

Chapter Nine

'We have undertaken the most comprehensive overhaul of workplace health and safety laws in 20 years – and workplace deaths are now at a record low'.

– Steve Bracks

The Liberals left more than 400,000 working Victorians without award protection and on wages as low as \$10.50 an hour when they abolished State awards in 1996. Ten years down the track, they are doing it again with the WorkChoices regime – and every working family will suffer the consequences. Labor will stand up for working families and fight these new laws.

The challenges:

- The need for State action to offset the impact of the Howard Government's WorkChoices legislation and combat unfair and inequitable employment conditions.
 - There is an urgent need to further reduce the number of deaths and injuries occurring in the workplace, and assist injured workers to return to work.
-

To meet these challenges, Labor will:

	...stand up for working families against the Howard legislation and promote the alternative of co-operative workplaces.
...undertake an inquiry into job security to give working families more confidence about their future employment options.	
	...ensure companies that carry out government work operate fair and safe workplaces.
... improve protection for injured workers and those who raise health and safety issues at work, whose rights have been eroded by Federal industrial relations changes.	

Labor believes in fair conditions of employment and co-operation between workers and employers. We support higher wages, a highly skilled workforce and high productivity. To that end, Labor supports trade union membership, collective bargaining and the right of parties to take industrial action.

Labor's achievements

Since 1999, the Bracks Government has:

- Implemented new legislation to ensure fairer workplaces – including referral of common rule power to the Commonwealth and employment protection for outworkers, owner-drivers and children;
- Updated our *Occupational Health and Safety Act*, giving Victoria the most modern and responsive laws in Australia;
- In the public sector, legislated to protect award entitlements, abolished AWAs and promoted collective bargaining;
- Worked with other states towards establishing nationally consistent long service leave standards;
- Improved construction industry long service leave legislation;
- Launched the Action Agenda for Work and Family Balance outlining major initiatives to enhance work and family balance;
- Overseen a reduction in industrial disputes and days lost due to industrial action; and
- Established the Ethical Purchasing Policy.

Labor's priorities for the future

Labor has set the following goals:

- More co-operative, productive workplace cultures;
- Protect Victorian workers against the attacks on their conditions and job security by the Federal government's WorkChoices laws;
- Promote and encourage collective bargaining;
- Build on our strong record in workplace safety; and
- Ensure workplaces support a work-life balance.

FAIRNESS AT WORK

New federal industrial relations laws

9.1 Labor opposes the regressive and anti-worker industrial relations laws included in the Howard Government's WorkChoices legislation. Labor believes that co-operative work practices deliver innovative, high performing workplaces.

Labor is committed to a stable, cooperative and fair system of industrial relations for all Victorian workers, employers and unions.

Consistent with this, Labor reaffirms its commitment to the following principles:

- The right of workers to belong to a trade union and the right of workers to have proper, legal and effective trade union representation in their workplace;
- The primacy of collective bargaining;
- Good faith and fairness in bargaining;
- A comprehensive set of award or statutory minimum standards;
- The right of workers to take industrial action to support claims;
- The right of unions to enter workplaces;
- The right of all workers to protection through unfair dismissal laws;
- Support for the role of an independent umpire such as the AIRC to conciliate and arbitrate to resolve disputes and to set ~~reasonable~~ fair minimum wages after a ~~fair~~ properly conducted public hearing; ~~and~~
- Opposition to the use of Australian Workplace Agreements and the use of individual contracts or contracting arrangements to erode workers' employment conditions; and
- A right to workplace privacy consistent with the concepts of autonomy and dignity at work.

In response to the Howard Government legislation, Labor introduced the Workplace Rights Advocate to minimise worker exploitation. Labor will ensure the Workplace Rights Advocate is properly resourced to investigate unfair employment practices and provide advice and information to Victorian workers struggling to get a fair deal under the Federal legislation.

The Victorian Government will play a strong role in assisting employees to prosecute underpayments and recover their full entitlements and other enforceable standards, in collaboration with union, industry and community stakeholders.

Promoting co-operative workplaces

9.2 Labor will resist the confrontational approach of the Howard Government and adopt a tripartite approach involving workers, unions and employers to develop and implement policies and legislation which impact on workplaces.

Labor will adopt open and accountable consultation procedures that ensure the views of all stakeholders are taken into account, including through industry consultative forums. In contrast, the Howard Government's WorkChoices legislation promotes conflict over co-operation, will reduce wages and conditions and will undermine job security.

Labor is committed to taking all necessary and practical steps to protect workers and unions given the Federal Government's conflict -driven agenda which negatively impacts upon workers' conditions and their unions' right to organise. This includes providing all necessary and practical support for dispute resolution mechanisms such as dispute panels which are agreed between industrial parties.

ALP 2006 PLATFORM

The right to a safe and secure workplace

9.3 Labor will ensure the *Occupational Health and Safety Act* is effectively enforced.

Labor believes that every Victorian worker is entitled to a safe and secure workplace. Labor is also committed to ensuring that workplace safety is not compromised by any negative changes the Federal Government may seek to impose on workers.

The rights of the workforce

9.4 Labor will ensure that the rights of workers, which are established in international treaties, conventions and declarations, are complied with.

Labor recognises that trade unions have played an essential role in establishing these rights and will actively support them in their endeavours to protect workers' rights.

Labor will ensure that its policies and employment practices in government reflect its support for trade unions and their members. It will also ensure that all legislation and government policy is consistent with Australia's international treaty obligations and core labour rights.

A fair and balanced approach to workplace issues

9.5 Labor will work fairly and co-operatively with trade unions and employer associations on matters of industrial relations. Industrial disputes in Victoria should be addressed in an atmosphere of co-operation from all sides.

Victorian Labor has demonstrated that strong investment and economic growth are best achieved through a workplace environment that recognises the valuable contribution all parties can make.

Labor is committed to ensuring that high employment and strong economic growth does not occur at the expense of safe and fair working conditions. We are committed to taking a balanced approach to workplace issues.

Collective bargaining

9.6 Labor remains fundamentally opposed to Australian Workplace Agreements (AWAs), and supportive of collective bargaining rights.

Labor supports collective bargaining, and the central role of unions in the process. Labor opposes employees being coerced into signing AWAs.

Labor also believes that employees should have the minimum protection of a comprehensive, up-to-date federal award safety net.

Independent contractors and the employment relationship

9.7 Labor is committed to ensuring that artificial employment arrangements are not used to undermine employment conditions.

ALP 2006 PLATFORM

Labor will work to ensure that contractors, subcontractors, outworkers, and other workers employed under such arrangements will be entitled to the same minimum wages and conditions as other employees. All workers should be entitled to protection from unfair dismissal.

Labor opposes unscrupulous employers, or the Federal Government, using legal fictions to create 'contractors' where such persons are fundamentally in traditional employment arrangements.

Labor will implement a mandatory code of practice for outworkers.

Job security

9.8 Labor will establish an inquiry into job security to examine a range of measures to improve security of employment and the distribution of work.

The proposed inquiry will examine:

- The current status of unfair dismissal laws, to investigate their adequacy and effect on employment and job security;
- Issues relating to guaranteed minimum hours of work for part time employees;
- While not inhibiting the rights of business to use casual workers for genuine fluctuations in demand, encouraging the use of permanent employees;
- An effective safety net of terms and conditions applying to all workers, regardless of whether they are classified as subcontractors, outworkers or contractors; and
- The right of casual employees to convert to permanent status after regular and systematic employment and the most appropriate mechanism to give effect to that right.

The Workplace Rights Advocate will provide advice and information to employers, employees and unions about their legal rights, research employment trends, and perform other functions that enhance job security.

Procurement policy

9.9 Labor is committed to using its purchasing power to ensure that workplaces are fair and safe. Labor is committed to integrity, fairness, consistency, value for money and transparency and accountability in the procurement process.

Labor is committed to doing business with good corporate citizens.

Labor will ensure, through contracting and tendering requirements, that contractors who supply goods or services (together with their sub-contractors and third parties) to the Victorian Government, pay wages and employment conditions in accordance with all applicable enterprise agreements, employment legislation and awards, including proper occupational health and safety standards, superannuation, and workers compensation obligations. Where there is an accepted industry benchmark agreement which sets the industry standard for terms and conditions of employment, contracting and tendering processes should consider whether or not that standard is being met by the prospective contract provider.

Further, Labor will ensure that there is a Whole of Government approach, and that government departments and government agencies comply with this policy. Companies that fail to comply may have a tender disqualified, a contract terminated (pursuant to the terms of the contract) or a fine imposed.

ALP 2006 PLATFORM

Labor is committed to, wherever possible, maximising local procurement of services and products for Victorian and government agencies. Labor will review its procurement policies and practices to ensure that Victoria has the strongest preference for local manufacturers and suppliers in Australia, consistent with our status as the leading manufacturing state.

A Labor Government will work with industry and other state and territory governments to use ethically sourced public procurement as an industry policy tool, taking account of efficiency, cost effectiveness and local industry development.

Labor is committed to the efficient public management of its services and operations to the maximum level achievable. In respect of operational decisions arising from a Partnerships Victoria proposal, the Government will consult with the relevant Unions following agreed procedures and where contracted services expire the option of bringing them back in house will be discussed.

Procurement policy review

9.10 Labor will review procurement policies to ensure contracts recognise the State Government's industrial relations framework and that contractors meet their health and safety and taxation obligations. Labor will review procurement policies to ensure contracts are given to companies prepared to work within the State Labor government's industrial relations framework including a State no disadvantage test that stipulates the basis of ethical employment arrangements and meet their health and safety and taxation obligations.

Labor will review, with the appropriate unions, any current codes of practice or regulations to ensure that procurement practices and policies are embodied in them.

Labor shall ensure that recipients of government assistance and support conduct themselves in a way that is consistent with our ethical purchasing policy and procedures.

Transparency

9.11 In accordance with the national ALP Platform, Labor will ensure that the company supplying goods or services will make available to unions all information about the location of work and actual manufacture of its goods (or provision of its services).

Government contracts should ensure that all work to be performed (including the manufacture of goods) complies with the standards set out above regardless of whether that work is performed by the suppliers themselves or is further outsourced. This includes all subcontractors and their locations of work so that government departments and trade unions can play an appropriate role in ensuring compliance.

As a priority, Labor will establish a working party with government, industry, ACTU-affiliated unions and the Victorian Trades Hall Council to implement and improve the procurement agenda.

Employees of contractors

9.12 In accordance with the national ALP Platform, Labor will ensure that where the State Government intends to change or issue tenders for any significant goods or service contract it will ensure that no new contract is entered into that

ALP 2006 PLATFORM

disadvantages employees of the out-going contractor with respect to employment, wages and conditions, or work intensification.

In this regard there must be consultation with the employees and unions affected before any contract is awarded as determined by the union's coverage rules.

Further, in considering the appropriate level of wages and conditions for such work, existing awards, as well as agreements which may form an accepted industry standard (where applicable), must be taken into account.

Labour hire

9.13 Labor will address the disadvantage experienced by employees in the labour hire industry

Employees in the labour hire industry often suffer employment uncertainty such as casual or fixed term employment arrangements and they receive reduced terms and conditions of employment compared to non-labour hire fellow workers doing the same work.

Labor will continue to work towards implementing the recommendations of the Labour Hire inquiry in consultation with unions and industry stakeholders, including through a working party involving the Victorian Trades Hall Council.

Long Service Leave Act

9.14 Labor will ~~monitor~~ review the *Long Service Leave Act* to ensure it helps Victorians achieve work and life balance.

Improved conditions for long service leave recently came into effect. These bring forward eligibility for long service leave from fifteen years to ten years and ensure Victorian workers have better access to long service leave. The implementation of these measures will be closely monitored. Labor will continue to review long service leave and work with other Labor State and Territory Governments on improvements in Long Service Leave.

~~Labor will continue to monitor long service leave legislation, and work with the Federal and other State governments towards greater consistency of long service leave standards.~~

Labor will amend the LSL Act to preserve entitlements of workers who lose Award conditions that are greater than the minimum State conditions.

Employee participation

9.15 Labor will ensure there are proper mechanisms for employees to contribute to the running of public enterprises, including appropriate board representation.

Labor believes that enterprises that promote employee participation have a record of success. Employees should have direct channels for contributing to the management of their enterprise.

Labor will treat employees and their union representatives equitably. Building Victoria's future requires partnership, not confrontation.

Public holidays

ALP 2006 PLATFORM

9.16 Labor will review the outdated Victorian public holidays legislation.

Labor recognises that employers and employees need certainty about terms and conditions relating to public holidays. To that end, Labor recognises that the *Public Holidays Act 1993* – which does not cover all workers and requires some holidays to be declared annually-gives rise to confusion and is inconsistent with practices in other States.

Labor supports the right of workers to paid leave of absence on public holidays to enable them to join with the general community to celebrate the major events on those days. People who are required to work on a public holiday are entitled to penalty rates.

Labor supports a minimum of eleven public holidays in Victoria, consisting of ten weekdays and one weekend day:

New Year's Day	Easter Monday
Australia Day	Anzac Day
Labour Day	Queen's Birthday
Good Friday	Melbourne (or Regional) Cup Day
Easter Saturday	Christmas Day
Boxing Day	

Labor will amend the *Public Holidays Act 1993* to:

- Ensure that all Victorian employees (including non-award employees) are covered by the *Public Holidays Act*;
- Extend Melbourne Cup Day as a public holiday to all regions in Victoria that do not observe the equivalent of a local Cup Day or equivalent;
- Provide an additional public holiday when Boxing Day or New Year's Day falls on a Saturday or a Sunday, so that the actual day (26 December and 1 January) is a public holiday, and the following Monday is also an additional public holiday; and
- Provide a substitute public holiday when Christmas Day falls on a Saturday or Sunday.

Labor also recognises the special significance of Christmas Day, Good Friday, Easter Sunday and Anzac Day in our community and will ensure that current restricted trading provisions continue to apply on Christmas Day, Good Friday and Easter Sunday and until 1pm on Anzac Day.

Labor will consult with other States concerning a consistent treatment of Anzac Day where it falls on a Saturday or Sunday.

Pay equity

9.17 Labor will work to make pay equity for women and men in Victoria a reality.

Specifically, Labor will:

- Provide the necessary resources, including specifically designated staff and funding, to ensure that the recommendations of the Pay Equity Report are implemented;
- Reconvene the Pay Equity Working Party to reconsider its report in light of the Howard Government's WorkChoices legislation and make any necessary changes to overcome obstacles presented by this legislation;
- Develop a framework for implementing the recommendations contained within the Pay Equity Report, with representatives from government, unions, employers and other relevant stakeholders, by the end of its current term in government;

ALP 2006 PLATFORM

- Implement comprehensive training and development for all levels of management within government and government agencies about the necessary practices to make pay equity a reality; and
- Implement open and transparent benchmarks for measuring pay equity outcomes within government and its agencies, including for work performed by contractors.

Fair and equitable access to employment

9.18 Labor will support equality of opportunity and help to provide substantive equality for women in employment.

Specifically, Labor will:

- Provide adequate resources and promote training and skills development opportunities to assist women re-entering the workforce;
- Ensure the implementation of workplace policies and practices that reflect the specific needs of women throughout their working lives;
- Remove discrimination and sexual harassment in the workplace; and
- Encourage the fuller and equal participation in the workforce of women from culturally and linguistically diverse backgrounds.

Women and unions

9.19 Labor will support the union movement in its fundamental role of defending and promoting the position of women in society and in the workforce.

With employers pushing for the deregulation of the labour market, unions are just as important to women as they were a century ago and they provide the best forum for fighting for improvements to working women's lives.

Labor will:

- Actively promote the ways women benefit from being a member of a union and the gains from organising collectively;
- Assist the union movement to continue campaigning for working women's rights; and
- Encourage greater representation of women at the executive levels of unions.

Protecting workers' entitlements

9.20 Labor believes that employees should receive their full entitlements if a company collapses.

Labor is opposed to employers engaging in contrived legal arrangements aimed at avoiding their financial responsibilities to employees in the event of corporate insolvency or corporate restructure.

No corporation or controlled entity, subsidiary or parent of a company that has avoided their financial responsibility to employees shall receive any form of State Government financial assistance until all workers' entitlements have been paid in full. The State Government will maintain and publish a list of such corporate defaulters.

Employers who improperly avoid their responsibilities will be denied the opportunity to tender for any work for or by the government or statutory corporations for a minimum period of two years after the final settlement date of all employee entitlement claims.

ALP 2006 PLATFORM

Victorian Labor will lead discussions with other state and territory governments and the Federal Government with a view to legislating to protect workers' entitlements.

Portable industry funds

9.21 Labor will support the introduction of portable industry based entitlement schemes.

Labor will actively encourage the establishment of portable industry based funds to receive and cover workers' accrued entitlements such as long service leave, annual leave, sick leave, superannuation, and severance or redundancy payments. Similar funds have operated successfully in the building and construction industry for many years to the benefit of both employers and workers.

It is recognised that not all industries or employers may be able to be covered under a portable industry based fund.

Labor will investigate ways of preserving existing portable industry based funds whose status is eroded by WorkChoices.

HEALTH AND SAFETY AT WORK

Safer workplaces

9.22 Labor will strengthen protection for injured workers and health and safety representatives.

Labor recognises that workplace health and safety representatives play a crucial role in creating safer workplaces. ~~Labor will provide enhanced protection from discrimination and dismissal for health and safety representatives and workers who raise safety issues, report injuries or make a claim~~ Labor will legislate to provide enhanced protection from discrimination and dismissal for health and safety representatives and workers who raise safety issues, report injuries or make a claim, including the right for an individual to institute proceedings in relation to an alleged breach with remedies to redress the discrimination.

Labor will legislate to ensure that employees can make a complaint about a safety issue to Worksafe or to his or her union on a confidential basis and that unions are not required to provide any details on right of entry that might identify the individual who complained.

Labor will monitor the impact of federal industrial relations changes on health in the workplace, and the incidence of unfair treatment of injured workers.

Labor will act to ensure effective right of entry to unions under the OH&S Act is free of unnecessary bureaucratic impediments to entry. If these arrangements do not prove effective they will be improved in the context of a review of the OH&S Act.

Labor will initiate a review of Victorian WorkCover Authority ("VWA") prosecution policy with an aim to maximise the capacity for cases to be pursued to their conclusion where there is a likelihood of success. The review will also examine the relationship between director corporate liabilities.

Labor will ensure that the names of directors of companies that default on fines issued for breaches of occupational health and safety legislation will be publicised as part of an overall OH&S enforcement strategy.

ALP 2006 PLATFORM

Labor will examine further options for effective enforcement in circumstances where there is of avoidance of penalties imposed under the *OH&S Act*.

The *OH&S Act* provides for any person (including an injured employee or his or her union) to require the Victorian Workcover Authority to provide reasons where it decides not to prosecute a matter and for the Director of Public Prosecutions (DPP) to review the Authority's decision if requested in writing to do so. Labor remains committed to a process whereby the VWA must work within stipulated time frames and an adequate process of review of VWA decisions as to prosecution is in place. If current procedures prove inadequate they will be reviewed.

The *OH&S Act* currently provides a penalty of imprisonment (not exceeding 5 years) for "recklessly endangering" persons at the workplace. Labor is committed to continue to monitor the adequacy of penalties under the *OH&S Act*.

Dangerous goods and hazardous materials

9.23 Labor will act to safeguard the community against risks from the presence of environmental hazards and dangerous goods in the work environment.

Labor will implement and enforce legislation that protects the community and workers from workplace dangers including the storage, handling and transport of dangerous goods and hazardous materials.

The presence of asbestos in the workplace will remain covered by prescriptive regulation that is actively enforced.

Simplified premiums for WorkCover

9.24 Labor will complete the reforms of the WorkCover premium review to strengthen incentives, simplify the system and provide greater choice for employers.

Through enhanced claims management and the effective administration of liabilities, Labor recognises that Victoria can maintain competitive WorkCover premiums and boost certainty and stability for small business. The average WorkCover premium rate is 1.8% of remuneration – the second lowest of the Australian states.

Labor will ensure that any further reductions in WorkCover premiums do not occur at the expense of improved benefits for injured workers. In particular, Labor will address the specific needs of workers who have been denied their rights under common law and enhance the rights of injured workers to return to work.

Prior to any further changes to WorkCover premiums, Labor will consult with trade unions to assess the extent to which benefits to employers resulting from reduced premiums have enhanced their capacity to provide safe workplaces and provide better return to work options for injured workers.

WorkCover legislation

9.25a Labor will form a working party consisting of government, unions and employers in order to modernise the *Accident Compensation Act 1985*.

A stable and competitive WorkCover scheme is one that recognises and delivers positive outcomes for both employees and employers.

ALP 2006 PLATFORM

Labor is committed to improved workers' compensation arrangements for Victorians. Labor will review the *Accident Compensation Act 1985* to ensure workers receive the assistance, support and benefits they deserve.

Labor will seek improvements by ensuring there are real incentives for employers to resolve matters at the conciliation stage of WorkCover disputes and that injured workers are not left without income while insurances companies' profits increase.

9.25b Labor will resource the Workcover Inspectorate to ensure compliance with Workcover legislation

Labor is committed to ensuring workers receive the protection provided for by the legislation. Labor will ensure the Workplace Inspectorate provided for in the legislation is resourced to enable the full protection of the legislation to be provided.

Better return to work options

9.26 Labor will encourage employers to maintain employment for injured workers, with an emphasis on providing practical outcomes for injured workers' continued employment rather than termination of their employment at the end of the minimum statutory period.

It is important for workers to return to work as quickly as possible after a workplace injury or illness. Workers want the security of continued employment, but most need assistance in returning to work. Any return to work must be consistent with sound medical advice and continued medical monitoring.

Labor believes that successful return to work involves co-operation between employers, injured workers and their health practitioners. Labor recognises that these benefits can only be achieved through a WorkCover scheme that is administered efficiently, fairly and in a financially responsible manner.

Labor will review the adequacy of workers' return to work rights under state workers' compensation legislation, in light of the removal of federal unfair dismissal protection.

Workplace harassment

9.27 Labor will review the current mechanisms and procedures for investigating complaints of harassment by employers attempting to coerce employees into agreements such as AWAs.

Labor is committed to eliminating all forms of workplace violence, bullying, harassment and discrimination and ensuring that employees have a healthy and safe working environment. Labor will introduce regulations to outlaw workplace bullying and occupational violence.

Occupational health and safety representatives

9.28 Labor will ensure that all Victorian workplaces have access to first-hand information and support for workplace safety issues by improving support and training for health and safety representatives.

Labor supports the important role played by health and safety representatives in promoting and ensuring occupational health and safety in the workplace. Labor is committed to retaining the key role of health and safety representatives in the Victorian health and safety legislation and increasing their skills and effectiveness.

ALP 2006 PLATFORM

Labor supports unions and employers making agreements in relation to safety issues that can include agreement by employers to release employees for OH&S training.

SKILLS

Labor believes that the best way to generate high paid, high quality jobs across Victoria is to make full use of the abilities, skills and ideas of all Victorians. To improve the productivity of businesses we need high performing, co-operative workplaces.

Assessing the skills shortage

9.29 Labor recognises that the current skills shortage is affecting the ability of businesses to grow and expand. To this end, Labor will implement a research program to investigate and analyse the current situation to assist in adopting programs to address the current skills shortage.

Labor recognises the need for a consistent approach to the collection, analysis and reporting of research and is committed to:

- Examining data collection methods in relation to skills shortages to identify options for strengthening the methods;
- Monitoring the impact of the use of imported workers to fill short term skills gaps;
- Developing better methods to determine the nature and impact of the skills gaps of existing workers;
- Acknowledging that demographic trends underlie and will exacerbate current and future skills shortages; and
- Developing better tools for the analysis of apprenticeship and traineeship data, particularly in relation to completion rates, to ensure accurate reporting of the performance of the two systems.

Apprenticeships and traineeships

9.30 Labor is committed to ensuring the integrity of the apprenticeship system. The Government recognises that deregulation of the training system heightens the risk of exploitation and/or abuses of the system which will further exacerbate the skills shortage.

Labor acknowledges the present skills shortage which is undermining the economic wellbeing of the state of Victoria. The skills shortage can be addressed by re-affirming our commitment to proper training which meets the long term needs of employers, workers and the economy. A modern economy requires workers with broader and higher skills qualifications.

To strengthen quality and participation in the apprenticeship system, Labor will:

- Continue to strengthen dispute resolution processes for apprentices and trainees to ensure they are equitable, transparent, effective and accessible, in consultation with unions and industry;
- Support the integrity of apprenticeships by ensuring that full competency must be achieved prior to completion of an apprenticeship;
- Encourage employer participation through the introduction of apprentice ratios or other schemes to increase apprenticeships on government jobs;
- Modify incentive payments schemes to employers and apprentices to encourage completion and introduce penalties for employers who breach their obligations;
- Review the role of apprentice field officers and increase their number;

ALP 2006 PLATFORM

- Strengthen the requirement for formal structured training relevant to the industry and ensure that this training is separate from the normal work process, and that such training plans are in place prior to registration;
- Consider abolishing part time and/or casual apprenticeships in industries where such apprenticeships are not suitable to the specific industry;
- Restrict public funding and recognition of ~~higher~~ skills qualifications to nationally consistent and portable qualifications;
- Sponsor women to become apprentices in the traditional trade areas;
- Take any practical measures to ensure that employers of apprentices are not faced with financial disincentives for example taxation and other on costs;
- Reintroduce government-issued certificates of proficiency for completion of apprenticeships;
- Monitor the impact of federal industrial relations changes on apprentices and trainees;
- Labor will work with the Building Industry Consultative Council to consider the establishment and maintenance of licensing of general construction trades;
- Labor will oppose fragmentation, proliferation or narrowing of trade qualifications which diminish the integrity of existing trades;
- Ensure that any review of the duration of apprenticeships is conducted on an industry by industry basis; and
- Consistently apply as a minimum the recognised competency standards from the relevant industry package for assessment of trades for mutual recognition purposes and for recognition of skills gained overseas.

Ensure that traineeships are genuine and not used as a cheap form of employment. In this regard, Labor will monitor traineeships to ensure employers comply with their legal and funding obligations.

Training funding

9.31 Labor will commit additional resources to education and training and give consideration to:

- Increasing the number of TAFE places allocated specifically for trade and technical training for new entrants and existing workers in identified areas of skills shortage;
- Strengthening the provision of advice to and from industry by increasing support to industry training advisory boards, industry forums and other consultative mechanisms; and
- Improving public disclosure and audit mechanisms to identify registered training organisations that are underperforming and/or abusing the system.

Awareness of workplace rights

9.32 Labor will raise awareness among Victorians of their rights at work, particularly among young people to assist them in their preparation for entering the workforce.

Labor believes in raising awareness in the community about the integral role of unions in the shaping of Australia's economic, social, environment and political landscape. As the Federal Government attempts to wind back workers' rights the collective power of unions at the workforce level has never been more important in protecting working conditions.

Labor strongly believes that it is a government responsibility to ensure that all Victorian workers have ready access to information about their rights at work, as well as the ability to

ALP 2006 PLATFORM

enforce their rights. To achieve this, Labor will provide necessary resources for the production of and widespread dissemination of information about the rights of Victorian workers. This will be complemented by an ongoing community education campaign. A working party including representatives of government, unions and Victorian Trades Hall Council will be established to progress these issues.

WORK AND FAMILY

Making work/family/life balance a reality

9.33 Labor will implement the Action Agenda for Work and Family Balance across the public sector to demonstrate its leadership in this area.

In particular, Labor will:

- Introduce a code of practice for employers to assist them in helping Victorian workers reconcile their work and family responsibilities;
- Encourage businesses that endeavour to make work/family/life balance a reality by enhancing existing programs that reward and promote employers with innovative strategies in this area;
- Assist Victorian families in achieving work family life balance by investigating ways to improve access to childcare facilities; and
- Identify key performance indicators to allow for continuous improvements in its strategies to balance the work and family responsibilities of Victorian workers. Labor will report this information to the relevant policy committees.

Paid maternity leave

9.34 Labor recognises that paid maternity leave is a human right. In line with the ILO Maternity Protection Convention, Labor supports a minimum of 14 weeks paid maternity leave for women in Victoria.

To assist in making this a reality in both the public and private sectors, Labor will:

- Continue to lobby the Federal Government for a national paid maternity leave scheme;
- Consider further payroll tax exemptions for businesses in Victoria in order to provide a genuine incentive for employers to offer 14 weeks paid maternity leave to women in their workforce; and
- Ensure that a minimum of 8 14 weeks paid maternity leave at their ordinary rate of pay is made available to working women across the entire public sector regardless of their education level. Any further outsourcing of work in the public sector will have this minimum standard as a requirement of the successful tender. ~~Each round of public sector enterprise bargaining should aim to increase the minimum paid maternity leave period to 14 weeks, depending on the budget priorities for that sector.~~ This will be facilitated through each round of public sector enterprise bargaining.

Paternity leave

9.35 Labor will provide further assistance to Victorian workers to achieve work/family/life balance by supporting the goal of increasing the minimum entitlement for paternity leave to two weeks.

Labor is committed to assisting fathers at the time of the birth of their children and supports at least one week of paid paternity leave. In the public sector, each round of public sector

ALP 2006 PLATFORM

enterprise bargaining should aim to increase the minimum paid paternity leave to ~~two weeks,~~ depending on the budget priorities for that sector.

Valuing Victoria's public services

9.36 Labor reiterates its commitment to the public sector and reasserts the legitimacy of public sector employment as a means of delivering quality services to Victorians.

Labor understands the importance of providing high quality public services to look after the diverse needs of our community. The public sector not only provides services that are essential to the community - it also plays an important role in promoting co-operative workplaces and creating career opportunities for Victorians that will assist in addressing the skills crisis. Labor will:

- Oppose all forms of bullying in the workplace and will ensure its public service practices support workplaces free of bullying;
- Revitalise the Victorian public service by continuing to eliminate a range of employment practices introduced by the previous government that are inconsistent with Labor values, such as the elimination of AWAs; and
- Support collective bargaining processes and consultation with unions within the public sector.