

METAL TRADES (GENERAL) AWARD

Statement by Minister for Industrial Relations

MR W.J. JOHNSTON (Cannington — Minister for Industrial Relations) [12.10 pm]: I rise to inform the house about the recent significant industrial relations achievement—the updating of the state Metal Trades (General) Award. In 2020, the Western Australian Industrial Relations Commission began updating five key private sector state awards under section 40B of the Industrial Relations Act. Section 40B enables the commission, of its own motion, to vary state awards for a variety of purposes. It has been widely acknowledged, including by the Ministerial Review of the State Industrial Relations System, that the private sector state awards are in need of repair. The metal trades award was the first to be updated, partly because this award has been used as a benchmark for other state awards.

The process allowed the commission to use its powers to bring parties together to update the award. This included UnionsWA; the Chamber of Commerce and Industry of Western Australia; the Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union of Workers; as well as the Department of Mines, Industry Regulation and Safety representing me as the minister. I thank everyone involved for their work on this important matter. All parties consented to the amendments and, on 9 February 2022, the commission issued an order to vary the metal trades award. The changes include using gender-neutral terminology, updating definitions and references, removing obsolete provisions, modernising clauses on record keeping, payment of wages and leave entitlements, and ensuring that the award does not contain conditions below the minimum conditions of employment.

The recent work on the metal trades award shows the benefits of the commission using its powers to ensure that state awards remain relevant and fit for purpose. It is important to highlight the success of this process, especially because as part of a debate in this house in August 2020 about amendments to state industrial relations legislation, the opposition criticised the government's plans to give power to the commission to update the scope of state awards of its own motion. The then member for Hillarys, Peter Katsambanis, said —

To allow the commission interventionist powers has the potential to corrupt its independence.

He also said that the opposition was concerned about giving the commission the power to vary awards of its own motion, and I quote —

... because it overturns the accepted concept of collective and good-faith bargaining, which is the basis for Australia's industrial relations system.

What we have seen instead for the metal trades award is the commission using its own-motion powers in an efficient and effective process to amend a key state award.

When the Industrial Relations Legislation Amendment Act 2021 is proclaimed in the near future, the commission will have new powers to initiate proceedings to vary the scope of state awards, supplementing the existing power to update awards that has been successfully used for the recent metal trades award. I look forward to the commission continuing to use its powers to bring parties together to work on ensuring our state awards provide a relevant and contemporary framework for hardworking Western Australians.