

Australian Manufacturing Workers' Union

(Registered as AFMEPKIU)



Hon Matthew Swinbourn MLC

Chair - Standing Committee on Environment and Public Affairs

Parliament House

4 Harvest Terrace

West Perth WA 6005

By email: env@parliament.wa.gov.au

Dear Mr Swinbourn

SUBMISSION – PETITION NO. 110 – LABOUR HIRE PRACTICES

On 14 March 2019, Hon Darren West MLC tabled in the Legislative Council a petition in my name calling for action on unethical and exploitative labour hire practices in WA. This petition called on the WA Government to follow the actions of the Victorian and Queensland Governments to launch inquiries into labour hire practices.

The AMWU and the petitioners believe that the positive steps taken by the Victorian and Queensland Governments should be pursued by the West Australian Government. It is now a matter of injustice, that workers in Queensland and Victoria have protections under state legislation that West Australians do not.

In Victoria, Professor Andrew Foryth conducted a comprehensive review of labour hire practices,¹ culminating in wide-ranging recommendations that included the introduction of a labour hire licensing and compliance regime.² The Victorian Government successfully actioned this, establishing a Victorian Labour Hire Commissioner and 20 compliance officers based in Bendigo³.

¹ *Victorian Inquiry into the Labour Hire Industry and Insecure Work, 31 August 2016*, https://djpr.vic.gov.au/data/assets/pdf_file/0016/1390111/IRV-Inquiry-Final-Report-.pdf (**Victorian Inquiry**).

² Ibid, recommendations 13-26.

³ <https://labourhireauthority.vic.gov.au/about-us>

In Queensland, the Parliamentary Finance and Administration Committee conducted their own labour hire inquiry, releasing their report in June 2016.⁴ The Queensland Inquiry did not have the same breadth of recommendations as the Victorian Inquiry; instead there were two comprehensive recommendations that called for a ‘fit and proper person’ test, a labour hire employer register, additional unpaid wage recovery mechanisms and significantly increased regulation and compliance.⁵

There is much we should take away from the Victorian and Queensland Inquiries. However, they are no substitute for a local inquiry into labour hire. There is much to distinguish Western Australia. We have different industries to other states. We have the most robust state industrial relations system in the country. We are also geographically the largest state; the impact of that size is felt not just in the higher prevalence of FIFO, DIDO and remote employment arrangements, but also in the greater challenges for regulatory bodies in ensuring compliance with industrial standards.

For years we – and many other unions in Western Australia – have been hearing from members and dealing with their workplace issues under labour hire arrangements. But even we do not know the full extent of the labour hire regulatory problem.

We owe it to Western Australian workers to shine a light on what they have had to endure under labour hire. We want all parts of the community and every political party to hear those stories, and act to protect WA workers. Legislating to regulate labour hire will need the support of every political party in Western Australia. Without our own inquiry, we won’t have the evidence from WA to demonstrate the need for change, or to highlight the specific deficiencies that we need to address.

I recommend the petition and the need for an inquiry to you as the Chair and welcome any inquiries or questions you may have.

Yours Faithfully



Steve McCartney

State Secretary

Australian Manufacturing Workers’ Union

⁴ *Inquiry into the practices of the labour hire industry in Queensland*, June 2016, <https://www.parliament.qld.gov.au/Documents/TableOffice/TabledPapers/2016/5516T1028.pdf> (**Queensland Inquiry**).

⁵ <https://www.parliament.qld.gov.au/Documents/TableOffice/TabledPapers/2016/5516T1028.pdf>