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Mr Cleave: We recently went through a hearing at the Fair Work Commission where we argued to retain the six months and pick up the other parts of the legislation that were put forward, but we were unable to retain the six months, as the legislation required that the 12 months be the standard.

Senator CANAVAN: Okay. Under the previous arrangements you had, then, how many of your members were requesting each year, let's say, conversion to permanent work?

Mr Murphy: We don't have exact data on that. I could take that question on notice. But it was a situation that very rarely rose to a dispute where we were able to count the number of workers that exercised that, because there was a [inaudible].

Answer:

As noted in our answer, most requests for casual conversion by AMWU members are handled by delegates and organisers in the workplace, and we do not have precise data on how many of those are done each year in the usual course of events.

The most recent data available to the AMWU can share with the committee in relation to casual conversion is from a member survey that we ran in 2015. In response to that survey 105 members (29% of respondents) indicated that they had applied to convert to permanent work. Of those that had applied, less than 5% had successfully converted to permanent.

An ACTU survey into casual work (conducted among the general population, not just union members) undertaken in 2014 found that nearly 1 in 4 casual workers in the manufacturing industry were worried that they would lose their jobs as a casual if they requested casual conversion.

As you would expect, the very low success rate and concern for job security has the effect of suppressing requests for casual conversion. It is our view that the new rules around casual conversion will further reducing the success rate of casual workers who would like to convert to permanent employment and do nothing to reduce their fear of reprisals.

The AMWU presented the findings of these surveys and other relevant data to the Fair Work Commission in 2015, a copy of the submission and the relevant attachment is available as [Attachment 1](#) to [Submission 122](#), AMWU.

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Senator CANAVAN: What's the percentage of labour-hire work in the manufacturing sector?

Mr Murphy: I would have to take that on notice and come back to you.

Answer:

Information about the proportion of labour hire workers in the manufacturing industry is not currently available.

When the ABS first tracked the number of labour hire workers in the Characteristics of Employment survey in 2011, they put it at 1.25%. Their most report in August 2020 suggests that 3% of all workers are labour hire workers (Working Arrangements, 2020).

The AMWU would expect that the figure would be at least double that in our industry, which is one of the largest users of labour hire in Australia.

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Mr Murphy: We're seeing across all manufacturing that insecure work is on the rise. The experience of workers, whether you're permanent or casual, is that insecure work makes workers fearful about raising safety or pay issues and fearful about joining and participating in union activity. They make workers fearful about fighting and defending the workplace rights that they have. This obviously impacts on workers who have a permanent job, because they're not able to rely on those other workers to support them when workplace issues arise. We know that this is definitely prevalent in the food industry, where we recognise that there are peaks and troughs in the work. There is work that is seasonal. There's work that is cyclical. There's work where there is peak demand—particularly, for example, in ice-cream, where demand is in summer. But workers shouldn't pay the price of being in endless secure work. We were able to adapt the clauses that we did with Streets ice cream to go to a flexible permanent part time model, where workers were guaranteed a permanent job, a flexible level of hours and that they were going to be linked to the host. The provisions of the law being changed to 12 months, particularly for food industry workers, makes it very difficult to get 12 months worth of ongoing and continual work, because a lot of it can be up to 11 months of ongoing and continual work. Then the employer will drop them for four weeks, pick them up again and claim that the work is casual or not secure. The best examples of insecure work, of course, are in the food industry, but it is prevalent across manufacturing.

Senator GROGAN: Thank you. Do you have any trend data for that? I know you referenced that it was difficult to compare your previous six-month conversion,

because it was such an ingrained process that it wasn't necessarily tracked. Do you have any other trend data that you could provide us with on notice?

Mr Murphy: I could get our research department to pull some data trends around the rise of insecure, casual and outsourcing work in manufacturing, yes.

Answer:

In 2000, 55% of casual employees had been with their employer for longer than 12 months. By 2015 – according to the Fair Work Commission's own data - 84% of casual employees had been with their employers for longer than a year.

In 2015, casual employees made up 17% of the manufacturing industry's workforce. By February 2018, the ABS was reporting that 27% of the manufacturing workforce were casuals.

The growth of labour hire workers, the increase in the number of casual workers and the increasing length of those casual job all point toward a significant decrease in job security for workers in the manufacturing industry.

The recent changes to the rules governing casual conversion – and associated reductions in rights for casual workers, particularly those covered by Awards within the AMWU's coverage – will only make job security worse for Australian workers.