

# Working week may get longer

Mark Skulley

The federal government is considering whether to make a longer, 40-hour working week the new safety net for workplace agreements under its reform package.

Workplace Relations Minister Kevin Andrews said no final decision had been made on setting the maximum ordinary hours of work under the government's new set of guaranteed minimum conditions for all workers.

But Mr Andrews said in an interview with *The Australian Financial Review* that the standard for working hours "would be either 38 or 40" hours, which would be higher than standard hours in many existing industrial awards.

Under the existing industrial relations system, minimum employment entitlements are set out in hundreds of awards arbitrated by the Australian Industrial Relations Commission. These form the benchmark for agreements, which are generally not allowed to undercut the award as a whole.

Under the government's planned changes, these awards will remain in place but a new legislated safety net of five minimum conditions will be introduced. The five conditions, which will cover ordinary working hours, annual leave, personal/carers' leave and parental leave, including maternity leave, have yet to be announced.

They will form a safety net for all agreements under the workplace package, together with minimum wages set by the Fair Pay Commission.

The government has to make about 50 key policy decisions to flesh out the details of the package, the key principles of which were announced last month.

Setting a standard for working hours is difficult, given wide variations between different industries and groups of workers.

A 38-hour working week is the standard in most awards, but a 35-hour week is found in the glass and petrochemical industries. A 36-hour week is common in construction, while strap-pers and stablehands working in

## KEY POINTS

- Canberra's workplace reforms will include five minimum conditions.
- Differences between industries make it hard to decide standard working hours.
- Experts urge caution in drafting laws around this sensitive issue.

horseracing are among workers who have a 40-hour week.

Mr Andrews said last week the government was yet to decide on the legislative criteria that would be applied by the Fair Pay Commission in setting wages.

He said the criteria for the new commission's rulings would be set "over the next few weeks". He expected the new body would bring down its first decision in the spring of 2006, with an annual decision thereafter.

The Australian Industry Group's director of industrial relations, Stephen Smith, said the quantum of the minimum conditions would have to be worded carefully to allow for reasonable overtime and to avoid unnecessary restrictions on professional and managerial staff.

Mr Smith said the government was yet to detail the simplified procedures for filing agreements with the Office of the Employment Advocate.

The deputy director of Sydney University's ACCIRT workplace research centre, John Buchanan, said working hours were a sensitive issue.

Dr Buchanan said the number of Australians working between 35 and 40 hours a week had dropped from about half the workforce to about one-third through the growth in part-time work and the working of extended hours by full-timers.

He said many workers had "cashed out" their overtime - whereby they worked additional hours and received higher pay, while not receiving overtime.

But this process was often based on a reference to what comprised a standard working week.

with Mark Davis