



# Union Factsheet

## Job and income security

**Unfair dismissal protections restored to 4 million workers**

All workers need to have good jobs and secure incomes, so they can enjoy a decent standard of living .

Unions welcome the fact that the *Fair Work Act* restores job security by:

- reinstating unfair dismissal protections for 4 million workers;
- requiring employers to consult with workers and unions on ways to avoid redundancies, where business restructures are contemplated;
- providing all permanent workers with notice and severance pay if their job is made redundant;
- making sure casual workers receive loading on hourly wages, with a default setting of 25%.

However, more work needs to be done to strengthen workers' right to secure employment and stable incomes.

## Better protection for casuals

**1 in 4 workers has no access to sick leave, annual leave or redundancy pay**

Almost one in four workers (more than 2 million people) are in casual employment. These workers miss out on a range of benefits, including sick leave, annual leave, notice of termination, and redundancy pay. Their working patterns are often uncertain: rosters can be changed or cancelled at short notice. They have no guarantee of a minimum number of hours work each week.

While unions agree that businesses should be able to use casual workers on a temporary basis to cover unexpected increases in business, unions are working to ensure that long-term or 'permanent casuals' have greater job and income security.

## Better protection for contractors

**Contractors often miss out on important workplace rights**

More than a million people (10% of the workforce) work as contractors. Many contractors do not have the same rights as workers engaged as 'employees', including rights to minimum wages, superannuation, annual leave and protection from unfair dismissal.

Unions are concerned that many people who work as 'contractors' are really employees who are being deprived of their rights. We are working to ensure that the rights of all workers are protected, regardless of whether they are employers or contractors and to expose and prosecute sham or bogus arrangements where necessary.

Unions are also calling for contractors to have access to a speedy, cheap and effective forum to challenge the fairness of the terms of their contracts and the fairness of decisions made under those contracts. Some large businesses use their market power to unfairly drive down the rates of pay and working conditions of contractors.

## Better protection for workers in small business

All workers are now protected from unfair dismissal, including employees in small business. Under the *Fair Work Act*, new workers in small businesses employing fewer than 15 people only gain unfair dismissal protection after 12 months (compared to 6 months in larger businesses). Unions believe that 6 months is more than enough time for an employer to assess whether a new worker is suitable for the business. Almost half of all employees work in small businesses employing fewer than 20 people. Unions want an end to the discrimination against workers in small business under the *Fair Work Act*.

## Better protection for entitlements

**Every year  
15,000 workers  
are left out of  
pocket when  
employers go  
bust**

Each year, more than 15,000 employees are left out of pocket when their employer becomes bankrupt or insolvent. These workers are often left with unpaid entitlements including wages, superannuation and redundancy pay. The average shortfall is about \$10,000 per employee.

Unions welcome the fact that the Federal Government covers unpaid wages and some (but not all) of the unpaid redundancy payment through its General Employee Entitlements and Redundancy Scheme (GEERS) program. However, unions would like to see the GEERS scheme improved to cover full redundancy payments and unpaid superannuation, and for speedier resolution of claims, so workers who lose their job have money when they need it most.

## Under the Liberals, job and income security will be under threat

The Liberal Party opposed the Government's stimulus measures that kept hundreds of thousands of working people in jobs.

If Tony Abbott and the Liberals are elected they would return the worst elements of WorkChoices and put at risk the job and income security of ordinary working families.

**The Liberal  
Party attacked  
the job and  
income security  
of working  
families**

- The Liberals have said they would remove unfair dismissal protection to workers in small businesses.
- The Liberals have said that they want employers to have greater flexibility to control your hours of work – including stopping minimum shift hours, so casual workers could be called in to do only an hour's work.

Last time the Coalition was in power, they took away important rights and conditions:

- Unfair dismissal protection was taken from 4 million workers.
- Workers had penalty rates, shift loadings, and overtime cut.
- Award wages were set in a way that did not have to consider fairness. Workers on minimum wages went backwards between \$20 to \$100 a week.

Under the Labor Government working people have had these rights restored. Can you trust Tony Abbott and the Liberal party not to take them away again?

**WorkChoices**  
Whatever the name,  
never again.

## We Need Your Help

- Find out more
- Talk to your family and friends
- Get involved in your union

Visit [www.neveragain.org.au](http://www.neveragain.org.au)  
Call the Union Helpline 1300 486 466