollary to that, and that is the indignity of non-work.

Whenever we go somewhere, what’s the first thing we do? ‘G’day, I’m Eric Abetz, I’m Minister for Employment’. The first thing we identify with is our name, the second what our role in life is. It is part and parcel of our makeup.

And that is why all the social data tells us overwhelmingly, if you are in employment, your physical health, your mental health, your self-esteem, your social interaction are all enhanced. Not only for you as an individual, but for everybody that is in your family unit. Employment is an overriding social good and those of you who know why I am such a tragic in this area and love this portfolio, is, is because it is a wonderful dovetail of coming together of social and economic policy.

You need both of them, dovetailing together, and the importance of employment should never, ever be underestimated.

And so also, if people regrettably are not able to find employment, in those circumstances, Work for the Dole, apart from enhancing in a modest way the employment opportunities for the future, it is the social good of them actually – getting up in the morning, being able to be actively involved in a worthwhile project.

Which gets me onto the other topic, and my absolute and utter vehement rejection as a concept, that there is such a thing as a menial job. I just find that an abhorrent concept.

Unless somebody asks you to dig a hole just to fill it in again, which is absolutely meaningless. Other than that, every single job has a vitally important purpose. I’m sure at lunch today the good ones amongst you may have eaten some vegetables.

Well you know what? For you to have the privilege of eating vegetables at lunchtime today, somebody actually had to pick them, pack them, or wash them, pack them, cut and dice them. Are you going to say the privilege of having lunch today was as a result of a menial work effort?

Or indeed in the big cities in which we live, if there were not sanitation and waste disposal workers, our cities would be cesspits of rats, disease, and unliveable. Don’t
ever say that people that undertake those tasks are engaged in menial work. They are not. They are fundamental to the operation of our society.

And so when I do radio interviews I must say, I do get somewhat excited when people say 'Oh but Work for the Dole – they do menial things like painting a hall'. Oh, so enhancing community amenities is menial is it?

Can I tell you – I don’t get it. And we in Australia really do have to ensure that we change the culture of the dialogue amongst those that hold that regrettable view.

Enough from me, allow me simply to summarise by saying where I started – if you want a good workplace relations policy the starting point has to be a good, strong economy. It's only a good, strong economy that provides jobs, stable jobs, career paths, etcetera.

And then, yes, as part of a stable economy and a strong economy you do need parameters around your workplace relations laws to ensure that that can happen.

And what we want are good, fair workplaces and a framework that doesn’t only take into account the happy numbers that are in employment, but we also have an eye to those who are unemployed and what do we need to do to assist them.

And, in this modern age what can we do to encourage and engage in flexibility in a manner that ensures, and I want to stress this, ensures that the worker is better off overall.

And, I think that we’ve learnt many-a-time, that if a worker feels that they’re better off overall their productivity increases, they’re a lot happier…I was about to use the term that they’d be a lot happier campers and I dare say that is right as well.

But they will stay with the employer for longer; there will be that stability for the employer. And if there if there is that stability for the employer there's the stability for the employee as well, which then allows them to have the confidence to take out a house mortgage, to take out a car loan and plan for the future.

And at the end of the day, that is what we as a Government are determined to do; to create the economic parameters, to end the legislative framework to allow us to have to have the very best possible job opportunities for our fellow Australians.

Thank you very much. 

ENDS