

WORKERS' RIGHTS

The Greens' 10 standards for better workplace laws

For decades successive governments have grovelled to big corporations with little regard for workers, leaving too many people in low paid, insecure and unfulfilling work. Long-term job security is a distant memory while insecure work flourishes, billionaires increase their profits as working people experience slow wage growth and our workplace laws continue to breach international law. We need to rewrite our workplace laws to protect and improve the lives and rights of working people and reduce inequality.

The Greens have achieved real, concrete improvements for workers in the 47th Parliament, including the right to disconnect and criminalising superannuation theft. These ten standards will continue to guide our approach to workplace laws in the coming Parliament.

THE GREENS' 10 STANDARDS:

Workplace laws should:

1. Reduce inequality in society
2. Improve equal opportunity in the labour market
3. Ensure workers get equal pay and conditions for equal work
4. Ensure everyone has the right to decent work
5. Make jobs more secure
6. Give workers more bargaining power
7. Strengthen the rights of unions and workers
8. Give workers a voice about new technologies in the workplace
9. Not be undercut by international agreements
10. Improve wages and conditions in the care sector

Greens' workers' rights wins in the 47th Parliament

1. Enshrined the right to disconnect from work out of hours, unless workers are being paid for it. This new right helps workers switch off and restore work life balance.
2. Introduced and passed legislation to criminalise superannuation theft. Approximately 2.8 million people in Australia were being underpaid a total of \$4.7 billion in superannuation each year.¹ Now it is a criminal offence for employers to withhold super payments.
3. Helped pass legislation delivering 10 days of paid family and domestic violence leave to all workers, giving victim survivors time to escape perpetrators of violence, seek out support services, and relocate without risking their job.
4. Abolished the Australian Building and Construction Commission (ABCC) and Registered Organisations Commission (ROC) which actively worked to deny workers access to their rights and protections in the workplace.
5. Helped include gender pay equity as a stated objective of labour laws, including in decisions concerning modern awards and setting minimum wages.²
6. Secured minimum standards for gig workers such as rideshare drivers and delivery riders, who will now have access to improved payment rates, insurance coverage and cost recovery claims.

¹ ACTU (2023) ACTU Welcomes super theft inclusion in the Closing Loopholes Bill, [media release](#).

² Fair Work Commission (2023) Gender pay equity in the Fair Work Act, [website](#).

1. Workplace laws should reduce inequality in society

- a) For many households, wages are the most important source of income. But as the economy has grown over the past decade, workers have not received their fair share. The share of national income paid out in wages and salaries has been declining as the share going to profits has increased.³ Workplace laws must aim to restore workers' share of economic growth.
- b) Since the 90s, the national minimum wage has been declining relative to the average weekly earnings in Australia and has not kept pace with recent inflation.⁴ This is putting the lowest paid workers under more financial strain. We need a system of minimum pay and entitlements that can keep pace with the changing nature of work and improve outcomes for workers.
- c) Casual workers make up one quarter of Australia's workforce, which is a large portion by international standards. This means around 2.6 million workers⁵ do not receive paid leave and are forced to make the decision to work sick or forgo income. All workers, regardless of their status, should be guaranteed leave.

2. Workplace laws should improve equal opportunity in the labour market

- a) Disadvantaged workers are not evenly spread throughout the economy, they are often concentrated in low pay industries and occupations, and in insecure work. For example, migrants, young people, people with disability, and women.
- b) Policy aimed at improving labour force opportunities for workers with caring responsibilities should focus on removing barriers to work, including making childcare more accessible and affordable, expanding paid parental leave, and improving flexible working arrangements.
- c) We also need better legislation and policies to tackle discriminatory hiring and promotional practices impacting people with disabilities, First Nations People, people from non-English speaking background, and migrants.

3. Workplace laws should ensure workers get equal pay and conditions for equal work

- a) For years, employers have misused contractors and labour hire workers to avoid paying minimum wages and provide basic workers' rights.

³ ABS (2024) Australia National Accounts: National income, expenditure, product, <https://www.abs.gov.au/statistics/economy/national-accounts/australian-national-accounts-national-income-expenditure-and-product/latest-release#data-downloads>

⁴ <https://www.fwc.gov.au/documents/wage-reviews/2023-24/c2024-1-subs-actu-2024-03-28.pdf> ; <https://lowpaynoway.unitedworkers.org.au/blog/why-australias-minimum-wage-is-broken-2024/>

⁵ ABS (2024) Working arrangements, [Table 1](#)

- b) While recent legislation is a step forward, labour legislation should address any remaining loopholes that allow employees to be paid less than the legal minimum wage. Legal minimum rates of pay must not be discriminatory. Minimum standards such as penalty rates, overtime, loadings and allowances must be protected to prevent them from being negotiated out of agreements.
- c) To protect workers from phoenixing, insolvency laws must ensure all outstanding wages are paid as the first priority from a company's remaining assets, ahead of both taxes and secured creditors.

4. Workplace laws should ensure everyone has the right to decent work

- a) Australians are both overworked and underworked simultaneously. Underemployment overtook unemployment in 2003 and hasn't looked back⁶. At the same time many full time workers want to work fewer hours. Un-and-under-employment is too high, especially for young people. We need to work towards full employment with an unemployment rate of 2%.
- b) People deserve more than jobs that pay low wages, don't offer enough hours and are insecure, unfulfilling and in many cases dangerous. The government needs to lead the way with employment-creating programs and public-sector led initiatives to tackle the climate crisis and assist workers and their communities to transition to new jobs and industries, supported by a jobs guarantee.
- c) Work will be more fairly shared amongst people, more jobs will be created, and wages will be lifted by moving towards a shorter working week without loss of pay.

5. Workplace laws should make jobs more secure

- a) Secure employment is increasingly unobtainable, with around 4.1 million workers now in insecure work – that is close to 1 in 3 Australian workers.⁷ This includes workers on casual or fixed term contracts, employed through labour hire and the increased number of workers in the gig economy.
- b) Insecure workers often do not get paid leave entitlements, they receive inconsistent hours of work, are subject to last minute roster changes, and can be let go with little to no notice, like we saw in the COVID-pandemic. The negative consequences are broad including, financial insecurity, inability to plan long term, poorer physical and mental health, strain on social relations.

⁶ ABS Labour Force, January 2025, <https://www.abs.gov.au/statistics/labour/employment-and-unemployment/labour-force-australia/latest-release>

⁷ ACTU (2022) Missing in action: Morrison's record of failure on secure jobs, <https://apo.org.au/node/317385>

- c) We need to tackle rising job insecurity and to ensure casuals and independent contractors are not used to undermine workers' rights. Workers need greater control over the hours and arrangements for their work, and they need access to paid leave entitlements.
- d) Workers should be involved in decision making and the direction and governance of their workplace.

6. Workplace laws should give workers more bargaining power

- a) Workers should be free to collectively bargain at whatever level they consider appropriate and with whoever has real control over their work, whether at a workplace, industry, sector or other level.
- b) Workers should be free to determine what matters relevant to their social, economic and environmental interests they want to bargain about.
- c) Attempts by the government to extend the length of 'greenfields' agreement should be opposed as it removes workers' rights to bargain.

7. Workplace laws should strengthen the rights of workers and unions

- a) Workers should have the right to engage in industrial action, including the right to strike, consistent with international law and not limited to artificially restricted bargaining periods.
- b) Unions should have enforceable rights to enter workplaces for legitimate purposes, to talk to members and potential members and to represent members.
- c) Training for union delegates and workplace safety delegates and time taken for related meetings should be held in work time and paid for.
- d) The rights of unions to organise and represent workers should be protected by law.
- e) Unions should be run democratically without the threat of government or parliamentary intervention that disproportionately targets unions over businesses and other organisations.

8. Workplace laws should give workers a voice about new technologies in the workplace

- a) Artificial intelligence (AI), automated decision making and machine learning technologies are now widely used across many industries and in various ways, influencing work and workplaces. These technologies present both opportunities and risks for workers and the public more broadly. Employers must be required to adequately train workers on new technologies adopted in the workplace.
- b) Key concerns for workers relate to the use of AI for surveillance purposes by their employers, and for making decisions about promotions and recruitment. This poses risks for workers'

privacy and safety but can also subject them to algorithmic bias often further entrenching existing discrimination, for example based on gender, race, and disability. Workers must be meaningfully engaged before, during, and after the implementation of new technologies in the workplace to ensure their interests are incorporated into the process.

9. International agreements should not undercut workplace laws

- a) Loopholes in free trade agreements allow employers to circumvent local workplace laws, which leads to systemic exploitation of temporary visa workers and local workers being denied job opportunities and training. Australia must stop signing up to these unfair trade deals and not allow them to undercut government procurement policies that drive better wages and conditions.
- b) To overcome any labour shortages, skills training of local workers should be the priority. Jobs should be advertised locally first. Temporary working visas should be restricted and used only to fill genuine skill shortages or where international collaboration is important (such as research). Temporary visa holders should not be automatically locked out of the permanent migration program. And the system regulating the use of guest workers should be negotiated between unions, employer organisations and the federal government.
- c) Established Australian rates of pay should be guaranteed. Workplace laws must be properly enforced to ensure that local legal standards are being applied everywhere, both for local workers and for guest workers.

10. Workplace laws should improve wages and conditions in the care sector

- a) Jobs in the care sector – aged care, early childhood education, disability care, health and a wide range of community services – have doubled in size over the past 20 years and now employ more than 2 million people.⁸
- b) The low paid, challenging working conditions and limited opportunities for career progression makes it difficult to attract and retain workers to the care sector. Yet employment in the sector is projected to grow by 15.8 per cent over the next five years. Labour shortages in the care economy are already a problem – contributing to diminished quality of care, workload issues and high turnover.
- c) Care economy work is vital to protecting vulnerable cohorts and ensuring a decent standard of living. If Australia is to meet the care needs of the future, the workers in the sector need better wages and conditions to reflect their valuable contributions.

⁸ The Australian Treasury (2022) Jobs and Skills Summit: Issue paper, <https://treasury.gov.au/publication/2022-302672>