PROSPERITY AND FAIRNESS AT WORK

PLATFORM AMENDMENTS

1. AUSTRALIAN MANUFACTURING WORKERS’ UNION/Castle Hill Sec/Finance Sector Union/Industrial Staff Union

That the NSW Labor Platform be amended in section 4.22 - Fair Workers Compensation, to read as follows:

“NSW Labor is committed to repealing the current workers compensation system and replacing it with a system that reflects the following principles:

1. Workers compensation should be available on a no-fault basis where an injury “arises out of or in the course of employment”, even where it is the aggravation of an existing injury or disease.

2. Premiums must recover the costs of the system as well as encourage safe work practices.

3. WorkCover must be properly resourced to carry out its functions properly including an increased emphasis on prevention and compliance.

4. Meaningful tripartite consultation must be a central part of the system.

5. The system of scheme agents and self-insurers should be abolished and all workers compensation functions should be internalised within WorkCover.

6. Trade unions must have the power to enforce non-compliance with workers compensation law together with rights of entry, inspection and other investigative powers.

7. The Workers Compensation Commission should provide a quick, easy, effective and legally binding mechanism to resolve disputes about all aspects of the workers compensation system.

8. Return to work should be elevated as a central tenant of workers compensation by:

(8.1) Placing an absolute obligation on employers to provide suitable duties;

(8.2) Preventing termination unless the injury management plan states that the return to work goal is a different job and a different employer; and

(8.3) Incentivising the employment of injured workers.

9. Journey claims and recess claims should be covered by the system.

10. Weekly payments should be set at a level equivalent to an injured worker’s pre-injury average weekly earnings irrespective of their fitness for work and should not be subject to any caps or step-downs.

11. Costs associated with medical and all related treatment should be covered for workers compensation purposes with no arbitrary caps or limits.

12. Work Capacity Reviews and Decisions should be removed from the workers compensation legislation. Consideration of a worker’s functionality is properly addressed as part of their rehabilitation plan.

NSW Labor also will ensure that any move to harmonise State and Federal Workers Compensation Laws does not result in a reduction of employee rights, protections or entitlements nor the rights of their respective unions.

Recommendation: Amend Platform to delete section 4.22 and insert:

4.22 NSW Labor is committed to repealing the current workers compensation system and replacing it with a system that reflects the following principles:

1. Workers compensation should be available on a no-fault basis where an injury “arises out of or in the course of employment”, even where it is the aggravation of an existing injury or disease.

2. Premiums must recover the costs of the system as well as encourage safe work practices.

3. WorkCover must be properly resourced to carry out its functions properly including an increased emphasis on prevention and compliance.

4. Meaningful tripartite consultation must be a central part of the system.

5. The system of scheme agents and self-insurers should be abolished and all workers compensation functions should be internalised within WorkCover.

6. Trade unions must have the power to enforce non-compliance with workers compensation law together with rights of entry, inspection and other investigative powers.

7. The Workers Compensation Commission should provide a quick, easy, effective and legally binding mechanism to resolve disputes about all aspects of the workers compensation system.

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(8.3) Incentivising the employment of injured workers.

9. Journey claims and recess claims should be covered by the system.

10. Weekly payments should be set at a level equivalent to an injured worker's pre-injury average weekly earnings irrespective of their fitness for work and should not be subject to any caps or step-downs.

11. Costs associated with medical and all related treatment should be covered for workers compensation purposes with no arbitrary caps or limits.

12. Work Capacity Reviews and Decisions should be removed from the workers compensation legislation. Consideration of a worker's functionality is properly addressed as part of their rehabilitation plan.

NSW Labor also will ensure that any move to harmonise State and Federal Workers Compensation laws does not result in a reduction of employee rights, protections or entitlements nor the rights of their respective unions.

2. AUSTRALIAN MANUFACTURING WORKERS’ UNION

Wh&S regulation on sites employing temporary workers

Conference recognises the problems arising from abuses of all categories of Temporary Work Visas in NSW.

That while accepting that ultimately many issues need to be addressed by Federal Government legislation, Labor in state government will introduce legislation in areas of state jurisdiction in order to prevent ongoing WHS problems for visa workers including:

1. Establish a Register of visas approved by State Regional Certification Boards
2. Provide for mandatory registration of all temporary visa holders on site by controllers/principal contractors (as per NSW WH&S Act)
3. Enable WorkCover to develop guidelines for employers and holders of temporary work visas on rights and obligations of both parties under NSW and Australian law
4. Enable the WorkCover NSW website to provide detailed information on rights, obligations and support organisations in appropriate community languages

5. Enable WorkCover to require signed statements from holders of temporary visas and their employers that these rights and obligations have been explained and are understood
6. Require WorkCover NSW to publish in its annual report all workplace incidents, injuries and fatalities involving holders of temporary work visas
7. Enable WorkCover NSW to ensure employers provide WorkCover approved language appropriate signage, manuals and instructions are made available on all worksites where holders of temporary visas are working
8. Enable WorkCover NSW to develop WorkCover approved, competency based training and ensure permits are issued on all sites where holders of temporary visas are working
9. Enable WorkCover NSW to ensure Certificates of Currency for Workers Compensation insurance accurately reflect numbers of workers, wages and industry classification on all sites where holders of temporary visas are working
10. Allow WorkCover NSW to introduce a ‘strict liability’ offence for non compliance with those reforms outlined above, so that work must immediately cease on sites where employers fail to comply
11. Establish a new Workers Compensation Insurance policy specifically for employers of temporary work visas, to be current for the entire period of employment
12. Establish a new and specific WorkCover Industry Classification (WIC) for holders of temporary work permits
13. Provide for regular site inspections where workers hold temporary work visas
14. Provide for all employer obligations to be underpinned by legislation and penalty provisions
15. Require mandatory reporting to Dept Immigration of all breaches of NSW State legislation
16. Introduce ‘deeming’ provisions in legislation defining the PCBU as liable for any breaches in relation to holders of temporary work visas
17. Require provisions reflecting those indicated above for self-insurers, requiring demonstration of financial and administrative capacity to meet liabilities and responsibilities.

Recommendation: Refer to existing section 4.21 of Platform.
3. **ERSKINEVILLE BRANCH/GLEBE BRANCH/SURRY HILLS BRANCH**

Under the heading Promoting Full Employment, at para 4.4 on page 23, substitute the ending “race and religion” with “race, religion, sexual orientation, gender identity and intersex status.”

**Recommendation:** Amend section 4.4 of Platform to:

4.4 **NSW Labor will ensure that access to all areas of employment is equally available to everyone regardless of gender, socioeconomic background, disability, ethnic origin, age, race, religion and sexual orientation. NSW Labor affirms its support for the Anti-Discrimination Act 1977.**

4. **ERSKINEVILLE BRANCH/GLEBE BRANCH/SURRY HILLS BRANCH**

Under the heading Promoting Work-Life Balance, at para 4.24 on page 25, amend the dot point “A paid paternity leave scheme to operate in conjunction with paid maternity leave entitlements” and replace with gender-neutral language, taking account same-sex couples/parental leave rather than paternity leave.

**Recommendation:** Refer to National Conference.

5. **INDUSTRIAL STAFF UNION**

**Platform Amendment – Building Safer Workplaces**

Amend platform point 4.21 (Page 24) to insert a further dot point:

Will be committed to maintaining and ensuring optimal Work Health & Safety for NSW sex workers supported by the best practice regulatory framework

**Recommendation:** Conference notes that the rights of sex workers are included in the first point of section 4.21.

6. **YOUNG LABOR**

**Junior rates of pay**

Currently, employees under the age of 21 can be paid less than older workers for doing the same job under a system known as “junior rates of pay” (or youth wages).

The acceptance of youth wages contradicts the longstanding principle of equal pay for equal work and equal pay for work of equal value. It means that an 18 year old who has been employed in a job for 2 years can be paid less than a 22 year old who has been doing the same job for 2 weeks.

It is often argued that the abolition of junior rates will cause youth unemployment to increase. However, Hyslop and Stillman (2004) studied the impact that increases in youth wages had on the level of youth unemployment after 2001. They highlight that even after a 60 per cent wage increase for workers aged 18-19, youth employment improved (Hyslop and Stillman 2004: 2). In light of this evidence, it is flawed to rely on the argument that higher wages for young workers will automatically lead to higher youth unemployment.

Indeed, trade unions have been able to negotiate with employers the removal of youth wages from employment agreements. For instance, in 2009, the Shop, Distributive and Allied Employees Association (SDA) reached an agreement with Ikea to remove youth wages from their workplace agreement. The SDA has also ensured that all major retailers, such as Woolworths, Big W and Coles do not pay youth wages to individuals aged 21. The fact that these retailers have accepted this suggests that public warnings regarding job losses may be exaggerated.

**Platform**

NSW Labor calls for the abolition of youth wages for workers aged 18 years and over. In order to achieve this, the Government should amend the definition of “junior employees” in the Act from 21 years to 18 years. Consequential amendments may be necessary to ensure consistency throughout the Act.

We propose a staged reduction in the age of youth wages from 21 to 18 over a period of three years. This would give businesses time to adjust to the changes.

If an 18 year old has the right to vote, join the military and be treated equally under the law, they should also be entitled to receive the same level of pay as other workers.

Moreover, NSW Labor supports the efforts of trade unions that have successfully negotiated the removal of junior rates of pay from enterprise agreements.

**Recommendation:** Refer to National Conference.

7. **YOUNG LABOR**

A Response to Labour Hire

**Preamble**

Across the world, labour hire work is becoming an increasingly common form of employment, prompted by its flexibility and convenience for business. A labour hire arrangement occurs when a worker, employed directly by a labour hire agency, is then contracted to indirectly work for a third party company for a given period of time. Labour hire workers are predominantly blue collar and the latest ABS data estimates that over 5% of the Australian workforce is employed in this form of work.

Although the benefits of this work for business are obvious, so too are the detrimental effect that labour hire can have on employment conditions. Labour hire employment can be used to circumvent unfair dismissal laws and bypass the leave entitlements made available
to full time workers performing the same job. It is not uncommon for labour hire employees to have been contracted to the same third party company for over a year, while still receiving merely the entitlements of a casual employee.

The Eurozone has produced the most extensive global response to labour hire. In 2008 the European Union passed the EU Temporary and Agency Workers Directive (2008/104/EC) with the aim of preventing social dumping practices across the Eurozone common market. This was followed by extensive responses by a number of member-states, including the UK that effectively passed legislation that allowed labour hire workers to accrue entitlements at an equal rate to full time employees providing they had been indirectly employed by the third party company for a minimum period of time.

Platform

NSW Labor calls on the Federal Government to adopt legislative reform to respond to the growing incidence of labour hire work arrangements, including but not limited to providing clarification in the Fair Work Act of this type of arrangement and legislating for the equal treatment of labour hire employees who have served a minimum time.

NSW Labor furthermore calls on the Federal Government to introduce a licensing and registration system to track labour hire employees, in line with that proposed by the Secure Jobs, Better Future inquiry.

**Recommendation: Refer to National Conference.**
PROSPERITY AND FAIRNESS AT WORK

AGENDA ITEMS

1. ADAMSTOWN BRANCH
Conference calls for the speedy acceptance and implementation of the National Safety Code of Practice for the Australian Stevedoring Industry. Conference notes that the fatality rate in the stevedoring industry is substantially higher than those in the construction, manufacturing and seafaring industries, which have relevant codes of practice.

The MUA has campaigned for years for a National Safety Code and Conference understands that Safe Work Australia has issued a first exposure draft of the Code but that it has yet to be implemented. Recent fatalities justify the Code being expedited.

Recommendation: Refer to National Conference.

2. AUBURN BRANCH
NSW Labor will restore funding to the Office of Industrial Relations to ensure employers are meeting their lawful obligations in terms of industrial instruments, workplace safety and workers compensation. NSW Labor will ensure NSW agencies work closely with Federal agencies to ensure compliance with taxation and superannuation legislation. NSW Labor will ensure that all workers are paid the legal rate of pay, whether they are employed under Federal or State industrial instruments. NSW Labor will facilitate access to up to date information on correct rates of pay to assist small businesses pay the right wages.

Recommendation: Support.

3. AUSTRALIAN MANUFACTURING WORKERS’ UNION
Superannuation Guarantee Legislation
Conference recognises the increasing number of companies who are facing financial collapse without having made satisfactory arrangements for the protection of their employees’ entitlements. Of enormous concern is that many of these companies have also failed for some time prior to their collapse, to pay regular instalments to their employees’ superannuation companies. Workers lose a significant proportion of their superannuation savings, including, in many instances, salary sacrifice payments.

Labor in opposition will seek to introduce legislation and in government will introduce legislation to deal with loopholes that allow rogue employers to evade their responsibilities to their employees including:

1. Introduce a ‘flagging’ system for superannuation companies so that any failure to pay instalments is immediately communicated to both the worker and the ATO
2. Rank superannuation as a priority payment ahead of debts owed to other secured creditors
3. Recognise the failure of employers to pay superannuation and other payroll deductions, including salary sacrifice payments as criminal theft, to be referred to the DPP
4. Eliminate arrangements whereby salary sacrifice arrangements to an employer nominated fund counts towards the employer’s super guarantee obligation.

Recommendation: Refer to National Conference.

4. AUSTRALIAN MANUFACTURING WORKERS’ UNION
Protection of workers entitlements: Corporate Law Reform
Conference recognises that employers should take responsibility for the money they owe their workers. It is not acceptable for employers to rely on government to cover their costs or to be able to treat their employees’ entitlements as an interest free unsecured loan.

Labor in government will properly fund ASIC to enable it to allow it to pursue and prosecute company directors who seek to evade their fiduciary responsibility, particularly in those cases where employee entitlements are lost and for those who are serial offenders through the use of phoenix companies.

Recommendation: Refer to National Conference.

5. AUSTRALIAN MANUFACTURING WORKERS’ UNION
Workers entitlements (superannuation): Personal liability for company directors
Conference recognises that while company directors cannot insure against the imposition of a penalty, it is possible to insurp against the possibility of compensation being awarded against them in respect of their duties as directors. Insurers would no doubt scrutinise corporate accounting systems to ensure that employee entitlements were protected. Imposing ultimate responsibility for superannuation entitlements on directors would help ensure that directors comply with their superannuation requirements and thereby safeguard employees’ entitlements.

Labor in government will introduce legislation to make company directors personally liable for any penalty imposed against a company for non-payment of superannuation contributions. Courts will be empowered
to make an order for underpayment of entitlements directly against the relevant executive officers. Unions will be empowered to bring actions against companies and their directors for unpaid SG contributions.

**Recommendation: Refer to National Conference.**

6. **AUSTRALIAN MANUFACTURING WORKERS’ UNION**

Workers entitlements: Superannuation Guarantee payments

Labor in government will introduce legislation in relation to companies coming out of Deeds of Company Arrangements under Part 5.3A of the Act in order to require restructured companies to remit SG contributions, including salary sacrifice, at the same time as weekly or fortnightly payroll for a specified period, for example two years. Pay as you go means that a large liability will not accrue and is as likely to be as effective, if not more, than pay up front in some cases.

**Recommendation: Refer to National Conference.**

7. **AUSTRALIAN MANUFACTURING WORKERS’ UNION**

Protection of workers’ entitlements: corporate penalties

Conference recognises that in many instances, asset protection schemes mean that workers are employed through a service company arrangement, and under current law they have no remedy against a parent or related company despite those related companies remaining solvent and indeed, in many instances having extensive assets.

Labor in government will introduce amendments to the Corporations Act in order to address asset protection schemes where there is effectively a service company structure and in those circumstances to place a reverse onus on the parent or related company to establish why it should not be required to satisfy the employee entitlements of its insolvent related company.

Such legislation will specifically support Industry trust funds, where they are established having the right of recovery in respect to any monies paid out to retrenched workers.

**Recommendation: Refer to National Conference.**

8. **AUSTRALIAN MANUFACTURING WORKERS’ UNION**

Protection of workers entitlements: expansion of the director penalty notice regime

Conference recognises that including the company’s own income tax and/or indirect taxes such as GST and excise should certainly act as a major disincentive for directors to engage in fraudulent phoenix activity. An honest director would have nothing to fear and no administrative burden to bear. Amending the penalty regime to include schemes that avoid SG payments and tax liabilities would in substantially improve its power to deter people promoting the misuse of the corporate form and its concomitant privileges. Conference recognises that it is crucial that assets of directors are able to be traced and notes the role that the Proceeds of Crime Act 2002 may play in assisting with this.

Labor in government will introduce legislation to support the expansion of the director penalty notice regime to include an additional range of payments, taxes and duties such as Superannuation Guarantee amounts in order to protect workers SG entitlements.

Labor in government will introduce a similar offence should be created in relation to SG obligations.

Labor in government will introduce legislation making it an offence for a director of a failed company to be involved in a phoenix company punishable by 5 years imprisonment or a $200,000 would also greatly assist in deterring such actions.

**Recommendation: Refer to National Conference.**

9. **AUSTRALIAN MANUFACTURING WORKERS’ UNION**

Fairwork Australia – the ABCC

The Abbott Government is arguably the most ideologically driven federal government in Australia’s history using its significant majority to introduce punitive legislation affecting every aspect of life for vulnerable Australians.

Labor in opposition will seek to introduce legislation and in government will introduce legislation that includes:

- Improving workers access to unions through improved delegates rights and Right of Entry provisions
- Removal of some of the artificial constraints on industrial action, including draconian penalties and the ready availability of orders and injunctions even where employers are breaching agreements or are failing to bargain in good faith
- Removal of secondary boycott provisions so that employees of contractors can achieve some real protections
- Stronger steps to ensure that Australia is in full compliance with ILO Conventions.
- Improve the capacity of workers to act to lift standards in an industry and combat the market behaviour of employers by removing restrictions on industry bargaining.
Abolish the ABCC and ensure that all workers have similar rights

Further improve job security by restricting access to casual and contract forms of employment and promoting permanent employment status

Ensure that any remaining limitations on the matters over which parties can freely bargain are removed

Ensure that flexibility provisions in awards and agreements are closely monitored to ensure that they do not undermine standards or the capacity to organise

Recommendation: Refer to National Conference.

10. AUSTRALIAN MANUFACTURING WORKERS’ UNION

Professional Wages for Early Childhood Educators

Conference recognizes the professionalism and dedication of early childhood educators. Their work represents an essential service which at once shapes the development of a generation of young Australians and allows parents, especially women, to participate in the workforce.

Conference notes that wages for early childhood educators remain too low, don’t begin to reflect the value of the work educators do, and contribute to high turnover in the sector. It supports the Big Steps campaign for professional wages in the sector.

Labor in opposition will seek to legislate and in government will legislate to fund professional wages in the early childhood education sector.

Labor in opposition will seek to force the current federal government to provide $1.4 billion in recurrent annual spending, earmarked directly for wages, in order to ensure the highest standards of quality education and care.

Recommendation: Refer to National Conference.

11. AUSTRALIAN MANUFACTURING WORKERS’ UNION

Fair Wages for Fair Work – illegal student internships

Conference recognises that many students are expected to develop skills through practical placements that often involve long hours and little or no payment as part of their education and training. Internships and placements provide students with invaluable practical skills that complement the theory-based learning received as part of a student’s higher education course.

In opposition and in government Labor will review current legislation and introduce amendments to the Fair Work Act in particular to deal with students undertaking practical experience related to their studies to ensure that at least the minimum wage is paid for internships.

Recommendation: Refer to National Conference.

12. AUSTRALIAN MANUFACTURING WORKERS’ UNION

Protection of employee entitlements

The loss of entitlements is a fear that confronts all workers at any time, but in the context of the current economic crisis it is becoming a terrible reality for thousands of workers every day.

Conference recognises that current Corporations Laws compound insecurity of workers’ entitlements and have proven to be impotent in protecting workers and their families at extremely vulnerable times in their lives. While there are obviously instances when it is not the fault of an employer when a business collapses financially, there are also clear examples where unscrupulous employers have deliberately contrived to evade their responsibilities to their employees and other creditors.

Labor in opposition will seek to introduce legislation and in government will introduce legislation that includes:

1. Establishment of an uncapped national fund to secure 100% of workers’ entitlements, funded through employer contributions. The scheme will not be tax payer funded

2. No minimum number of employees - small businesses will not be excluded from the scheme

3. Portability, so that employees who change employment do not lose their entitlements

4. Employee entitlements will have absolute priority claim on any available funds or assets

5. ASIC must be adequately funded and resourced to allow it to properly investigate blatant breaches of corporations laws, particularly those that lead to loss of employee entitlements.

6. A ‘reverse onus’ provision covering company directors in cases where company collapse results in employees and other creditors not being paid.

7. Company Directors will need to prove to an ASIC inquiry that they had fulfilled all of their fiduciary duties before they are permitted to hold any positions as a company director or officer with another company.

8. Addressing “fraudulent conveyancing” for the purposes of avoiding corporate liabilities

9. Allowing a “piercing” of the corporate veil so that related entities’ liabilities can be addressed.

Recommendation: Refer to National Conference.
13. AUSTRALIAN MANUFACTURING WORKERS’ UNION

Asbestos Safety Certificates

Conference recognises that tens of thousands of Australian workers are dying or have already died as a result of exposure to asbestos during their working lives. The next wave of people who will die from asbestos related disease are those who have been exposed to the deadly fibres, not as a result of their work, but as a result of the current fashion for “Do-It-Yourself” home renovations. The best estimate is that more than 40,000 Australians will contract asbestos related disease over the next 30-40 years. More than 14,000 are expected to develop deadly mesothelioma. Many of these people will be home renovators. Sadly, many of the people exposed will be young children, present in the house while their parents work at renovations.

That Labor in government will legislate for the introduction of “Asbestos Safety Certificates”, which would be issued as a normal part of conveyancing and development Applications before Councils. This is a highly effective public health initiative that could be undertaken by the State Government with very little cost and with very clear long term benefits and is an opportunity for the State Government to introduce a reform that will save the lives of tens of thousands of innocent people in NSW.

1. Inspections would be carried out by accredited inspectors who would identify the presence and condition of any asbestos materials on site. The potential purchaser or renovator would then be in a position to make an informed decision about any work needed on the property.

2. The Certification process would require minor amendments to the Conveyancing (Sale of Land) Regulation 2000, and the Environmental Planning and Assessment Act.

3. Labor in government will legislate to establish a State Repository for asbestos waste.

4. Such a repository would be available to all local councils to dispose of asbestos related waste and debris, including building materials.

5. Appropriate disposal facilities, including waste bins and bagging etc would be available for at-cost lease/purchase through local councils, which would then collect the waste in fit-for-purpose trucks and deliver the waste to the State Repository.

6. An education programme on this service and the dangers of working with asbestos, including DIY work, should be launched immediately and repeated regularly though local councils.

Recommendation: Support.
need to pay their medical bills;

- Reinstate protection for workers with total and permanent disabilities; and
- Improve claims management and return to work outcomes

**Recommendation: Support. Refer to Platform amendment 1.**

16. AUSTRALIAN WORKERS’ UNION
Public Sector Wages and Conditions

NSW Public Sector Wages and Conditions have for too long been a political football by successive State Governments that have used draconian legislative and regulatory measures to stop the effective bargaining to be undertaken. The NSW Public Service have had their wages and conditions reduced in real terms over many years resulting in difficulty to attract and retain quality staff.

Conference calls on NSW Labor to allow the public sector to have wages and conditions to be negotiated in an unencumbered manner and if the parties so choose, to be arbitrated by the NSW Industrial Relations Commission based on accepted industrial principles.

**Recommendation: Support. Wages policy should be centred on improved outcomes in the Public Sector, not cutting costs. Wages Policy should be directed to maintaining real wages, driving real increases in productive capacity and output and improving the quality of Public Sector employment.**

17. AUSTRALIAN WORKERS’ UNION
Public Sector: Senior Executive Service

Conference requires NSW Labor when re-elected to Government to undertake a review of the performance and quantity of Senior Executive Service (SES). In particular, the review ought to include:

- Establishing an adequate proportion of SES to public service employees (noted that in recent years this proportion has favoured senior staff);
- Prohibition of filling management positions whilst front line positions remain vacant; and,
- The establishment of strict performance criteria that includes social outcomes for the public; and, maintaining a workforce that is trained, safe and with minimal vacancies.

**Recommendation: Support.**

18. AUSTRALIAN WORKERS’ UNION
Roads & Maritime Service (Road Maintenance and Construction Division)

The NSW Conservative Government has completely privatised the Sydney Road Maintenance and Construction Division of the Roads & Maritime Service (RMS). This is despite proven evidence that Government employees were more efficient, effective and produced better financial outcomes than their peers in the private sector. The Government sector also provided much needed emergency support for the Sydney motorists as well as fixing up problems left by the private contractors, particularly when contract provisions did not allow works outside of scope to be undertaken.

Conference calls on NSW Labor to include the examination and the reestablishment of Sydney Road Maintenance and Construction Division of the Roads & Maritime Service (RMS) during Labor’s first term of office.

**Recommendation: Support.**

19. AUSTRALIAN WORKERS’ UNION
National Parks and Wildlife Service - increasing the workforce

National Parks and Wildlife Service (NPWS) provides vital support and development for more than 850 national parks and reserves including coastal marine parks, rainforests, rugged bushlands, desert regions and local active public reserves.

The Baird Government has not maintained the workforce to appropriately undertake the vital work required to maintain, enhance and provide much needed fire protection for all of our national parks and reserves.

Conference calls on NSW Labor to commit to increase the NPWS workforce directly associated with the delivery and interface with the public allowing them to improve the fire fighting capacity including air and ground support; as well as hazard reduction measures; pest control measures; and ensuring the parks are maintained at the appropriate public acceptable standards.

**Recommendation: Support. Labor will provide the resources required to maintain, enhance and provide much needed fire protection for all of our national parks and reserves.**

20. BLACKTOWN SEC

The Workers Compensation System in New South Wales has been decimated by the current Liberal/National NSW Government. This conference supports the Leader of the Opposition to reverse all the changes undertaken by the current conservative Government and also examine ways on improving the treatment of injured workers so their life-time medical costs are covered and superannuation continues to be maintained whilst they are on workers compensation.

**Recommendation: Support. Refer to 2012 Conference**
resolution and note that NSW Opposition Leader John Robertson has announced that if elected, Labor will repeal the Baird Government’s workers’ compensation laws. Labor will:

- Conduct a genuine review of the workers compensation scheme;
- Restore ‘journey claim’ to cover workers for injuries occurring on their way to and from work;
- Give injured workers the financial assistance they need to pay their medical bills;
- Reinstate protection for workers with total and permanent disabilities; and
- Improve claims management and return to work outcomes

21. BLACKTOWN SEC
Conference supports the creation of regulation and legislation of unpaid internships within the Fair Work Act 2009. NSW Labor recognises that current legislation has not kept pace with modern workplace practices in regards to unpaid work required through educational training requirements. Recent examples have included interns not being covered by workers compensation for injuries sustained, expected to undertake overtime, no access to unfair dismissal. This conference calls for the establishment of a Parliamentary Inquiry into internships and unpaid work (including volunteering for commercial enterprises) to examine the extent and justifiable application of such unpaid work. NSW Labor is committed to supporting young people in the workplace.

Recommendation: Refer to National Conference.

22. CHINESE FRIENDS OF LABOR
That NSW Labor condemns the State Coalition Government for its changes to workers compensation that will negatively affect our workforce’s most vulnerable.

Recommendation: Support. Refer to 2012 Conference resolution and note that NSW Opposition Leader John Robertson has announced that if elected, Labor will repeal the Baird Government’s workers’ compensation laws. Labor will:

- Conduct a genuine review of the workers compensation scheme;
- Restore ‘journey claim’ to cover workers for injuries occurring on their way to and from work;
- Give injured workers the financial assistance they need to pay their medical bills;
- Reinstate protection for workers with total and permanent disabilities; and
- Improve claims management and return to work outcomes

23. CONSTRUCTION FORESTRY MINING AND ENERGY UNION
Conference calls for a review of the effectiveness of legislation, regulation and enforcement in relation to the safety regulatory system to ensure WorkCover is an active enforcer of safety laws so that high safety standards are restored.

Recommendation: Support.

23. CONSTRUCTION FORESTRY MINING AND ENERGY UNION
Conference calls for Labor to commit to ensuring that local spending means local jobs.

Recommendation: Support. Government action should ensure that local manufacturers are preferred suppliers and local jobs are taken into consideration when awarding major contracts.

24. CONSTRUCTION FORESTRY MINING AND ENERGY UNION
Conference calls up on Labor to ensure that all government funded projects require contractors to use active Labour Market Testing (LMT) to ensure that Australian citizens and permanent residents are given the opportunity to apply for jobs before applications for 457 visa workers can be approved.

Further Labor should seek to ensure that before any Regional Migration Agreement is applied for, all stakeholders including unions are consulted and a needs assessment undertaken, exploring other avenues for sourcing workers.

Recommendation: Refer to National Conference.

25. CONSTRUCTION FORESTRY MINING AND ENERGY UNION
Conference calls upon Labor to ensure that procurers and their contractors do not procure dumped and unfairly subsidised product where there is an Australian industry that could supply the product.

Recommendation: Refer to National Conference.

26. CONSTRUCTION FORESTRY MINING AND ENERGY UNION
Conference calls upon Labor to motivate discussion between industry, union and environmental stakeholders and ensure stakeholder consensus on any changes to land use tenure to ensure ongoing social, economic and
environmental benefits from and sustainability of any outcome.

Further Labor should support investment in timber processing and manufacturing that will create value and jobs in regional communities.

Recommendation: Support.

27. CONSTRUCTION FORESTRY MINING AND ENERGY UNION
Fly in fly out (FIFO) arrangements have become an increasing feature of employment, particularly in the resource sector. It has for some provided access to employment opportunities not otherwise available. However there are growing examples of the downside to FIFO, including FIFO workers displacing local workers, even in major regional centres, putting pressure on community infrastructure and services, high rates of sexual abuse and loss of income to local business. For FIFO workers, family breakdowns, lack of choice of work arrangements and less choice to live locally with their family and longer shifts are becoming more prevalent.

FIFO work practices should be last resort, local jobs and communities should prevail.

Recommendation: Support.

28. CONSTRUCTION FORESTRY MINING AND ENERGY UNION
Conference is opposed to the re-establishment of the Australian Building and Construction Commission by the Abbott Government. We were disappointed that Labor failed to abolish entirely the Building and Construction Industry Improvement Act 2005 and retained the Australian Building and Construction Commission when it was in government.

The Building and Construction Industry Improvement Act 2005 (BCII Act), which was resisted by the ALP in opposition, represented the worst excesses of the former Howard Government’s WorkChoices agenda. It’s resuscitation should be vigorously opposed and Labor should commit to repeal any legislation in the future.

Abbott’s laws renders virtually all forms of industrial action unlawful and subject to massive fines against unions and individual workers. The ABCC will have unprecedented coercive powers to force people to answer questions under oath and provide information or documents about everyday industrial relations issues and gaol terms of up to 6 months for those who refuse to comply.

The retention of the ABCC is inconsistent with the principles and platform of the ALP and further that the International Labour Organisation’s Committee of Experts and Committee on Freedom of Association have also condemned these laws as inconsistent with International Conventions signed by Australia.

This repressive legislation has no place in Australian society, holding that the right to silence is a fundamental right and that no Australian citizen should be compelled to answer questions relating to industrial issues or discussions held at union meetings under threat of fines and/or gaol. The CFMEU also rejects the imposition of fines against unions and workers for exercising their democratic right to withdraw labour. Building workers should not be treated differently from other workers.

Conference calls on the NSW State Labor to strongly lobby its federal counterpart to resist and when elected abolish these draconian laws.

Recommendation: Support.

29. CONSTRUCTION FORESTRY MINING AND ENERGY UNION
The CFMEU has expressed serious concerns about workers compensation standards for injured workers in New South Wales. It is a tragedy that seriously injured workers in New South Wales are not receiving adequate compensation.

Far from compensating workers fairly, the WorkCover NSW system is extremely punitive. Many workers are seriously injured, and even where they may have a capacity to return to the workforce, many employers are very reluctant to take on someone with a workers compensation injury. The result can be financially devastating for workers and their families. A fair system in not one that reduces the rights to expert legal advice, representation and compensation, but one which takes care of those injured at work and does not compromise on their rights to seek just compensation.

In addition, NSW Workers have to overcome the highest thresholds to sue for damages in the event they are injured by their employer’s negligence. The current threshold is so high that the rights of workers to bring such claims have been effectively abolished. Why should injured workers be treated any differently from someone injured in a car accident or who suffer an injury that is not work related?

Currently if you are injured by the negligence of your employer you do not have the same rights as those whose injuries do not occur at work. There is no justification for this.

Meanwhile, employers in New South Wales continue to receive successive generous reductions in their premiums, 12.5% in the last 12 months.

Conference calls on the NSW Labor to repeal the changes to workers compensation legislation, including removing work capacity assessments and decisions and bringing back journey cover, to ensure fair and just access to workers compensation and common law damages, including reducing the threshold for access to common
law damages and reintroducing non-economic damages.

**Recommendation: Support. Refer to 2012 Conference resolution and note that NSW Opposition Leader John Robertson has announced that if elected, Labor will repeal the Baird Government’s workers’ compensation laws. Labor will:**

- Conduct a genuine review of the workers compensation scheme;
- Restore ‘journey claim’ to cover workers for injuries occurring on their way to and from work;
- Give injured workers the financial assistance they need to pay their medical bills;
- Reinstate protection for workers with total and permanent disabilities; and
- Improve claims management and return to work outcomes

**30. CONSTRUCTION FORESTRY MINING AND ENERGY UNION**

The Building and Construction Industry Long Service Payments Act NSW currently provides NSW construction workers with 8.67 weeks’ pay after 10 years of employment in the industry. NSW construction workers have a lesser entitlement than most interstate counterparts, where five Australian States/Territories provide construction workers with a higher payment equal to 13 weeks after 10 years of industry service.

This conference calls on NSW Labor to bring long service payments to NSW construction workers in line with the vast majority of Australian States/Territories by supporting an increase of Long Service entitlements for NSW construction workers to 13 weeks after 10 years’ employment in the construction industry.

**Recommendation: Support.**

**31. CONSTRUCTION FORESTRY MINING AND ENERGY UNION**

The CFMEU is gravely concerned about the number of well-established builders and subcontractors that continue to fail in the building and construction industry. Clearly the slow-down in economic worker, the increase competitiveness has pushed down prices and builders and subcontractors are engaged in a race to the bottom to win work. This is contributing to the collapse of builders, the non-payment and therefore failure of subcontractors, and ultimately the non-payment of wages and entitlements to workers. The NSW Liberal Government has contributed to the crisis, by cancelling contracts where it has engaged a failed builder and failed to heed the CFMEU’s call for an inquiry in the tendering and payments scheme in NSW, leaving many small businesses to ruin. Despite many good recommendations coming out of the Collins Inquiry the NSW Liberal Government has failed to even promulgate the simple amendments its made to the Security of Payments regime and delays in tackling reforms that would better protect subcontractors and their employees.

Conference calls on State Labor to commit itself to an overhaul of Security Payments legislation and regulatory system, to ensure that small subcontractors are able to access and benefit from the legislation, and to undertake a broader inquiry into the tendering and payment practices in the industry.

**Recommendation: Support.**

**32. CONSTRUCTION FORESTRY MINING AND ENERGY UNION**

Under the NSW Liberal Government WorkCover has been gutted and has failed in its role as the safety regulator. Many safety incidences go unpunished and employers are basically left to regulate themselves. Standards in the building and construction industry have slipped and we fear more workers will be killed.

Conference calls on State Labor to commit itself to an overhaul of WorkCover and the safety regulatory system, to ensure that WorkCover is an active enforcer of safety laws so that high safety standards are restored.

**Recommendation: Support.**

**33. DOONSIDE BRANCH**

The Workers Compensation System in New South Wales has been decimated by the current Liberal/National NSW Government. This conference supports the Leader of the Opposition to reverse all the changes undertaken by the current conservative Government and also examine ways on improving the treatment of injured workers so their life-time medical costs are covered and superannuation continues to be maintained whilst they are on workers compensation.

**Recommendation: Support. Refer to 2012 Conference resolution and note that NSW Opposition Leader John Robertson has announced that if elected, Labor will repeal the Baird Government’s workers’ compensation laws. Labor will:**

- Conduct a genuine review of the workers compensation scheme;
- Restore ‘journey claim’ to cover workers for injuries occurring on their way to and from work;
- Give injured workers the financial assistance they need to pay their medical bills;
- Reinstate protection for workers with total and
permanent disabilities; and

- Improve claims management and return to work outcomes

Recommendation: Support. Refer to Platform amendment 1.

34. DOONSIDE BRANCH

Conference supports the creation of regulation and legislation of unpaid internships within the Fair Work Act 2009. NSW Labor recognises that current legislation has not kept pace with modern workplace practices in regards to unpaid work required through educational training requirements. Recent examples have included interns not being covered by workers compensation for injuries sustained, expected to undertake overtime, no access to unfair dismissal.

Conference calls for the establishment of a Federal Parliamentary Inquiry into internships and unpaid work (including volunteering for commercial enterprises) to examine the extent and justifiable application of such unpaid work. NSW Labor is committed to supporting young people in the workplace.

Recommendation: Refer to National Conference.

35. ELECTRICAL TRADES UNION

Conference supports the development and rollout of a national portable long service leave and redundancy scheme. Following decades of changes across Australian workplaces there is a need to modernise the way in which Long Service Leave and Redundancy protections are accrued and delivered. NSW state Labor conference supports the development and rollout of a portable national long service leave and redundancy scheme similar in nature to superannuation.

Recommendation: Support in principle. Conference notes that any scheme would have to be national. Refer to National Conference.

36. FINANCE SECTOR UNION

The Call Centre Code

Businesses that tender for call centre contracts from NSW Government entities—including all ‘in budget’ agencies, statutory authorities and Government owned corporations – will be required to comply with and demonstrate their commitment to a NSW Government Call Centre Code at the pre-qualification stage of tendering process. This code will be developed by NSW ALP in consultation with unions.

Recommendation: Support.

37. HORNSBY SEC

Conference supports the implementation of a Federal Job Guarantee programme that provides employment at the minimum wage to anyone who is unable to find work. NSW Labor calls on the National Labor Party Conference to adopt this policy and work towards its implementation under the next Federal Labor Government.

Recommendation: Refer to National Conference

38. INDUSTRIAL STAFF UNION

Conference reaffirms its commitment to WH&S and best practice regulation in place in the NSW sex industry.

Recommendation: Support

39. INDUSTRIAL STAFF UNION

The International Trade Union Commission has released a report on the 2022 World Cup in Qatar, delivering a staggering estimate: Some 4,000 migrant construction workers will die in service to the 2022 Cup before it even begins.

About 1,200 workers have died since 2010, when Qatar was first awarded the tournament.

Conference to condemns the deaths associated with the construction of the World Cup in Qatar.

Recommendation: Support. Refer to National Conference.

40. KATOOMBA BRANCH

That the NSW Labor Party endorses expanding the range of sanctions available to Australian federal corporate regulators and NSW WorkCover against publicly listed companies found in breach of the regulators’ legislation and in matters considered more heinous than those which would attract a fine. That this expansion be the ordering of new share issues in favour of the Government to the value imposed by the regulator or court and for the period of time imposed by the regulator or court. Also that after the time imposed these impounded shares be retired.

Recommendation: Refer to National Conference.

41. LAMBTON, NEW LAMBTON & KOTARA BRANCH

457 Visas, mining, Manufacturing and unemployment:
Employment of redundant manufacturing workers:

The constant closing of manufacturing industries has and will put numbers of skilled electricians, plumbers, welders, fitters and turners, builders and labourers out of work. Manufacturing is shedding jobs leaving many skilled workers without employment, these Australian workers must be considered for employment and retraining in
existing and new industries before 457 Visas are granted.

Australian citizen employment paramount:
The Australian Labor Party must provide commitment to the wellbeing of future of employment for Australian citizens by ensuring all avenues for employment of Australian citizens are exhausted before a 457 Visa is granted to any industry. Currently, in the Hunter Valley the Mining Industry and Chicken manufacturers are favouring those on 457 Visas over unemployed local Australian citizens.

This country needs thousands of trade training places in equal proportion to 457 Visas. Significantly, EDI Downer has taken on additional mature age apprentices at their Cardiff plant without resorting to 457 visas. Unfortunately, the same cannot be said for the mining or chicken industry in the Hunter Valley.

Australian apprenticeships to equal number of 457 Visas:
The Australian Government must commit to a policy in the future by mandating that a significant percentage of training places are available for Australian citizen apprentices in equal proportion to 457 visas.

National Database for all employment sectors before 457 Visas considered:
A national database must be set up to coordinate with all government departments and employment agencies to fill industry jobs. The formula must include related training and employment for all sectors as well as providing places for apprentices. This database should be exhausted before 457 Visas are considered. All departments should coordinate with say Centrelink and all mining, mining related and manufacturing industry jobs advertised nationwide and policed to ensure compliance.

**Recommendation: Refer to National Conference.**

42. LAMBBTON, NEW LAMBTON AND KOTARA BRANCH

Unemployment and age discrimination policy:
Age discrimination against people aged over 50 who apply for jobs is well researched, documented and accepted. After the pension age has been increased to become eligible for the Aged Pension, how will the Federal/State Governments:

- When reducing the number of public servants to fulfill budget expenditure reduction targets, ensure that, those employees over the age of 50 losing their jobs will not be subject to age discriminations whilst applying for another job?
- What new policies and strategies will the current government implement to reduce dramatically age discrimination in employment?

- What strategies will be in place so that those aged over 50 former government employees and others made redundant due to Government budgetary policies will not be forced to apply for government benefits and therefore increase government expenditure and costs to taxpayers?

**Recommendation: Refer to National Conference**

43. LAMBBTON, NEW LAMBTON AND KOTARA BRANCH

Industrial Relations:
NSW Labor will restore funding to the Office of Industrial Relations to ensure lawful obligations are met in terms of industrial instruments, workplace safety and workers compensation. NSW Labor will work with Federal agencies to ensure compliance with taxation and superannuation legislation.

**Recommendation: Support.**

44. MACQUARIE BRANCH

NSW Labor will restore funding to the Office of Industrial Relations to ensure employers are meeting their lawful obligations in terms of industrial instruments, workplace safety and workers compensation. NSW Labor will ensure NSW agencies work closely with Federal agencies to ensure compliance with taxation and superannuation legislation. NSW Labor will ensure that all workers are paid the legal rate of pay, whether they are employed under Federal or State industrial instruments. NSW Labor will facilitate access to up to date information on correct rates of pay to assist small businesses pay the right wages.

**Recommendation: Support.**

45. MAYFIELD BRANCH

Conference calls on the Leader of the Opposition to deny the import of workers for projects in Australia under 457 Visas; employers should use the current base of under-employed or unemployed workers with the required skills.

**Recommendation: Refer to National Conference.**

46. MOUNT COLAN-BEROWRA BRANCH

Conference supports the implementation of a Federal Job Guarantee programme that provides employment at the minimum wage to anyone who is unable to find work. NSW Labor calls on the National Labor Party Conference to adopt this policy and work towards its implementation under the next federal Labor Government.

**Recommendation: Refer to National Conference.**
47. NECASTLE FEC

Conference calls for the speedy acceptance and implementation of the National Safety Code of Practice for the Australian Stevedoring Industry. Conference notes that the fatality rate in the stevedoring industry is substantially higher than those of the construction, manufacturing and seafaring industries which we understand have such codes of practice.

Conference understands that Safe Work Australia has responded to an increase in fatalities by bringing the parties together in a Temporary Advisory Group which has developed a Code of Practice but that it has yet to be implemented owing to the reluctance by the stevedoring companies.

Conference submits that the recent fatalities justify firm action to improve the safety on Australian wharves and urges Government action.

**Recommendation: Refer to National Conference.**

48. NEWCASTLE FEC

Conference believes a national database should be set up to coordinate with all government departments, unions and employment agencies to fill mining industry jobs. The formula must include related training and employment for all sectors as well as providing places for apprentices. This database should be exhausted before 457 Visas are considered. All departments should coordinate with say Centrelink and all mining industry jobs must be advertised nationwide. The process should be policed to ensure compliance.

**Recommendation: Refer to National Conference.**

49. NEWCASTLE FEC

Conference believes that the Australian Government must provide a commitment to the future by mandating that a significant percentage of training places is available for apprentices in equal proportion to 457 visas.

**Recommendation: Refer to National Conference.**

50. NEWCASTLE FEC

Conference believes that the mining industry must be compelled to take redundant workers and provide the necessary training.

**Recommendation: Refer to National Conference.**

51. ROBERTSON FEC

That NSW Labor should seek to introduce a portable entitlements scheme for workers.

**Recommendation: Support. Notes that any scheme would have to be national. Refer to National Conference.**

52. SHOP, DISTRIBUTIVE AND ALLIED EMPLOYEES ASSOCIATION (NSW BRANCH)

Conference condemns the current attack on penalty rates being waged by the Federal Government and several employer associations in a coordinated media campaign. This campaign will be followed by applications to cut penalty rates in the Review of Modern Awards. Employers who have labelled penalty rates anachronistic in a 24/7 economy are organising to justify a blatant cost cutting exercise. Penalty rates remain a valid form of compensating employees who work unsociable hours when the majority of the community are enjoying family and/or leisure time.

**Recommendation: Support.**

53. SHOP, DISTRIBUTIVE AND ALLIED EMPLOYEES ASSOCIATION (NSW BRANCH)

Conference condemns the Abbott Government’s use of the Productivity Commission process to further erode work-life-family balance for employees in the services sectors by advocating further deregulation of trading hours on key public holidays.

**Recommendation: Support.**

54. SHOP, DISTRIBUTIVE AND ALLIED EMPLOYEES ASSOCIATION (NSW BRANCH)

The changing nature of work is resulting in increased encroachment on peoples other needs and responsibilities such as leisure time and family time. Conference calls on the ALP to adopt a policy framework that works towards all citizens being able to access leisure time that is meaningful for them as individuals, as family members and as members of the broader community.

**Recommendation: Support.**

55. SHOP, DISTRIBUTIVE AND ALLIED EMPLOYEES ASSOCIATION (NSW BRANCH)

Conference calls on COAG to immediately replace the current $1,000 tax threshold for online purchases with a flat $20 threshold. The current $1,000 threshold provides an unfair advantage for offshore retailers at the cost of Australian jobs.

**Recommendation: Support.**
56. **SHOP, DISTRIBUTIVE AND ALLIED EMPLOYEES ASSOCIATION (NSW BRANCH)**

Conference condemns the Federal Abbott Government’s decision to freeze compulsory superannuation contributions at 9.5% (1 July 2014) for four (4) years. This freeze will cost the average Australian employee tens of thousands of dollars in lost retirement income.

*Recommendation: Support.*

57. **SHOP, DISTRIBUTIVE AND ALLIED EMPLOYEES ASSOCIATION (NSW BRANCH)**

Conference calls on the federal government to remove restrictions on the payment of employer superannuation contributions based on age, minimum hours worked or minimum amounts earned ($450 per month threshold).

*Recommendation: Support.*

58. **SHOP, DISTRIBUTIVE AND ALLIED EMPLOYEES ASSOCIATION (NSW BRANCH)**

This Conference condemns the Federal Abbott Government’s proposal to reintroduce the 15% tax on superannuation contributions for those earning less than $37,000 p.a.

*Recommendation: Support.*

59. **SHOP, DISTRIBUTIVE AND ALLIED EMPLOYEES ASSOCIATION (NSW BRANCH)**

It is widely acknowledged that retirement incomes are inadequate for many low and middle income workers. This is particularly the case for injured workers who suffer low superannuation contribution amounts and/or disrupted periods of saving.

In light of the cuts to benefits for injured workers in NSW, Conference calls on the Federal Abbott Government to amend relevant legislation so that workers compensation payments, including top-up payments (where no work is performed by the employee) are included in an employee’s ordinary time earnings for the purposes of calculating the Superannuation Guarantee.

*Recommendation: Support.*

60. **SHOP, DISTRIBUTIVE AND ALLIED EMPLOYEES ASSOCIATION (NSW BRANCH)**

Conference calls on the NSW ALP to commit to amending the Long Service Act 1955 to guarantee access to all accrued Long Service Leave at 7 years of service (currently accessible after 10 years service). This improvement would bring the NSW Act into line with the legislative entitlements in the ACT.

*Recommendation: Support.*

61. **SHOP, DISTRIBUTIVE AND ALLIED EMPLOYEES ASSOCIATION (NSW BRANCH)**

The proliferation of precarious employment, in particular shorter tenures of employment within industries, is resulting in increasing numbers of employees who are denied access to Long Service Leave (LSL) entitlements. Employers receive the economic benefit of employees’ accrued skills being portable within an industry, but the employee does not receive a LSL benefit for these skills which they have applied in their industry over many years.

To address this inequity, Conference calls on the NSW ALP to commit to the establishment of either:

- one general State LSL scheme or
- industry based portable LSL schemes to cover all NSW workers.

*Recommendation: Support.*

62. **THE HILLS BRANCH**

That in Government, the Party investigate the viability of reintroducing the Public Service Board.

*Recommendation: Reject.*

63. **TUMBI UMBI BRANCH**

We support the SDAs campaign of 100% Pay at 18+. This aims to deliver a fair single adult minimum wage that removes income discrepancies and pay discrimination faced by adults aged 18-20.

*Recommendation: Support.*

64. **UNITED SERVICES UNION**

This Conference endorses a Local Government Procurement Policy which includes the use of a workforce whose salary and conditions are determined by a collective bargaining instrument, ie. State or Federal EBA or the NSW State Local Government Award and whose health, safety and welfare at work are protected by all WHS legislation, regulations and Codes of Practice.

*Recommendation: Support.*

65. **UNITED SERVICES UNION**

The USU calls on Conference to demand the State Labor Party to repeal the regressive, worker-unfriendly
Workers Compensation legislation introduced by the current Coalition State Government, when they are re-elected to govern NSW.

Furthermore, the State Labor Party confirms that the repeal of the Workers Compensation legislation is one of their core Party platforms to campaign on.

Recommendation: Support. Refer to 2012 Conference resolution and note that NSW Opposition Leader John Robertson has announced that if elected, Labor will repeal the Baird Government’s workers’ compensation laws. Labor will:

- Conduct a genuine review of the workers compensation scheme;
- Restore ‘journey claim’ to cover workers for injuries occurring on their way to and from work;
- Give injured workers the financial assistance they need to pay their medical bills;
- Reinstate protection for workers with total and permanent disabilities; and
- Improve claims management and return to work outcomes

66. UNITED SERVICES UNION
The USU calls on Conference to uphold the role and need for the NSW Industrial Relations Commission recognising its historical and practical importance as the independent umpire with its powers to conciliate and arbitrate. Furthermore Conference notes the continuing need for the NSW IRC to sit at both Newcastle and Wollongong for the purpose of ensuring workplace industrial fairness is maintained in these cities and surrounding regions.

Recommendation: Support.

67. UNITED SERVICES UNION
The United Services Union insists all women should be treated with dignity and respect at work. The USU calls on NSW Labor to pursue policies to ensure that women do not experience intimidation at work. NSW Labor must ensure that women working in rural and regional areas in particular benefit from workplace protections, as women working in rural and regional areas may have limited alternative employment opportunities in the local community.

Recommendation: Support.

68. UNITED SERVICES UNION
The United Services Union believes that flexible workplace arrangements are essential for women to achieve an appropriate work-life balance. The USU calls on NSW Labor to pursue policies that provide women with options to adopt flexible workplace arrangements.

Recommendation: Support.

69. UNITED SERVICES UNION
NSW Labor recognises that many older women face financial insecurity in retirement. The United Services Union calls on NSW Labor to adopt policies that address the disadvantages that many older women face in retirement as a consequence of relatively limited superannuation and savings.

Recommendation: Support.

70. UNITED SERVICES UNION
NSW Labor recognises the important role that affordable and accessible childcare plays in allowing women to participate in the workforce. The United Services Union calls on NSW Labor to increase the number of affordable and accessible childcare places across NSW with increased funding when returned to government.

Recommendation: Support in principle, but notes the continued debate about the different methods of childcare and access to funding. Acknowledges the work of the former Labor Federal Government for its record investment in Early Childhood Education and Care and its commitment to a quality early childhood sector.

71. UNITED SERVICES UNION
NSW Labor recognises that many women returning to work after maternity leave face employment discrimination, with many women finding that their position has been made redundant or that they are unable to adopt a suitable arrangement that provides them with flexibility necessary to fulfil their family responsibilities. The United Services Union calls on NSW Labor to protect the rights of new mothers returning to the workplace and ensure that NSW Government agencies and local councils are model employers in this regard.

Recommendation: Support.

72. UNITED SERVICES UNION
NSW Labor recognises that women are disproportionately represented in sectors of the workforce which are low-paid, casualised positions and job security. The United Services Union calls on NSW Labor to provide more support to women so that they may be employed in fairly remunerated.

Recommendation: Support.

73. UNITED SERVICES UNION
The United Services Union calls on NSW Labor to provide more assistance to women who choose to study while working.

**Recommendation: Support.**

### 74. UNITED SERVICES UNION

NSW Labor recognises the importance of workers understanding the industrial relations system as a means to advance their interest at work.

The United Services Union calls for greater education and public awareness campaigns to improve people’s knowledge of their rights at work.

**Recommendation: Support.**

### 75. UNITED VOICE

Education and Skills United Voice NSW School Cleaning

The NSW Government’s stated objective is to increasingly roll out greater autonomy for NSW Schools. Teaching and some capital works budgets are already being ‘devolved’ and cleaning and maintenance services may also be next.

The current contract to provide facilities maintenance in NSW Schools is worth $2 billion over 5 years and is due to expire in mid-2016. Four large companies are engaged to clean more than 3,000 separate sites, including 2,421 schools sites and 187 TAFE sites, as well as police stations, court houses and government offices.

The women and men who clean our public schools and government sites in New South Wales are dedicated, trained and experienced cleaners who are a part of their school’s community.

Should the contract be broken apart to serve a cost-cutting ideological agenda to decentralise school support services, NSW Schools will no longer be guaranteed clean, safe and hygienic.

Private cleaning services will race to the bottom on quality of cleaning services and cost, leaving our schools with a minimal cleaning service.

Devolution of cleaning services to a local level has already happened in other States like Victoria and it has been a disaster. It has meant jobs lost in the transition of contracts, poor pay and conditions and dirty schools.

**Action**

Conference supports the provision of NSW Schools cleaning and maintenance services as a responsibility of the NSW Government managed by NSW Finance and Services and NSW Education and Communities.

Conference rejects any attempts to devolve responsibility for cleaning services to a local school or regional level, which could require school principals to spend time contracting and managing a cleaning service.

**Recommendation: Support.**

### 76. UNITED VOICE

Professional Wages for Early Childhood Educators

Conference applauds the creation of the Early Years Quality Fund in the last term of the Federal Labor Government to supplement wages for low-paid educators early childhood education and care. Conference notes the Abbott Government’s closure of the fund an attempts prevent further progress on the issue through the Fair Work Australia Pay Equity Unit.

Conference recognises the professionalism and dedication of early childhood educators. Their work shapes the development of a generation of young Australians and allows parents, especially women, to participate in the workforce. Conference notes that wages for early childhood educators do not begin to reflect the value of the work educators do, and contribute to high staff turnover in the sector.

**Action**

NSW Labor calls on the Federal Government to commit to recurrent funding professional wages in the early childhood education sector in order to ensure the highest standards of quality education and care.

**Recommendation: Refer to National Conference**

### 77. YOUNG LABOR

SDA’s 100% Pay at 18+ Campaign

NSW Labor congratulates the SDA on their successful application to Fair Work Australia that the General Retail Industry Award should be changed to ensure that 20-year-olds are paid full adult rates. These changes will be phased in from July 1 this year, bringing them in line with other adult workers by 2015.

**Motion:**

NSW Labor congratulates the SDA on their successful application to the Fair Work Commission to end pay disparity for 20-year-old workers.

If an 18 year old has the right to vote, join the military and be treated equally under the law, they should also be entitled to receive the same level of pay as other workers.

NSW Labor stands with the SDA, and all trade unions, in their continued campaign to achieve fair pay for 18 – 19 year olds.

**Recommendation: Support.**
STRONGER DEMOCRACY AND SOCIAL JUSTICE

PLATFORM AMENDMENTS

1. AUBURN BRANCH

Platform Amendment - State support for the extension of community preselections

Amend platform point 2.33 to insert a further dot point:

The State Electoral Commission should have its mandate extended to allow it to conduct preselections for registered political parties on a full cost basis where:

- The preselection involves an eligibility to vote that extends to electors who are not financial members of the party;
- The assistance of the Commission is requested by the relevant party.

Recommendation: Support in principle. Such a model would only be feasible if publicly funded due to the cost involved. Refer to the Rules Committee.

2. AUSTRALIAN MANUFACTURING WORKERS’ UNION

Stronger Democracy and Social Justice: justice reinvestment

Conference recognises that incarceration in NSW is expensive and ineffective at reducing crime. It costs $200,000 per year to detain a juvenile, and when they are released there is a 80% chance they will reoffend.

Justice Reinvestment recognizes that investing in services that catch people likely to commit crimes and rehabilitate them prior to their criminal behaviour becoming entrenched not only reduces crime more effectively, but reduces costs to the taxpayer.

That a new section is added prior to Section 2.57 of the Platform titled ‘Justice Reinvestment for young people’ with the following content:

“NSW Labor is committed to reducing the over-representation of Aboriginal young people in our justice systems, and is committed to preventative programs that will save taxpayers money, reduce crime and improve outcomes for young people.”

Recommendation: Amend Platform to insert after section 2.56 a new heading and section, then renumber:

Justice Reinvestment for Young People

2.57 NSW Labor is committed to reducing the over-representation of Aboriginal young people in our justice systems, and is committed to preventative programs that will save taxpayers money, reduce crime and improve outcomes for young people.

3. AUSTRALIAN MANUFACTURING WORKERS’ UNION

Stronger Democracy and Social Justice: homelessness

Conference recognises that every night in Australia, over 100,000 people experience homelessness. Over half of these will be unable to access support as services are stretched to breaking.

The NSW Coalition government has commenced the largest restructure of the homelessness sector in a generation. This will include the de-funding dozens of homelessness services that have been working tirelessly in the community for decades.

That Labor in opposition and in government reaffirms its commitment to supporting all people who experience homelessness in Australia.

That Labor condemns the actions of the Abbott and Baird Governments in turning their backs on our community’s most vulnerable.

That section 2.20 of the Platform be amended to ‘Homelessness’.

That section 2.20 be amended to:

‘NSW Labor recognizes that an effective network of crisis, medium and long-term homelessness support services are vital to our community.

NSW Labor supports adequate funding for specific homelessness services for young people, women leaving domestic violence, families with children and GLBTIQ people’.

Recommendation: Amend Platform to delete the heading ‘Crisis Accommodation’ after section 2.19 and replace with ‘Homelessness’. Delete section 2.20 and insert:

2.20 NSW Labor recognises that an effective network of crisis, medium and long-term homelessness support services are vital to our community. NSW Labor supports adequate funding for specialist homelessness services for all people who require such services.

4. AUSTRALIAN MANUFACTURING WORKERS’ UNION

Stronger Democracy and Social Justice: corrective services

Conference recognises international research that demonstrates the value of innovative models of working with prisoner in the 6 months prior to their release into law.
the community, and post-release. Improving access to housing, employment and support significantly reduces the number that fall back into offending behaviour.

Youth Drug and Alcohol Courts have been a effective method of reducing crime by juvenile offenders where addiction impacts on their criminal behaviour. These courts were de-funded by the current Baird government in 2012.

That the bullet point in Section 2.57 of the Platform be amended to include:

“These programs, where appropriate, should be provided to juvenile offenders.”

That the bullet point in Section 2.57 of the Platform be ammended to include:

“...run by the department of Juvenile Justice”

That an additional bullet point be added to Section 2.57:

“Rehabilitation of prisoners is of the utmost importance in reducing crime, saving taxpayers money and improving our communities. Measures shown to have international evidence in reducing recidivism shall be implemented.”

**Recommendation:** Amend platform to add an additional point at the end of section 2.57:

- Rehabilitation of prisoners is important in reducing crime, saving taxpayers money and improving our communities. Measures shown to have international evidence in reducing recidivism shall be implemented.

5. **ERSKINEVILLE BRANCH/GLEBE BRANCH/SURRY HILLS BRANCH**

Remove religious exceptions from anti-discrimination law

**Preamble**


However, both the Sex Discrimination Act and the Anti-Discrimination Act provide wide-ranging exceptions to religious organisations, allowing them to discriminate against LGBT employees, and people accessing services, in education, healthcare, community services, aged care (although not people accessing aged care services) and other areas of public life.

These religious exceptions fundamentally undermine the principle that all people should be treated equally, irrespective of sexual orientation or gender identity. All religious exceptions should be removed beyond those required for the appointment of ministers of religion/religious office-holders and the conduct of religious ceremonies.

**Platform**

Under the heading Promoting Civil Liberties, after paragraph 2.43 on page 14, add a new paragraph:

*NSW Labor supports amending the Anti-Discrimination Act 1977 to:

- Remove exceptions provided to religious organisations in education, healthcare, community services, aged care and other areas of public life;
- Provide limited exceptions for religious organisations for the purposes of appointing ministers of religion/religious office-holders and the conduct of religious ceremonies.

**Recommendation:** Refer to existing section 2.43 of the Platform.

6. **ERSKINEVILLE BRANCH/GLEBE BRANCH/SURRY HILLS BRANCH**

Expand coverage of NSW anti-discrimination law to cover bisexuality and intersex status

**Preamble**

The NSW Anti-Discrimination Act 1984 currently does not provide anti-discrimination protection to people on the basis of bisexuality or on the basis of intersex status.

**Platform**

Under the heading Promoting Civil Liberties, after paragraph 2.43 on page 14, add a new paragraph:

*NSW Labor supports amending the Anti-Discrimination Act 1977 to ensure protection on the basis of bisexuality and intersex status, following consultation with bisexual and intersex community groups and providing this does not result in a diminution of protections under state and Commonwealth law.*

**Recommendation:** Refer to existing section 2.43 of the Platform.

7. **ERSKINEVILLE BRANCH/GLEBE BRANCH/SURRY HILLS BRANCH**

Expunging historical convictions for gay sex

**Preamble**

The criminalisation of sexual activity solely on the basis of same-sex activity is, and always was, fundamentally
unjust. This applies to the criminalisation of homosexuality in NSW prior to 1984, and to convictions due to the differential age of consent which was applied to homosexual activity between 1984 and 2003.

The 2014 NSW ALP conference is taking place on the same weekend which marks 30 years since the decriminalisation of homosexuality, achieved under the Wran Labor Government (taking effect on June 8 1984). To mark this historic anniversary, the NSW ALP commits to remedying outstanding injustices from past eras.

Platform

Under the heading Promoting Civil Liberties, after paragraph 2.49 on page 14, add the following paragraph:

“NSW Labor supports State Parliament making a formal apology to all people convicted under NSW on the basis of their homosexuality, including:

- People convicted prior to the decriminalisation of homosexuality in 1984; and
- People convicted between 1984 and 2003 who would not have been convicted were it not for the fact the offence involved same-sex sexual activity (i.e., due to the unequal age of consent)

NSW Labor also supports the establishment of a process whereby people affected by these laws can have any and all relevant criminal records expunged.”

Recommendation: Amend Platform to insert after section 2.49, then renumber

2.50  NSW Labor supports State Parliament making a formal apology to all people convicted under NSW law on the basis of their homosexuality.

8.  ERSKINEVILLE BRANCH/GLEBE BRANCH/SURRY HILLS BRANCH

Ban ex-gay/conversion therapy

Preamble

While less common than in the United States, some groups in NSW actively promote, and practice, ex-gay or, aimed at changing a person’s sexual orientation from lesbian, gay or bisexual to heterosexual, or gender identity from trans* to cisgender. Not only are these practices discredited, they are extremely dangerous, preying on vulnerable people who may be experiencing mental health issues as a result of societal homophobia, biphobia and transphobia.

Platform amendment

Under the heading Promoting a Healthy Society, on pages 33 and 34, insert a new paragraph:

“NSW Labor will move to ban so-called ‘ex-gay therapy’ (a practice which attempts to ‘convert’ LGBT people into being heterosexual and/or cisgender). This will include introducing a criminal offence for people conducting ex-gay therapy, with an aggravated offence, including higher penalties, where it involves people under the age of 18. NSW Labor will also investigate the possible deregistration of any counsellors, psychologists or other registered medical professionals involved in the practice of ex-gay therapy.”

Recommendation: That the proposed Platform amendment not be adopted and the issue be referred to the relevant State and Federal Shadow Ministers for consideration.

9.  ERSKINEVILLE BRANCH/GLEBE BRANCH/SURRY HILLS BRANCH

LGBTI/equality portfolio, advisory committees and anti-homophobia campaign

Preamble

Despite substantial progress since the first significant piece of LGBTI law reform in NSW (amendments to the Anti-Discrimination Act in 1982), LGBTI people continue to experience a range of differential, and negative, outcomes legally, and in health, education and other community services. LGBTI people also experience the adverse effects of homophobia, biphobia, transphobia and anti-intersex discrimination on a daily basis.

While specific areas of reform can be identified and remedied, achieving genuine equality for LGBTI people will require sustained and dedicated attention, in the form of an LGBTI or equality spokesperson, supported in Government by specific advisory committees. The Government should also support community action to help reduce the homophobia, biphobia, transphobia and anti-intersex discrimination LGBTI people experience on a society-wide level.

Platform

After the heading Promoting Civil Liberties, after paragraph 2.49 on page 14, insert the following:

“LGBTI equality spokesperson and advisory committees

Recognising the ongoing inequality of LGBTI people in NSW, Labor will appoint a parliamentary spokesperson for LGBTI issues/equality. In Government, NSW Labor will also appoint LGBTI ministerial advisory committees in the Justice/Attorney-General, Health and Education portfolios. Together with the parliamentary spokesperson, these committees, drawn from the community, will have responsibility for helping to recommend policies to help address homophobia, biphobia, transphobia and anti-intersex discrimination in NSW.

NSW Labor will also fund a state-wide anti-homophobia campaign in its first term. This campaign will be aimed at reducing the harassment, discrimination and violence experienced by LGBTI people in the community.”
Recommendation: Refer to existing section 2.2 of Platform. Conference notes the allocation of portfolios is a matter for the State Parliamentary Labor Party Leader.

10. ERSKINEVILLE BRANCH/GLEBE BRANCH/SURRY HILLS BRANCH

Overseas surrogacy

The criminal prohibition of overseas commercial surrogacy in NSW (including but not limited to surrogacy arrangements for same-sex male couples), following amendments made in 2010, does not appear to have stopped the practice. Instead, it has simply made some new families into criminals.

In light of this, it is sensible to review the impact of the 2010 reforms, particularly with a view to considering whether commercial surrogacy arrangements are best undertaken overseas (in arrangements that cannot be directly overseen) or within NSW, where they can be strictly regulated.

Platform

“NSW Labor will review the criminal prohibition of overseas commercial surrogacy arrangements, as introduced in 2010. As part of this review, Labor will ask the NSW Law Reform Commission to investigate alternative models for the regulation of commercial surrogacy, including designing a model which regulates commercial surrogacy within NSW, with the goal of minimising concerns about the potential exploitation of women, for the consideration of Parliament.”

Recommendation: Reject

11. ERSKINEVILLE BRANCH/GLEBE BRANCH/SURRY HILLS BRANCH

Under the heading Children and Families, at para 2.5 on page 11, after the dot point “Be protected from all forms of abuse” add new dot point “Be protected from all forms of discrimination.”

Recommendation: Amend the second point in section 2.5 of the Platform to:

2.5 NSW Labor believes all children should:
- Be protected from all forms of abuse and discrimination.

12. ERSKINEVILLE BRANCH/GLEBE BRANCH/SURRY HILLS BRANCH

Under the heading Providing Home and Community Care Services (HACC), at para 2.19 on page 12, at the end of the dot point “Be culturally accessible and appropriate” add the words “and respectful of diversity in terms of sexual orientation, gender identity and intersex status.”

Recommendation: Amend the Platform to change the second point in section 2.19:

2.19 NSW Labor believes HACC services must be planned and:
- Be culturally accessible and appropriate, and respectful of diversity

13. ERSKINEVILLE BRANCH/GLEBE BRANCH/SURRY HILLS BRANCH

Under the heading Fostering Youth Participation, at para 2.28 on page 13, after the last dot point add new dot point “Freedom to identify as LGBTI and freedom from discrimination on the grounds of sexual orientation, gender identity and intersex status.”

Recommendation: Amend the Platform to add a new point at the end of section 2.28:

2.28 NSW Labor believes that young people have the right to:
- Freedom from discrimination

14. ERSKINEVILLE BRANCH/GLEBE BRANCH/SURRY HILLS BRANCH

Under the heading Fostering Youth Participation, at para 2.31 on page 13, at the end of the dot point “Increase the scope of … deemed to be particularly ‘at risk’ add the words “including same-sex attracted, gender diverse and intersex youth in rural and remote areas.”

Recommendation: Amend the Platform to change the end of the second dot point of section 2.31 to:

2.31 NSW Labor recognises youth suicide as a major public health issue. NSW Labor will work to achieve a reduction in youth suicides by striving to achieve a better quality of life for young people, and will:
- Increase the scope of funding for support programs for those sections of this community deemed to be particularly ‘at risk,’ including those exposed to domestic violence, those experiencing drug and alcohol addiction, those with mental health issues and same-sex attracted, gender diverse and intersex youth

15. INDUSTRIAL STAFF UNION

Platform

State support for the extension of community preselections

Amend platform point 2.33 to insert a further dot point:

The State Electoral Commission should have its mandate extended to allow it to conduct preselections for registered
political parties on a full cost basis where:

- The preselection involves an eligibility to vote that extends to electors who are not financial members of the party; and
- The assistance of the Commission is requested by the relevant party.

Recommendation: Support in principle. Such a model would only be feasible if publicly funded due to the cost involved. Refer to the Rules Committee.

16. INDUSTRIAL STAFF UNION

The provision of ageing and disability services is a core responsibility of government.

The introduction of the NDIS is being used to justify the transfer of publicly provided disability and home care services to the private and non-government sectors, but we fail to see the connection between better funding for the disability sector and the NSW Government’s decision to abandon publicly delivered disability and home care services in our state.

By privatising all disability services the NSW Government risks repeating previous public policy failures. History demonstrates that the non-government sector does not offer a „fail-safe solution“ when it comes to providing complex social services.

All the available evidence suggests that the disability sector in NSW will need to grow significantly to cater for an increase in demand for services over the next few years.

The public sector and its highly trained and professional staff are well positioned to meet those future challenges.

Moreover, the decision in NSW to abandon public sector disability services will only increase pressure on the sector by removing critical existing infrastructure, specialist services and a key provider from the range of options currently available to people with a disability.

The move will also cause a major disruption for clients forced into new carer arrangements.

The Productivity Commission Report actually envisaged a mix of service providers including non-government organisations, disability service organisations, state and territory governments, individuals and mainstream businesses.

Surely, if NDIS is to be genuinely “person centred” then people with disability and their families should have the choice to remain with their public provider.

As the NDIS takes shape, NSW will need a strong public sector presence in disability services.

Platform

Insert the following points to Stronger Democracy and Social Justice, Supporting the Disabled:

- NSW Labor supports the social benefit of a broad and diverse mix of ageing and disability service providers, including the continuing role of the public sector as a provider of front-line disability and home care services.
- The provision of public sector disability care in NSW should always remain as a critical safety net for the most difficult of cases, as a benchmark for industry standards, and to maintain the quality availability of disability services in Regional NSW.

Recommendation: Amend the Platform to change the heading ‘Supporting the Disabled’ to ‘Supporting People with Disabilities’. Insert the following after section 2.15, then renumber:

2.16 NSW Labor believes that the provision of public sector disability care in NSW should always remain as a critical safety net for the most difficult of cases, as a benchmark for industry standards, and to maintain the quality availability of disability services in Regional NSW.

17. UNITED VOICE

That the Platform be amended by including the following in the “Stronger Democracy and Social Justice” chapter:

A New Standard -Zero Tolerance of Corruption:

NSW Labor is committed to stamping out corruption. Corruption is not only a legal issue, but also one of social justice. It fouls democracy, and redirects public resources away from the common good toward venal special interests. NSW deserves honest, transparent and accountable Government. In particular, citizens have a right to expect that MPs and Ministers will behave ethically and put the community’s interests ahead of their own.

Anyone found to have acted corruptly, will be expelled from the Labor Party.

Labor will introduce a New Standard and legislate to:

- Appoint an Inspector General for Parliamentary Standards, with powers to conduct audits, investigate and penalise MPs who breach the Code of Conduct.
- Give the public access to MP’s financial interests including their taxable income and details about the pecuniary interests of spouses and dependents.
- Require MPs to disclose details of any family member who holds contracts with the state
government.

- Require Ministers every month to publish a diary of every meeting they have had with lobbyists, MPs or private companies relating to commercial transactions or decisions.
- Ensure that no MP will be allowed to work a second job.
- Require mining exploration licences to be scrutinised by an independent probity panel and subject to approval by Cabinet.
- Strengthen protection for whistleblowers. Employees in the private sector will receive the same protection as public servants.
- Implement the recommendations of the ICAC to reduce the opportunities and incentives for corruption.

**Recommendation:** Amend the Platform to insert a new heading and section after section 2.33, then renumber:

**A New Standard – Zero Tolerance of Corruption**

NSW Labor is committed to stamping out corruption. Corruption is not only a legal issue, but also one of social justice. It fouls democracy, and redirects public resources away from the common good toward venal special interests. NSW deserves honest, transparent and accountable Government. In particular, citizens have a right to expect that MPs and Ministers will behave ethically and put the community’s interests ahead of their own.

Anyone found to have acted corruptly, will be expelled from the Labor Party.

Labor will introduce a New Standard and legislate to:

- Appoint an Inspector General for Parliamentary Standards, with powers to conduct audits, investigate and penalise MPs who breach the Code of Conduct.
- Give the public access to MP’s financial interests including their taxable income and details about the pecuniary interests of spouses and dependents.
- Require MPs to disclose details of any family member who holds contracts with the state government.
- Require Ministers every month to publish a diary of every meeting they have had with lobbyists, MPs or private companies relating to commercial transactions or decisions.
- Ensure that no MP will be allowed to actively work in secondary paid employment.

18. **WEST WALLSEND BRANCH**

That the platform be amended to include:

“Any NSW State Labor Government will seek amendments to the legal system relating to domestic violence against women and increase the penalties relating to the harassment/assault of women seeking relief from domestic violence.

Further the government will increase the funding available to assist to house and shelter women and families in such situations.”

**Recommendation:** Amend Platform to insert a new heading and section after 2.11:

**Supporting victims of domestic violence**

2.12 NSW Labor will seek amendments to the legal system relating to domestic violence against women and increase the penalties relating to the harassment/assault of women seeking relief from domestic violence. Labor will increase the funding available to assist to house and shelter women and families in such situations.

19. **YOUNG LABOR**

Women with Disabilities in the Workplace

Preamble

The social and economic advantages of being employed are well recorded. There is longstanding CSTDA data highlighting many fewer women with disabilities than men in disability funded employment.

Currently, research says that 60% of men with disabilities are being assisted into employment, compared to 40% of women with disabilities.

The unemployment rate for men with disabilities has dropped significantly, since 1998, but has changed little for women with disabilities.

Employment is an area where the NDIS could make significant difference to women and girls.

The vulnerability of women living with a disability is exacerbated by the economic disadvantage that stems from limited workplace opportunities. Alarmingly, there
is currently a vast disparity between the labour force participation rates of men and women living with a disability.

Specifically, the labour force participation rate of women with disability is 49 per cent which sits well below the participation rate of males with disability which is currently 69 per cent.

NSW Labor recognises that these statistics are unacceptable.

**Platform**

NSW Labor supports the expansion of workplace initiatives targeted at providing women living with a disability, support in contributing to the workforce. NSW Labor recognises the individualised support the National Disability Insurance Scheme (Disability Care) will provide to women with disabilities, access to employment opportunities.

Specifically, this includes incorporating an Affirmative Action framework into the allocation of funds from the NSW Government’s Employment Assistance Fund (EAF). This would involve providing extra financial assistance to employers who wish to employ women living with a disability.

**Recommendation:** Amend Platform to add at the end of the section on People with Disabilities, then renumber:

2.16  **NSW Labor supports the expansion of workplace initiatives targeted at providing women living with a disability.**