



Tasmanian Greens Party Policy 2014

Industrial Relations and Workers Compensation

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Fair remuneration and safe working conditions are fundamental rights of all workers. The Tasmanian Greens are committed to upholding these rights, enabling people to thrive in their work. All workers should have the opportunity for clear career pathways and effective professional development.

The Greens support the right of workers to organise collectively and, accordingly, uphold the rights of workers to organise in free association and to be represented by effective and reasonable employee organisations.

The Tasmanian Greens are committed to protecting workers' rights under relevant State legislative provisions and will amend the Criminal Code to create the offence of Industrial Manslaughter. The Greens will examine the changes to Workers Compensation law which have severely impaired access to the common law for injured workers who wish to sue for employer negligence. Injury thresholds remain at too high a level and allow no flexibility for a person's individual circumstances to be taken into consideration.

Measures

Legislation

The Tasmanian Greens will work to:

1. protect state industrial awards from erosion through changes to federal industrial law;
2. amend the criminal code to create the offence of Industrial Manslaughter, punishable by fines and/or custodial sentences.

Right to Organise

The Tasmanian Greens will work to:

3. support the rights of workers to organise and collectively bargain, to union membership and representation, with union access to the workplace.

Disadvantage Tests

The Tasmanian Greens will work to:

4. retain the 'no disadvantage test' for workplace agreements to ensure award conditions are not eroded.

Industrial Commission

The Tasmanian Greens will work to:

5. retain the Tasmanian Industrial Commission with its current powers and mechanisms.

Pay Parity

The Tasmanian Greens will work to:

6. ensure that Tasmanian workers receive the same pay and conditions as their mainland counterparts when working for, or subcontracting to, any government business enterprise or state-owned company.

State Public Sector

The Tasmanian Greens will work to:

7. require the government to negotiate in good faith with the public sector rather than forcing unions to industrial action;
8. ensure that negotiations address improved conditions as well as wage increases when that is requested.

Workers Compensation

The Tasmanian Greens will work to:

9. reform Tasmanian legislation to ensure greater equity for all injured workers in their recourse to Common Law;
10. remove all legislative impediments that preclude specific types of work from workers compensation eligibility;
11. reduce the punitive impact of step-down provisions;
12. reduce the whole person impairment threshold for access to Common Law negligence claims to 10% or less;
13. introduce a serious injury narrative test to operate alongside the objective threshold for Common Law access to ensure that a worker whose injury has greater impact because of their occupation or other circumstance can make that case;
14. change the process of electing to access Common Law so that workers whose total injuries become apparent more than two years after an accident or injury are not excluded.

Rehabilitation and Training

The Tasmanian Greens will work to:

15. upgrade requirements for rehabilitation and training of injured workers and increase resources to ensure compliance;
16. provide greater incentive to employers for better induction and training for workers.

Litigation Costs

The Tasmanian Greens will work to:

17. examine the issue of high legal costs acting as a deterrent to genuine workers compensation claims, and act to ensure all injured workers are treated equitably.

Workplace Safety Inspections

The Tasmanian Greens will work to:

18. increase monitoring and enforcement of workplace conditions and safety.

Volunteers

The Tasmanian Greens will work to:

19. ensure volunteers are compensated in the event of injury under the same provisions applicable to paid workers;
20. ensure that voluntary labour or service is used legitimately and is not used improperly to displace paid employees.