

# Victorian Budget

2013 - 14

**PUBLIC ACCOUNTS AND ESTIMATES**

**PRIVATE SECTOR INDUSTRIAL RELATIONS**

# ROLE OF THE MINISTER FOR INDUSTRIAL RELATIONS

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- As the Minister for Industrial Relations, I have portfolio responsibility for both public and private sector industrial relations.
- In respect of private sector industrial relations, the Minister for Industrial Relations is supported by a departmental policy unit with an operating budget of \$1.4M.

# MINISTER FOR INDUSTRIAL RELATIONS - RESPONSIBILITIES

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Key private sector responsibilities of the Minister for Industrial Relations are to:

- advocate to ensure the national workplace relations system meets the needs of Victorian employers, employees and the economy more broadly;
- make submissions to or participate in major workplace relations reviews, inquiries and cases;
- protect Victorian interests where industrial disputation is significantly impacting the State; and
- administer certain Victorian Acts.

# MINISTER FOR INDUSTRIAL RELATIONS – LEGISLATIVE RESPONSIBILITIES

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- Construction Industry Long Service Leave Act 1997
- Fair Work (Commonwealth Powers) Act 2009
- Long Service Leave Act 1992
- Outworkers (Improved Protection) Act 2003
- Owner Drivers and Forestry Contractors Act 2005
- Trade Unions Act 1958
- Public Sector (Award Entitlements) Act 2006

# ADVOCATE VICTORIAN INTERESTS

## - FAIR WORK ACT REVIEW

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- The Government's submission to the Review supported changes to:
  - promote investment and employment opportunities, whilst maintaining a fair and relevant safety net; and
  - assist in dispute resolution without parties resorting to industrial action, and to address unlawful conduct.
- In our response to the Review report the Government:
  - expressed concern that the Review had failed to address flexibility and productivity issues or the deteriorating industrial climate; and
  - advocated greater sanctions for registered organisations that wilfully ignore or disobey the law.

# ADVOCATE VICTORIAN INTERESTS

## - FAIR WORK ACT AMENDMENTS

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- The Victorian Government has participated in discussions on recent amendments to the Fair Work laws.
- Limited consultation timeframes have impacted on the capacity of States, the Territories and peak organisations to have meaningful input into the development of the Fair Work Act reforms.
- The Commonwealth Government has committed to consult further on the remaining recommendations of the Review.

# PARTICIPATION IN MAJOR WORKPLACE RELATIONS REVIEWS AND CASES:

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- The Government's Annual Wage Review 2012-13 Submission urges the FWC to exercise caution when reviewing minimum wages to:
  - take into account the soft labour market performance and outlook;
  - ensure that fair minimum wages are balanced against employment opportunities and the needs of Victorian businesses; and
  - retain incentives for enterprise level bargaining for wages that reward flexible and productive work practices.
- The Victorian Government provided support to Bendigo TAFE's High Court appeal of the Full Federal Court *Barclay* decision.
- This appeal was an important test case on the Fair Work Act's general protections laws.

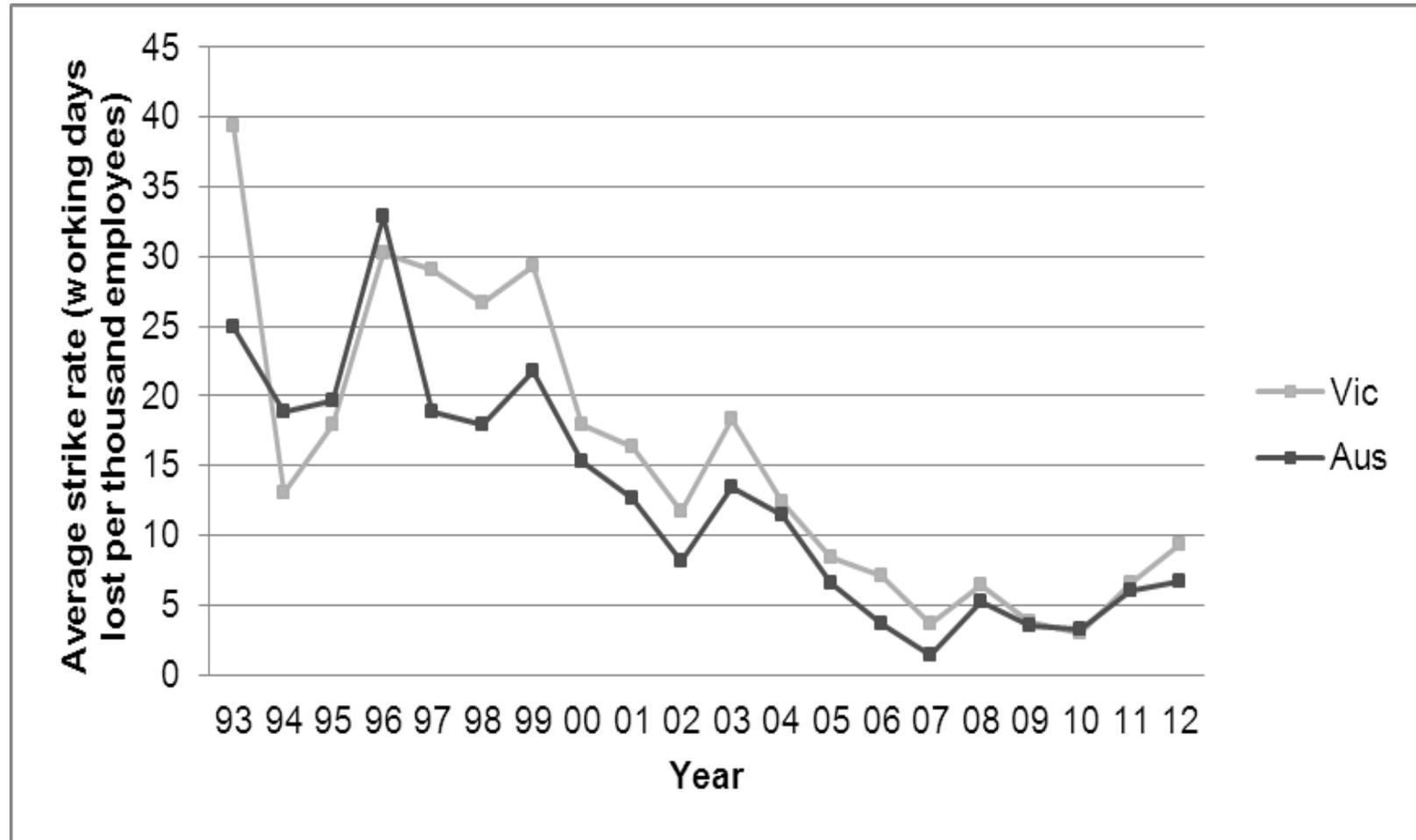
# PROTECT VICTORIAN INTERESTS - SIGNIFICANT INDUSTRIAL DISPUTES:

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- The Victorian Government monitors and may consider involvement in private sector industrial disputes which have the potential to significantly impact the Victorian economy or interests. For example, this Government:
  - argued for the termination of industrial action at Qantas, which was impacting on the tourism and aviation industries; and
  - intervened in the contempt proceedings against the CFMEU concerning its picketing of Grocon building sites.

# AVERAGE STRIKE RATE PER YEAR

## AUSTRALIA AND VICTORIA 1993 - 2012

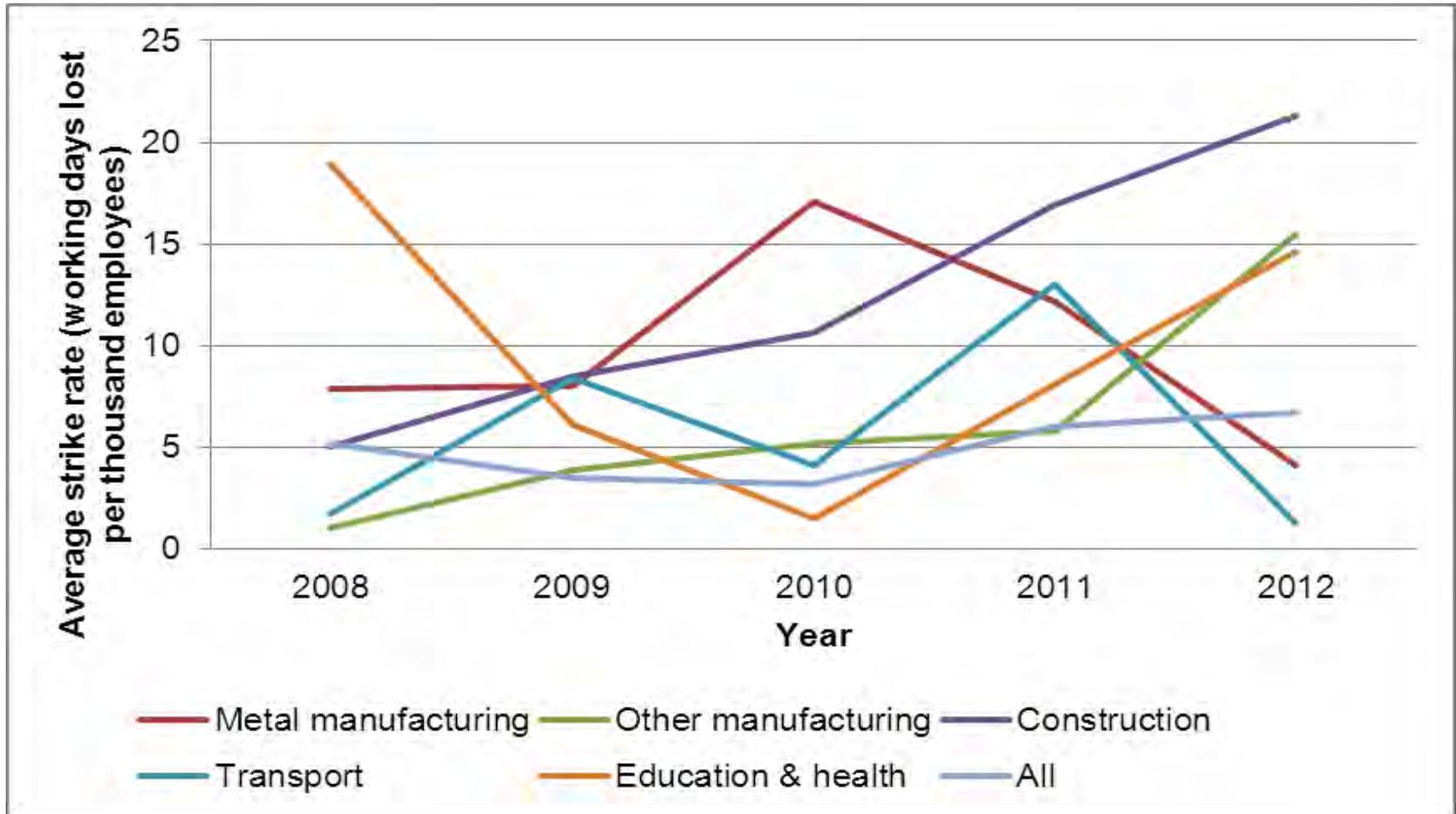


Source: ABS Catalogue 6321.0.55.001 Industrial Disputes, Australia, Dec 2012, Tables 2b and 3b

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# AVERAGE STRIKE RATE BY YEAR

## SELECTED INDUSTRIES AUSTRALIA 2008 - 2012



Source: ABS Catalogue 6321.0.55.001 Industrial Disputes, Australia, Dec 2012, Tables 2b and 3b

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# LEGISLATIVE RESPONSIBILITIES:

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- Commissioned a review of the Victorian Construction Industry Portable Long Service Leave Scheme;
- Support the role of the Transport Industry Council;  
and
- Reinstate the Forestry Industry Council.

# KEY INITIATIVES AND PRIORITIES 2013/2014

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We will:

- Continue to press the Commonwealth to make sensible changes to the Fair Work Act to address its impact on businesses' capacity to respond to productivity and competition challenges;
- Continue to urge the Commonwealth to drive the development of the national long service leave standard as a matter of priority;
- Intervene in significant workplace relations cases and inquiries; and
- Engage with business and the broader community to reduce the regulatory burden on businesses, particularly small business.