

FEDERAL INDUSTRIAL RELATIONS LEGISLATION, IMPACT ON WESTERN AUSTRALIA

**883. Hon KEN TRAVERS to the Leader of the House representing the Premier:**

Can the leader outline some of the negative impacts that the Howard government's so-called WorkChoices legislation will have on the people of Western Australia?

**Hon Kim Chance:** What an excellent question.

Several members interjected.

**The PRESIDENT:** Order! I was about to give the call to the Leader of the House, but I will not do so until members are quiet.

**Hon KIM CHANCE replied:**

I thank Hon Ken Travers and Hon Sally Talbot for asking the questions that I thought members opposite would have been keen to ask.

*Point of Order*

**Hon NORMAN MOORE:** The standing orders require that ministers be asked questions relating to their portfolios. This ostensibly is a question to the Premier. If the Premier has provided the answer, that is the answer we should receive, not the Leader of the House's interpretation of what the Premier might say. If this question is simply a device to give the Leader of the House a chance to tell us all about industrial relations, it is out of order pursuant to standing order 136. Otherwise, it is in order if the answer is provided by the Premier, and normally that is provided in writing.

**The PRESIDENT:** The question was asked by Hon Ken Travers to the Leader of the House in a representative capacity. I take it that it is a question of which some notice had been given. Therefore, I take it that the Leader of the House in answering the question is giving an answer that the Premier provided.

**Hon KIM CHANCE:** That is substantially the case.

**The PRESIDENT:** That is the case -

**Hon KIM CHANCE:** I will be using notes which have been provided by the Premier's office for the purpose of answering this question.

**Hon Simon O'Brien:** You have been caught out.

**The PRESIDENT:** The Leader of the House can only give an answer that the Premier has provided and not make reference to notes that the Premier's office has provided. If the Premier has not provided the Leader of the House with an answer, he cannot answer the question, because the question has been asked of him in a representative capacity.

**Hon KIM CHANCE:** I am sure that my answer will be in order in that regard.

*Questions without Notice Resumed*

**Hon KIM CHANCE:** I am delighted that Hon Ken Travers asked this question. I really believe that members opposite ought to have asked this same question. This is an important day for Australia. I want honourable members to consider the specific nature of the question; that is, what are the negative impacts -

*Point of Order*

**Hon MURRAY CRIDDLE:** Mr President, on a point of order -

**Hon Kim Chance:** You are very frightened about this question.

**Hon MURRAY CRIDDLE:** No, I am not.

Several members interjected.

**The PRESIDENT:** Honourable members! Hon Murray Criddle on a point of order.

**Hon MURRAY CRIDDLE:** Mr President, I am more interested in the way that this house is conducted. If the minister is reading the answer, will he table it?

**The PRESIDENT:** That is not a point of order. The Leader of the House can only answer a question that is asked of him by Hon Ken Travers in a representative capacity. It is not up to the Leader of the House to go beyond the answer that he, as I understand his words, has assured the house has been provided by the Premier.

*Questions without Notice Resumed*

**Hon KIM CHANCE:** I can understand why opposition members are cringing so much. If I were in their position, I too would be trying to shut down this answer.

Several members interjected.

**Hon KIM CHANCE:** I will read from the answer provided by the Premier in part; I will not read the whole answer. I will tell honourable members that, in answer to the direct question from Hon Ken Travers about the negative impacts, we need only look back at what happened in Western Australia. I will quote some figures - these figures do not have a slant on them and they come from an unbiased source, indeed, from the Commissioner of Workplace Agreements.

**The PRESIDENT:** I advise the Leader of the House that he must restrict himself to the answer provided by the Premier, with no embellishment.

**Hon KIM CHANCE:** Yes, but I am providing the reference, Mr President, which is to the Australian Centre for Industrial Relations Research and Training report entitled "A comparison of employment conditions in Individual Workplace Agreements and Awards in Western Australia, February 2002".

The answer reads -

... WA workplace agreements, which were able to drastically undercut awards and could be forced onto employees as a condition of employment. In WA the spread -

I am reading this word for word -

of individual agreements eroded wages and conditions in many industries. Research conducted for the Commissioner of Workplace Agreements in 2002 showed that, of the agreements analysed -

Honourable members should bear in mind that this is an unbiased report.

**The PRESIDENT:** The Leader of the House must restrict himself to the words provided by the Premier, otherwise I will give the call to the next question.

**Hon KIM CHANCE:** Thank you, Mr President; I am doing just that. The answer continues -

74% provided no week-end penalty rates of pay;

I repeat, 74 per cent -

67% provided no overtimes rates of pay;

56% provided an ordinary rate of pay below the award rate;

Honourable members should listen to that carefully. I will read it again -

56% provided an ordinary rate of pay below the award rate;

This is fact from the Commissioner of Workplace Agreements.

**The PRESIDENT:** I advise the Leader of the House that I am about to give the call to another member. I ask him to restrict himself to the words in front of him.

**Hon KIM CHANCE:** Thank you, Mr President. To continue -

49% of full-time, part-time or fixed term agreements absorbed annual leave into the ordinary hourly rate of pay; and

75% of all agreements analysed were without a pay increase provision.

In addition -

Again, I am reading directly from the answer -

the minimum wage in WA fell to \$50 a week -

**Hon Norman Moore:** You are scaremongering to save your union mates.

**Hon KIM CHANCE:** It is all very well for the Leader of the Opposition to say that, but if he were one of the workers who had his pay cut by \$50 a week, he may not feel that way.

Several members interjected.

**Hon Norman Moore:** I was one. Remember when Brian Burke cut members' rates of pay? I have already taken a pay cut, thanks to a Labor government.

Several members interjected.

**The PRESIDENT:** Order, members! The Leader of the House, I think, is about to bring his answer to a conclusion shortly. I propose then to give several other members the call, notwithstanding the time, because some of the answers today have been a little longer than usual.

Several members interjected.

**The PRESIDENT:** Order, members! Allow the Leader of the House to finish his answer.

Several members interjected.

**The PRESIDENT:** Order, members! The Leader of the House is about to conclude his answer.

**Hon KIM CHANCE:** The answer reads -

In addition the minimum wage in WA fell to \$50 a week below the rest of Australia.

I repeat, below the rest of Australia.

**The PRESIDENT:** I do not think the Premier would have repeated those words.

**Hon KIM CHANCE:** I thought I was not heard.

**The PRESIDENT:** I ask the Leader of the House to please bring his answer to a conclusion.

Several members interjected.

**Hon KIM CHANCE:** To continue -

Perhaps not coincidentally, this is the same disparity that would currently exist had the Commonwealth achieved its desired outcome in recent National Wage Cases.

Mr President, I think the case is concluded.

*Point of Order*

**Hon SIMON O'BRIEN:** I refer to the document that the Leader of the House identified as the Premier's answer. I wonder whether he would table it.

**The PRESIDENT:** The document is tabled.

[See paper 1005.]