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8 November 2022

Committee Secretary
Senate Education and Employment Committees
PO Box 6100
Parliament House
Canberra ACT 2600

By Email: eec.sen@aph.gov.au

Dear Sir

Re: Fair Work Legislation Amendment (Secure Jobs, Better Pay) Bill 2022

AgForce is a peak organisation representing Queensland's cane, cattle, grain and sheep & wool producers. The cane, beef, broadacre cropping and sheep & wool industries in Queensland generated around \$8.4 billion in on-farm value of production in 2020-21. AgForce's purpose is to advance sustainable agribusiness and strives to ensure the long-term growth, viability, competitiveness and profitability of these industries. Over 6,400 farmers, individuals and businesses provide support to AgForce through membership. Queensland producers provide high-quality food and fibre to Australian and overseas consumers and contribute significantly to the social fabric of regional, rural and remote communities, as well as stewardship of the state's natural environment.

We are writing to you to express our concerns regarding the range of industrial relations reforms introduced by the government in the Fair Work Legislation Amendment (Secure Jobs, Better Pay) Bill 2022 and the incredibly tight time frame for public consultation to occur.

The Senate Standing Committee on Education & Employment had a public hearing on 4 November with final submissions due by 11 November and the Committee's report is required by 17 November. This is an incredibly long and complex piece of legislation with potentially far-reaching implications and unintended consequences. Working through the detail of all provisions takes time to be done properly. Providing adequate time is a courtesy that should be afforded to all stakeholders in the interests of transparency and developing the most effective legislative arrangements.

AgForce has a keen interest in protecting its members from unintended outcomes of these industrial relations changes and it appears certain aspects of the multi-employer enterprise bargaining proposal are designed to unionise currently non-unionised industries/sectors. On the current drafting of the Bill, even if a majority of employees want to get out of a multi-employer enterprise bargaining arrangement, this can only happen if each Union that is covered by the multi-employer agreement agrees to the removal of the employer and employees. This significant change and others like it cannot be rushed.

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Like the National Farmers Federation (NFF), we advocate for splitting the Bill and allowing measures with consensus to move through the Parliament and those which are more contested being subject to greater consideration, scrutiny and debate.

In principle, we would support reforms in Parts 1 to 13 of the Bill — including those making gender equity an object of the Fair Work Act, establishing two new expert panels for the Fair Work Commission and banning pay secrecy clauses — be passed, albeit with an adequate (eg, 12 months) lead time to allow (small) business to adjust.

Those reforms in Parts 14 to 23, relating to the enterprise bargaining system, which may have unforeseen consequences for jobs, wages, and the economy — including industry-wide strike action — should be delayed.

Considering the government's industrial relations reform agenda is by no means concluded with this Bill, it would seem reasonable for the contentious issues to be delayed until next year. If the government is unwilling to split the Bill as contemplated, we would vigorously oppose it in its entirety.

Inquires in relation to this submission should be directed to Policy Director, Ruth Thompson:

Yours faithfully

Michael Guerin
Chief Executive Officer

cc:

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