

ALP IR POLICY IMPLEMENTATION TIMELINE

CORRS
CHAMBERS
WESTGARTH
lawyers

Election
18 May 2019

First 100 days

Immediate Bill (most pressing issues on ACTU reform agenda, ALP committed to):

- Objective test for 'casual'
- Change criteria for FWC determination of minimum wage ('living wage')
- Reverse FWC cuts to penalty rates
- End sham enterprise agreements (i.e. small cohort, wide scope/coverage)
- End or limit unilateral termination of EAs by FWC after nominal expiry date
- Easier access to arbitration of long-running bargaining disputes
- Abolish ABCC & ROC

6 - 12 months

Extensive Stakeholder Consultation Process OR External Inquiry/Review of FW Act:

- **Process:** written submissions, stakeholder meetings, public hearings?
- **Issues/Scope:** see below (i.e. matters that would be covered in more substantive reform Bill)

12 - 24 months

Major reform legislation:

- 'Same job, same pay' principle for labour hire
- National labour hire licensing scheme (possibly in stand-alone Bill)
- End sham contracting for gig workers/ensure covered by FW Act protections
- Counter wage theft – wider accessorial liability, increased penalties (including now possible criminal liability for most serious breaches based on MWT Report)
- Greater access to industry/multi-employer bargaining, especially for low-paid & across public sector agencies
- Good faith bargaining changes including genuine intention to make agreement and 'truth in bargaining' (i.e. information disclosure)
- Industrial action changes (unclear – Labor has expressed concern about allowing industrial action in support of sector-wide bargaining)
- Right of entry changes (e.g. clear right of workers to meet with/be represented by union without interference)
- Public sector bargaining reforms
- Easier access to FWC dispute resolution for award, NES & EA disputes
- Re-establish RSRT
- 26 weeks paid parental leave & pay equity principles for FWC award review