

House of Representatives

Supplementary Order Paper

Thursday, 13 September 2018

Employment Relations Amendment Bill

Proposed amendments

Hon Scott Simpson, in Committee, to move the following amendments:

Clause 6

Delete *clause 6* (page 7, lines 3 to 5).

Clause 7

Delete *clause 7* (page 7, lines 6 to 9).

Explanatory note

This Supplementary Order Paper amends the Employment Relations Amendment Bill by deleting *clauses 6 and 7*.

The clauses as they read currently in the Bill repeal the right of an employer to give or decline consent to a representative of a union to enter the employer's workplace. There are many reasons why an employer may decline consent to access a workplace, including health and safety issues, workplace policies, and procedures that a union representative may not be familiar with or aware of. Gaining unfettered and undeclared access to a workplace could have a significant impact on the operation and productivity of a business. The principal Act currently strikes the right balance between giving union representatives access to workplaces and the continued operation of those workplaces.

This amendment means a union representative must obtain consent to enter a workplace, in provision with the object of the principal Act, which recognises that employment relationships must be built not only on the implied mutual obligations of trust and confidence, but also a requirement for good faith behaviour. Undeclared and unconsented access to an employer's workplace is not an indication of trust and confidence, nor are these actions conducted in good faith.
