



# WORKING TO LIVE, NOT LIVING TO WORK

*Putting people back at the centre of workplace laws*

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Job insecurity and time pressure are on the rise. Workplace laws should enable people to have a secure job, a good balance between working and personal & family life and protect people's rights at work. The Greens' vision for workplaces puts people firmly at the centre of workplace laws. Good workplace laws can help create a more caring society and relieve the pressure people are under.

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At the heart of the Greens' vision for workplaces is the belief that everyone is entitled to meaningful work. Meaningful work is well remunerated, safe and values the employee and is where the employee feels a degree of autonomy and control over the working day.

**The Greens' priorities for the next period of Parliament will be to legislate to advance the following three principles:**

- **People should have more control over balancing their personal and working lives.**
- **People should have the right to secure, ongoing employment where practicable, especially in sectors reliant on public funding.**
- **Workplaces should reflect the diversity of Australian society.**

## > A Better Work Life Balance

In a generous and caring society like ours, supporting every employee to balance their caring and personal responsibilities with paid employment should be at the heart of our workplace laws. Caring for those close to us must be a central concern for our society and is important to the economy.

However, it is not only those with caring responsibilities that should be entitled to a decent balance between their work and personal lives. All employees, regardless of their personal circumstances, should be entitled to flexibility in the workplace.

Australians perform \$72 billion in unpaid overtime each year.<sup>i</sup> Just over half (54.6 per cent) of employees aren't working the hours they want, and more than two thirds of these would prefer to work fewer hours, even if it might impact on their income.<sup>ii</sup>

These long working hours are impacting on our wellbeing, and the wellbeing of our families and communities. Two thirds of women feel consistently time pressured and nearly half of men also feel this way.<sup>iii</sup>

Good employers are already making it easier for their employees to achieve a balance between work and their personal life. Allowing employees more control over their working hours is good for business and for the economy. Satisfied employees are likely to remain in a workplace longer, be healthier and more productive.

The Greens believe that all employees should have an enforceable right to request flexible working arrangements.

**The Greens will introduce legislation that will:**

- **Give people who have been in their job 12 months enforceable rights to request flexible working arrangements,** including the number of hours they work, the scheduling of those hours and the location of work. Employers have the right to refuse on operational grounds but must provide reasons for the refusal.
- **Strengthen existing provisions for carers.** If a carer requests flexible working arrangements, employers can only refuse where there are serious countervailing business reasons.

The Greens will also give the Fair Work Commission the ability to hear and determine any disputes if an employer refuses a request



## > More Secure Work

Around 40% of all workers in Australia today are in insecure work<sup>iv</sup> and don't enjoy guarantees such as regular and predictable hours and pay, access to paid leave and other entitlements or ongoing job security. Insecure work can make people feel that they have little control over their working lives and creates insecurity and anxiety around both income and ongoing employment.

Insecure work disproportionately affects women. Over half of all casual employees are women,<sup>v</sup> reflecting a need to balance the demands of work and caring responsibilities. However, there is no evidence to suggest that casual work facilitates a better work and life balance.

Insecure work is most common in the retail and hospitality industry<sup>vi</sup>, however there has been an increase in the use of fixed term and rolling contracts in the education sector. In our public schools, fixed term contracts account for around 20% of all positions.<sup>vii</sup> In the TAFE sector, the figure is as high as 70%<sup>viii</sup> and in universities as little as a third of the workforce is in ongoing employment.<sup>ix</sup> It is unacceptable that public money is being used to drive job insecurity in the education sector.

The Greens believe that everyone has the right to secure, ongoing work if they want it. Secure work creates stability for families and caring communities. Regular work hours mean that families are able to plan ahead and create routines that work for them. Regular pay means that households can manage their finances more effectively. A regular work schedule means that individuals can also commit more easily to recreational activities such as playing in a local sports team or contributing to their community through regular volunteering.

There are many jobs and industries where people are employed casually for long periods of time. Employees in casual positions where the work is likely to continue indefinitely should be able to request their position be made permanent.

### The Greens will introduce legislation that will:

- **Provide a pathway for any casual or rolling contract employee who has been in a workplace for more than 12 months to request a move to secure, ongoing work.**
- **Allow unions and employer organisations to make applications to the Fair Work Commission for 'secure employment orders' on a sector or industry-wide basis.**
- **Small business will be exempt from the legislation**

The Greens will also provide a better deal for employees in those sectors which receive substantial Federal funding by initiating a Senate inquiry into how the expenditure of Commonwealth money can be tied to greater job security. This

would help teachers, university staff, those in the medical research and federally funded community, health and employment services sectors. The aim will be to limit the use of rolling contracts and the casualisation of the workforce, recognizing that in limited circumstances such employment methods will be appropriate. (The inquiry would likely report after the current round of agreements for funding state public schools and universities have commenced, meaning current negotiations would not be affected. )

**In higher education, the Greens would establish a fund of \$120m over 3 years, available on a competitive basis, to encourage the creation of 4,000 continuing academic career positions to permanently replace about 20,000 casual hourly paid academic jobs, so our best and brightest young minds can make a contribution to our universities. This would also be an important measure to improve the quality of the student experience, with more staff able to provide the support which students need.**

## > Representative Workplaces

The Greens believe that workplaces should reflect the diversity of Australian society and that everyone should have equal access to meaningful paid employment. Two areas where we are falling behind as a country are the employment of newly arrived migrants and people with a disability.

The workforce participation rate is around 30% lower for people with a disability.<sup>x</sup> This is despite the fact that people with a disability report wanting to engage in quality employment. And employing someone with a disability makes good business sense. Studies indicate that the employment of people with disability can lead to increase productivity, reduced absenteeism and a more positive workplace culture.<sup>xi</sup>

Newly arrived migrants face significant barriers to employment. These include a lack of Australian work experience, visa restrictions and difficulty in getting qualifications recognised and thus having to work in low paid jobs despite having higher qualifications. Unemployment and under-employment is higher amongst people from refugee and migrant backgrounds. In a recent study, over half of newly arrived migrants said that finding employment would help them to participate more in Australian life.<sup>xii</sup>

### The Australia Public Service (APS) should lead the way.

The APS is in a unique position to lead the way on the employment of people with a disability and those from non-English speaking backgrounds.

Almost 20% of Australians identify as having a disability<sup>xiii</sup> but the number of people with a disability employed by the APS dropped to 2.9% of the entire workforce in 2012.<sup>xiv</sup> Similarly, 1 in 4 people in Australia identify as being from a non-English



speaking background but account for only 5.1% of the APS workforce.<sup>xv</sup>

Diverse workplace will enhance economic and social inclusion in marginalised groups as well as creating a more caring and cohesive society.

**In this next term of Parliament, the Greens will introduce legislation that will require the Australian Public Service to double the representation of people with a disability and people from non-English speaking backgrounds within the public service by 2018. This will create approximately 4500 employment opportunities for people with disabilities and 7500 for people from non-English speaking backgrounds.**

## > PROTECTING YOUR RIGHTS AT WORK

The Greens will continue to protect people's rights at work. We will pursue and vote in accordance with our comprehensive workplace relations policy. We will oppose attempts of any future government to remove workplace protections.

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<sup>i</sup> The Australia Institute, *Something for Nothing* November 2009.

<sup>ii</sup> *Australian Work and Life Index 2012*, Centre for Work + Life, University of South Australia, p33.

<sup>iii</sup> *Ibid*, p7.

<sup>iv</sup> *Insecure Work, Anxious Lives: the Growing Crisis of Insecure Work in Australia*, Australian Council of Trade Unions.

<sup>v</sup> *Ibid*.

<sup>vi</sup> *Ibid*.

<sup>vii</sup> Australian Education Union submission to the Independent Inquiry into Insecure Work in Australia, 2012.

<sup>viii</sup> *Ibid*.

<sup>ix</sup> National Tertiary Education Union submission to the Independent Inquiry into Insecure Work in Australia, 2012.

<sup>x</sup> *Improving the Employment Participation of People with Disability in Australia*, 2013, Australian Chamber of Commerce and Industry.

<sup>xi</sup> *Ibid*.

<sup>xii</sup> *Participation and employment: A survey of newly arrived migrants and refugees in Melbourne*, 2011, AMES.

<sup>xiii</sup> *Issues Paper 1: Employment and Disability – The Statistics – National Inquiry into Employment and Disability*, 2005, Human Rights and Equal Opportunities Commission.

<sup>xiv</sup> *State of the Service report 2011-12*, Australian Public Service Commission.

<sup>xv</sup> *State of the Service report 2011-12*, Australian Public Service Commission.