

INDIGENOUS VOICE AND INCLUSION IN DIVERSE WORKPLACE: CASE OF VIETNAMESE PUBLIC SECTOR ORGANIZATIONS

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Employee voice studies have considered voice as a universal concept which is applied in the same ways to all workers. The voices from minority groups, in particular Indigenous employees are often neglected by researchers. This study aims to address three research questions including: (1) What are the characteristics of employee voice mechanisms in Vietnamese public organizations? (2) What is the Indigenous employee experience in regard to participation and involvement? (3) How do Indigenous employees perceive inclusion toward organizational decision making? The paper uses a qualitative approach based on in-depth interviews in two case study organisations. The study includes the perspective of both Indigenous and non-Indigenous managers and employees.

The findings show that both case study organisations had HR policies and employee voice practices that in line with government policy gave special treatment to Indigenous staff. However, the perceived effectiveness of these practices depended on the leadership, communication skills and awareness of managers, in particular non-Indigenous managers. The paper demonstrates a gap between what is intended by senior decision makers and what is actually implemented by line managers in relation to capturing Indigenous voice. Inclusive HR policies and voice mechanisms by themselves did not lead to Indigenous inclusiveness. Instead it was inclusive leaders who understood Indigenous needs that made the difference.

This paper represents an important step in capturing the voice and workplace experience of Indigenous peoples in Vietnamese workplace, which may contribute to the conceptualization of voice in the global context and extend the current literature on inclusion.

THE BLURRED LINES BETWEEN CIVIL SOCIETY AND THIRD SECTOR CARE WORK: A GENDERED ANALYSIS OF NONPROFIT SOCIAL SERVICES IN SOUTH AFRICA

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In 1997 the South African government, headed by Nelson Mandela, adopted a policy of social welfare that emphasized poverty reduction and social development. Cash transfers and community development projects emerged to meet the widespread need for social services and support, generating an expansion of non-government social services. Representing a blending of civil society, social movement and a growing third sector, participatory social and care services developed in which the predominantly female workforce was paid a 'volunteer stipend', or statutory, sector-specific lower minimum wage. Drawing on qualitative case study data collected in 2016 in Soweto, this paper explores the blurred lines between paid and unpaid work in social service third sector work in which employment and industrial relations policy are rarely applied, employment is a blend of informal, social care and more skilled, credentialed formalised work and government grants are often late and funding is undependable. What this non-government/third sector work shares in common is precarity, a tendency to crisis, highly gendered roles and norms and a persistent optimism. The paper provides insights into social justice, non-market services and social innovation, and suggests ways that these insights might be applied in the developed world context.

NON-PROFIT SOCIAL CARE WORKERS IN SOUTH AFRICA - DEVELOPMENTAL SOCIAL POLICY AND WORKER INSECURITY

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South Africa's post-apartheid labour market involves an institutional framework containing structures that promote industry-wide bargaining and social dialogue at a national level, alongside a continuing powerful trade union movement (Donnelly and Dunn, 2006). Moreover, legislation designed to eradicate racial discrimination and normalize employment relations swept away the legal basis for the apartheid labour market (Donnelly 1999). Yet post-apartheid South Africa remains deeply unequal, in terms of the distribution of income, partly because poverty remains extensive outside of those benefiting from formal employment, industry bargaining and trade union protection (Seekings, 2014). Notably there is the mushrooming of underemployed among the urban poor (Davis, 2007)

Using a qualitative study, this paper explores the contrasts between this formal employment relations system and the lived experience of South African voluntary sector social care workers. Patel (2012) found that the South African government saw the developmental potential of civil society to help the vulnerable and alleviate poverty in the post-apartheid state. Yet like other 'partnerships' between state and voluntary agencies, South African NGOs have suffered from variability and underfunding of their services by government (Patel, 2012). Public service delivery in South Africa is provided by the casually employed, informally employed and unemployed (Alexander, 2010). Our findings reveal how in circumstances of insecure funding non-profit workers and volunteers delivering services lose wages and stipends, leading to hunger for them and their families. Opportunities for voice and representation are also absent to relieve these problems.

LABOUR RIGHTS FOR WOMEN IN THE PHILIPPINES, INDONESIA, MYANMAR AND VIETNAM: PROTECTION, EQUALITY, DISRUPTION

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As part of the Australian Government's 'Investing in Women' in South-East Asia project, this paper analyses labour legislation in the Philippines, Indonesia, Myanmar and Vietnam. The paper locates the analysis within socio-legal and feminist debates about the capacity of international labour standards and national labour legislation to promote economic development, women's rights and gender equality at work (Deakin, 2016; Elias, 2007). We systematically map the characteristics of labour legislation that directly pertains to formal sector working women in the four South-East Asian countries. The labour laws in these countries have developed at different times and rates, but they have all been influenced by international standards and global trends. There is also an increasing focus on women's role in the labour markets of these countries and a stated desire by their governments to empower women. As more women enter, and are encouraged to enter the formal, paid labour forces of South-East Asia, the legislative frameworks under which they are employed potentially become important sites for producing social and economic change. We therefore assess the orientation to gender and women's equality in the workplace embedded in each of the four legislative frameworks with reference to three dimensions: protective legislation, equality legislation or legislation aimed at disrupting norms and the gender order.

IT DEPENDS ON WHO YOU KNOW: WOMEN ENGINEERS AND INFORMAL NETWORKING IN A PROJECT-BASED ORGANISATION IN AUSTRALIA

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The retention of women engineers remains problematic despite many decades of research. This innovative critical ethnographic study of engineers contributes to the knowledge through the following research questions:

**How do informal networks impact on professionals' ability for attaining interesting, challenging work in an engineering consultancy, which operates as project-based organisation (PBO)?*

**How are women engineers at a disadvantage for attaining interesting, challenging work in a PBO?*

** Do women and men network differently and how do these differences, if any, impact on women engineers attaining interesting, challenging work in a PBO?*

The critical ethnography methodology adopts traditional ethnographic and Social Network Analysis (SNA) research methods, Critical Social Science theory (Alvesson & Deetz 2000), network theory and theory of networks (Borgatti & Halgin 2011), and inequality regimes theory (Acker 2006). Research methods include fieldwork through participant team member observations of 39 engineers (9 women) and their ego nets (personal networks) and an online Organisational Network Analysis survey. This innovative study is designed to provide rich and deep insights into the structures of women and men engineers' informal relations and the roles these play in their working lives.

Major findings relate to differences in the structures of women's and men's informal relations, identifying 20 themes of interesting, challenging work for engineers, and establishing that this work is attained through team work in projects. This study develops a model identifying eight factors necessary for attaining opportunities for interesting, challenging work through a project team assignment process and associated powerful and influential roles. Inequalities for women are identified in organising processes (Acker 2006) related to the general requirements of work and project team assignment through an intra-organisational recruitment and hiring practice.

Specific recommendations are provided to improve women's retention in engineering by lessening inequalities for women and facilitating change in PBOs.

THE IMPACT OF ONLINE LEARNING ON ACADEMIC LABOUR PROCESSES

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The introduction of online learning in Australian Universities has been heralded as an important advance for the sector, enabling access to higher education for new cohorts such as rural and remote students, students with family responsibilities and students from low socio-economic backgrounds (Kilpatrick & Bound 2003). It has been identified as a way to transform teaching and learning models through the online development of learning communities and it has been suggested that online learning will improve profitability of the sector through labour saving processes that seamlessly integrate delivery, assessment and administrative processes while increasing cohort size.

There are a variety of different models for delivering online education. For example, MOOCs involve little or no direct contact between students and academics. Other models unbundle academic teaching roles

into a series of isolated tasks (curriculum development, website design and content, assignment design, delivery and marking) each performed by different 'para-academics'. This represents an extreme form of the Taylorisation of academic work, which has already witnessed a trend towards the separation of teaching from research. (Macfarlane 2011). To date there has been limited research the unbundling of academic roles in online education.

Drawing on interviews with academics in online learning departments from two universities, in NSW and Victoria, this paper explores the impact of online learning on teaching delivery models, labour processes and perceived career opportunities for staff in these units.

CITY OR THE BUSH? CHANGING PATTERNS OF YOUTH OUTMIGRATION 1996-2016.

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Traditionally in Australia there has been a perception that youth outmigration is a major problem for regional centres. Youth outmigration has been linked to ageing and gender-imbalanced rural populations and to the loss of generational leadership, innovation and entrepreneurship. These factors are frequently identified as barriers to regional growth and development.

Youth outmigration has been conceptualised as the result of poor regional labour markets and limited education and training opportunities. With the growth of regional universities and online learning opportunities, there may be less pressure on young people to leave regions for educational opportunities. Concurrently, the increasing costs of housing and accommodation in capital cities has become a significant barrier for young people seeking education and training in major cities in Australia.

Drawing on ABS census data, this paper explores how patterns of youth outmigration have been evolving over the past twenty years. Using data based on local government area of residence and change in residence over the last 5 years, the paper explores the proportions of young people aged 18-24 migrating out of regional centres and those 'staying behind'. It explores if the destinations of regional migrants have changed over time between capital cities, other regional centres or interstate destinations. Furthermore, it examines the links between rural outmigration and participation in education, employment or training, comparing the experiences of both the migratory and the residual populations.

SPACE, PLACE AND COLLECTIVE BARGAINING AT MCCAIN AND SIMPLOT, NORTH WEST TASMANIA

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The vegetable and potato processing industry is a large industry in North West Tasmania with two multinational companies namely McCain and Simplot. This disadvantaged region has experienced the negative consequences with the closure of a number of factories, such as APPM in 2010 and the McCain vegetable processing plant in 2014 (Barton and Fairbrother, 2014; Barton, 2015)

Capital's mobility and movement makes many places vulnerable and provides multinational companies with power relative to labour (Herod, 2001; MacKinnon, 2012) through threats to close or disinvest in plants (Jalette, 2011). Trade unions are intimately connected to space and place with union organisation

formed by the translation of traditions across space and the “specificity of location” and connected through both local and distant social relations and sources of power (Wills, 1998: 129). Whereas capital sees space as an opportunity to yield more profits elsewhere (Harvey 2001 & 2014), labour can, through unions, make use of space and place where “worker’s lives are structured and embedded spatially” (Herod, 2001: 4) to shift political action down to a scale where they have greater control (Hay, 2012). However, this is not without its issues for workers. The exercise of power at the local level can have unintended consequences such as weakening solidarity and increasing competition between workers at another scale, namely the region (Sweeney and Holmes, 2012).

In this paper we examine the spatial and place-based strategies, resources and power used by the employer and the union in the collective bargaining campaigns in 2014-15 at McCain and Simplot, in North West Tasmania and their impact on the bargaining outcomes.

UNDERSTANDING THE ROLE OF INDEPENDENT THIRD PARTIES IN THE TRANSITION FROM ADVERSARIALISM TO COOPERATION IN THE WORKPLACE

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While there have been many studies of the role of independent third parties (like mediators and conciliators) in reactively resolving workplace disputes, there are relatively few focusing on their role in proactively promoting cooperative relationships within the workplace. We aim to address this gap by exploring the circumstances under which one type of third party (namely, industrial tribunals) successfully worked with managers and unions in Australian enterprises to move away from adversarialism towards cooperation. The paper draws on both the (limited) secondary literature and six original, in-depth, qualitative case studies of successful tribunal intervention. A total of 98 interviews were conducted for these case studies, which are part of a larger project reported in a forthcoming book (Bray, Macneil & Stewart 2017).

The analysis begins with the observation that adversarial workplace relationships are the norm in countries like Australia. Consequently, any transition from adversarialism to cooperation is rare. The combination of factors explaining how tribunal intervention can help in such unusual cases is, therefore, complex and highly contingent. Those factors come from both the context in which the enterprises operate, and the agency of the parties involved.

Amongst the former (contextual) factors, some ‘urgent imperative’ originating in the enterprise’s environment and basic institutional support (such as appropriate legislative fiat and sympathetic tribunal policy and leadership) are necessary. The latter (agency) factors begin with the legitimacy of the tribunal member and then focus on the tribunal member adopting behaviours and tactics that assist the parties to meet six conditions necessary for cooperation in the enterprise.

ON THE MARGINS: WORKERS WITH A DISABILITY AND TRADE UNIONS

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Workers with a disability have long recognised the benefits of organising collectively, with separate organising being a common strategy from the early twentieth century in Australia, for example among blind workers (The Register, 28 March 1911, p. 8). For them, union representation and protection was

regarded as critical in ensuring workplace rights (Burns, 1989). Nevertheless, it was not until 1981 that the ACTU developed its Disabled Workers Policy ((Burrow, 2002). Moreover, 'workers with a disability' covers a diverse group. Understanding the nature of disability at work requires recognising the differences between workers who come to the workplace with a pre-existing disability or illness and those who develop or acquire a disability or illness as a consequence of work, through exposure to hazardous substances and practices. For these workers, unlike other identities, disability through physical or psychological injury or disease can be acquired at arbitrary times; may be temporary, permanent, un/predictable, visible and/or hidden, and may change over time if a degenerative or relapsing-remitting condition. For unions, members with a disability may be the core membership or may be found within the broader membership. Unions may also be unaware of how many members have a disability, depending on a worker's willingness to disclose or lack of recognition of a workplace link. With very limited research, this paper aims to build a clearer picture of the historical and contemporary relationships between unions and workers and members with a disability by integrating union, workplace health and safety, body, and disability research.

TRANSITIONING FROM EDUCATION TO WORK: ASIA PACIFIC CHALLENGES

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The mismatch of skills and increasing youth unemployment creates an increasingly 'wicked problem' (Clarke and Stewart, 1997) that is persistent and resistant to policy imperatives that attempt to provide programmatic solutions to the increasingly large gap between young people's expectations of attaining post-qualification jobs and their ability to achieve employment, especially in their chosen field. The ILO (2013) on the youth labour market outlined the challenges of transition from education to stable and secure employment. Globally it appears that youth are experiencing long periods of unemployment and under employment, with many youths finding part-time, temporary and insecure jobs for which they are over-qualified. Skill requirements and the skill content of jobs are constantly changing. This means that at any one time, the provision of skills will lag behind the requirement for skills. There will be ongoing and unanticipated changes in trade, workplaces and technology that will generate changes in the skills required to carry out a job. It also seems that these changes in skills are ongoing and extensive. The World Economic Forum (2016) highlighted the changing nature of jobs and the dramatic impact of technological change on jobs. Technological developments not only transform the labour market in terms of skills and occupations that are in demand; they also transform how education and training can be delivered through such arrangements as online learning. Extensive technological change not only impacts on the demand for labour, but it also transforms how skills and education can be accessed.

The transition from graduation to regular employment represents a major challenge across countries. Those who have invested in human capital acquisition through formal education (technical and university) anticipate that completing their programs and receiving their formal qualifications will serve as a formal pathway into job entry. Indeed, the formal qualifications around many trade and technical training programs are designed to meet the formal entry conditions into those trade occupations. Pertinent questions include: why does there appear to be major problems in moving from graduation into regular employment? What is the nature of these obstacles? What explains these obstacles? Are these obstacles persistent, or are they linked to significant structural adjustments, such as technological change and globalization? How can policy makers and key institutions linked to the training and education system address these challenges? What are the views of the key stakeholders in the labour market as to the

reasons for difficulties in transitioning from tertiary education to employment? Finally, how are these challenges being addressed through public policy in each of the countries represented in this volume? This article provides an assessment of these issues based on an analysis from 9 countries in the Asia Pacific region.

WORKING IN THE AGED CARE SECTOR: THE UNION DELEGATE PERSPECTIVE

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The aged care sector and its workforce assumes growing importance as Australia's population ages. Within the sector there have been skill shortages and problems with employee attraction and retention. The work is challenging, potentially unpleasant and with OHS hazards, and often faced with competing needs of employers, regulators, clients and their families. The problems facing the industry (CEPAR, 2014) and the challenges of working in the industry (Mavromanas et al, 2016) have been documented. However, one perspective missing in the research agenda are the views of the union. This is an industry that is low paid, heavily feminised and with union delegates who are female. In this paper we report on in depth interviews with female union delegates in the WA aged care sector. The interviews revealed the diverse scope of the sector in terms of quality and levels of care; staffing; facilities; employment conditions; safety; and the quality of management. Within the care facilities the staffing levels are determined by activities over the day and the week. Many staff are employed on a part-time basis and supplement their income through working additional shifts or holding second jobs (Mavromaras et al, 2016). In the metropolitan care facilities many of the staff were students, especially from overseas, who worked while studying, or worked in the sector after graduation since they could not find employment in their preferred profession. With the ageing population and the increase in acuity, many delegates suggested that some facilities were not able to deal with the range of medical conditions that afflicted clients. These challenges were compounded by funding cuts that in turn increased workloads and generated additional tasks that delegates suggested carers were not qualified or trained to perform. The main issues that were identified as being a barrier to both attraction and retention in the sector by the union delegates were:

- Insecure working arrangements, including irregular hours
- Low pay and esteem
- Stressful and difficult working conditions
- The absence of a career path
- The inability to retain young workers, and
- Workplace bullying and harassment

SKILLS WASTAGE OF SKILLED MIGRANTS: THE ROLE OF THE RECOGNITION OF OVERSEAS QUALIFICATIONS AND EXPERIENCE (ROQE)

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Skilled migration has become a significant strategy for meeting skill demands and shortages in Australia however, many skilled migrants experience barriers to securing employment which creates an array of social and economic insecurities and vulnerabilities. Those whose overseas qualifications and work

experience (ROQE) are not recognised in host countries will often experience skill wastage and atrophy and exploitation. ROQE has been identified as a 'central immigration issue of the new century...in all post-industrial societies receiving immigrants' (Wanner 2001: 427). For many skilled migrants ROQE creates a barrier for securing employment commensurate with qualifications and experience and thereby creates skills wastage and atrophy and downward mobility. Guo (2009) argues that ROQE is a political act based on a deficit model of difference which causes the devaluation and denigration of foreign acquired qualifications and work experience of recently arrived immigrants resulting in 'significant demoralizing and disempowering downward social mobility, unemployment and underemployment, vulnerability and commodification, and reduced earnings' (Guo 2009: 48). The aim of this paper is to analyse ROQE through the dual theoretical lenses of human capital theory and the critical analyses of knowledge hierarchies. Data from a survey of skilled migrants in Western Australia is used to compare the occupations of skilled migrants prior to entering Australia and their current occupation. The paper offers a dual lens theoretical analysis of the problematic ROQE phenomenon and concludes with policy and practice-based strategies that would assist in reducing skills wastage and the exploitation of skilled migrants.

ZERO-HOUR CONTRACTS IN AUSTRALIA: A CHALLENGE FOR LABOUR REGULATION

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Zero-hour contracts (ZHCs), widely regarded as the most insecure or precarious form of waged work in contemporary industrialised societies, appear to be on the increase in many countries, such as the United Kingdom, Ireland, New Zealand and the Netherlands. ZHCs are most usefully defined as work arrangements in which the worker agrees to be available for work, but the employer does not guarantee to provide any hours of paid work (per day or week). In practice, ZHCs generally involve irregular schedules, in which the duration and/or the timing of working hours (ie. The distribution over the day or week) vary according to the needs of the enterprise. They represent one form of on-call work or 'on-demand' work in which workers are called in by an employer *as and when they are needed*.

Though the term itself is unfamiliar in Australia, it is clear that the phenomenon of ZHCs is widespread, making up a substantial proportion of the distinctive Australian category of casual employment. This paper is derived from an international project that considers ZHCs in several industrialised societies. It describes the extent and main job characteristics of ZHCs in Australia. It also considers its close relation – 'minimum hour' work arrangements, whereby the worker is given a small number of contractual hours but with an agreement or expectation that the worker is available for a substantial number of additional hours of 'flexing up'. The paper examines the role of ZHCs and other on-call work arrangements in sectors such as hospitality, retail, disability and aged care. It considers the negative impact of such arrangements on workers, the dynamics behind their emergence and the challenge for labour regulation.

DECENT WORK GOOD CARE: IDENTIFYING CONDUCTIVE POLICY AND REGULATION IN AGED CARE SYSTEMS

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Most liberal western democracies share the challenge of designing affordable and sustainable long-term care (LTC) systems to support their burgeoning older populations. The introduction of individualised funding models, the expansion of home-based care, and increasing reliance on private markets are all common strategies used to meet the growing demand for care and to contain government LTC expenditure. In spite of similarities in the contemporary challenges of aged care service delivery, national aged care systems have been evolving very differently. Similarly, the employment regulatory frameworks governing the work of care are shaping the conditions of care in diverse way in different countries. Drawing on the regime-mapping framework developed by Williams (2012), this paper provides an analysis of the aged care policy and regulatory architecture in Australia, Canada, Scotland and New Zealand. The paper illuminates the policies, regulation and macro-level practices that have potential to support both decent work and good care through a set of comparative indicators developed for this purpose.

THE GROWING PROBLEM OF UNDERPAID WAGES AND THE CONUNDRUM OF STATE INERTIA

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Underpayment of wages has emerged as a major problem for regulation of work in Australia. Recent prominent media reports, government inquiries and academic studies have brought this problem to light, highlighting the vulnerabilities of groups of workers, in particular temporary migrants on working holidaymaker and international student visas, as well as the need for regulatory reform. Yet, the state has adopted few of the recommended reforms to address the issue. In this context, this paper addresses two research questions: Why has there been recent growth in reported cases of underpayment particularly of temporary migrant workers in Australia; and why has the state failed to implement a strategy for addressing this problem? We address these questions with reference to employment relations, immigration policy and political science scholarship to draw attention to the fragmented nature of employment regulation and visa categories constraining worker agency which, combined with widening avenues for temporary migration, have contributed to the problem of underpayment. We also consider the role of employer organisations in the policy process, both in terms of agitating for a growth of temporary migration and resisting stronger sanctions against non-compliant businesses. Finally, we examine conflicting imperatives of the state, the nature of business-government relations and weak political incentives to address the underpayment problem help to account for the state's inaction.

WITH THE STROKE OF A PEN: THE FRAGILE NATURE OF EMPLOYMENT SECURITY POLICY AND INDUSTRIAL PROVISIONS IN AN AUSTRALIAN PUBLIC SERVICE

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Public sector employment security is a central tenet of the public service bargain in many countries (Hood, 2000). The traditional rationale was that public services needed some permanence and continuity beyond an electoral cycle, and sufficient independence to provide frank and fearless advice. Employment security was often an implicit element of the public service bargain, diluted by rounds of reform and the global financial crisis but nonetheless retained in some form.

This research context is the Queensland public service under a Liberal-National Party government with a large electoral majority and an agenda of neoliberal reforms. In particular, the government was intent on pursuing an extensive downsizing programme that breached its pre-election commitments as well as an extensive framework of protections to employment security enshrined in policies and industrial agreements.

The research provides brief context of the historical trajectory of employment security policies, and an in-depth study of developments from 2012-2013 as the government became embroiled in an escalating dispute with unions. The research draws on primary sources including: administrative sources (such as employment security policies); industrial sources (such as industrial agreements), government sources (such as a Commission of Audit Report, parliamentary transcripts, budget papers, and government media releases), and a pre-election video recording. The research supplements this documentary analysis through discussions with union and bureaucrat representatives. The research demonstrates the fragility of the public service bargain and the power of governments, in their dual role as legislator and employer, to remove employment conditions with the stroke of a pen.

GENDER-BASED OCCUPATIONAL SEGREGATION: A REVIEW OF THE LITERATURE

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The Australian labour market is highly gender-segregated by industry and occupation, and this is seen as a critical labour market and policy problem (Commonwealth of Australia 2017). Gender segregation has adverse economic consequences, contributing to a gender pay gap across lifetime earnings and into retirement. It is estimated to contribute to 32 per cent of the gender pay gap in Australia (KPMG/DCA/WGEA 2016).

This paper reviews the literature on the causes and extent of occupational segregation and the experience of women working in traditionally male-dominated occupations, professions and sectors. It asks:

- How is gender segmentation theorised within the broader field of workplace gender equality?
- What are the barriers to women working in male-dominated occupations and sectors?
- How do women's experiences coalesce, or vary, across occupations and sectors?
- What can be done to improve gender representation - and working conditions for women employed in - male-dominated occupations and sectors?

The paper reports findings from an exploratory meta-review of research literature to determine the state of research into gender segregation, upon which we will build a study of women's work in traditionally male-dominated occupations and professions. Having established the contours and content of the extant

research on gender segregation, the paper highlights current gaps in research and proposes an agenda for future research.

INDIVIDUALIZED FUNDING AND SOCIAL CARE – THE IMPLICATIONS FOR WORKING CONDITIONS AND UNION ORGANISING

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The purpose of this paper is to explore the impact of Scotland's personalisation agenda in social care on the working conditions of union members in voluntary sector social service organisations, and the consequences for union efforts to protect and organise its membership. The increased use of individual funding through Direct Payments (DPs) and Individual Budgets (IBs) brings considerable financial uncertainty into social care providers, especially at a time of harsh public-sector cuts. Moreover, increasing power and influence over the organisation of social care work is being handed to service users (Cunningham, 2016). The paper is concerned with exploring the degree of worker insecurity associated with the personalisation agenda, and the effectiveness of union interventions to prevent threats to the working conditions of its members. The theoretical framework used will be influenced by the literature on 'end users' and new actor debates in industrial relations (Bellamere, 2000; Kessler and Bach, 2011; Hickey, 2012).

The paper draws from a qualitative study involving interviews with regional union officials organising the voluntary sector and four in-depth case studies undertaken in the voluntary sector (70 interviews). Data reveals care work being increasingly shaped by the preferences of service users, causing concerns among staff regarding their security and working conditions. Unions face challenges protecting members because of the strong service-user orientated values of employers, and staff, personalisation's contribution to fragmenting work and the ambivalence of some staff to union activity. Scope remains for cooperation between employers, and unions, however, with some agreements on pay, and HR policies and procedures.

ORGANIZATIONAL FACTORS INFLUENCING POST-TRAUMATIC STRESS DISORDER AMONG PARAMEDICS

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Research questions: Paramedics have a higher prevalence of post-traumatic stress disorder (PTSD) than that among general population (22% vs approximately 5%)(Hegg-Deloye et al., 2014) and that amongst firefighters (22% vs 8%) (Del Ben et al., 2006). Whether the prevalence of PTSD varies across different places of work, and if PTSD is associated with work places' psychosocial safety climate (PSC) among paramedics are under-researched.

Theoretical focus: In PSC theory, it is posited that employees and senior managers interact to form the organizational policies, procedures and practices for psychological health and safety, which determine its psychological and safety working climate (Dollard and Bakker, 2010). PSC may reduce adverse impact of job

demands (Bailey et al., 2015, Law et al., 2011). Based on this theory, it was hypothesized that work place is associated with PTSD and a higher level of work PSC would reduce prevalence of PTSD among paramedics.

Methods: This research applied cross-sectional design and used phone administrated self-report questionnaires to collect data from 441 stratified randomly selected paramedics. Place of work was a geographic criterion listed as metropolitan, regional, and rural. Psychosocial Safety Climate (PSC-12) (Hall et al., 2010) and DSM-IV diagnosis criteria (Breslau et al., 1999) were used for measurements. Descriptive analysis and bivariate correlation analysis were used for data analysis.

Major conclusions: PTSD prevalence is significantly high among those working in rural areas. Work PSC is significantly positively associated with PTSD. More investigation into human resource management and its relationships with PTSD is recommended for future research.

THE ROLES OF HUMAN RESOURCE MANAGEMENT SYSTEMS IN POST-TRAUMATIC STRESS DISORDERS AND INTENTION TO QUIT AMONG PARAMEDICS

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Research questions: Paramedics are known to have high prevalence of post-traumatic stress disorder (PTSD) (Hegg-Deloye et al., 2014) and low organizational commitment (Alexander et al., 2009). This study aimed to answer the following research questions:

- Is human resource management (HRM) system associated with PTSD and intention to quit among paramedics?
- What aspects of HRM are associated with PTSD status and intention to quit among paramedics?

Theoretical focus: In HRM theory, Bowen and Ostroff (2004) argue that, senior managers (including HRM executives) design a HRM system that requires implementation from middle and lower level managers. When the implemented system designed matches strongly with the experiences of employees, it is considered a strong system and is more likely to produce positive benefits for employees and the organisation. Based on this theory, the study hypothesises that strong HRM system will ameliorate risk of PTSD and reduce intention to quit among paramedics.

Methods: This cross-sectional survey was conducted on 270 randomly selected paramedics in one Australian jurisdiction. The union density is close to 100 per cent. Perceived HRM system strength scale (Delmotte et al., 2012), PCL-5 scale (Blevins et al., 2015), and turnover scale (Walsh et al., 1985) were used for phone administrated data collection. Descriptive analysis, independent t tests, and Pearson correlation tests were used for data analysis.

Major conclusions: Among paramedics, perceived poor overall HRM, and particularly in visibility, consistency in HRM messages, procedural justice, and distributive justice aspect, are positively associated with PTSD. Perceived strong overall HRM and all aspects of HRM except for agreement are negatively significantly associated with intention to quit.

LEARNING TO UNLEARN: REVISITING COLLABORATIVE WORK AND SUPPORTING MECHANISMS

Dayaram Kantha, Curtin University

Lawrence Jacob, Curtin University

The paper examines current literature, employment trends and policy reforms to explore how artificial intelligence and machine learning impact employment conditions in the services sector and the social implications. The steady decline of predominantly manufacturing jobs and the rise of artificial intelligence is well known however, more recently, the services industry is no longer immune to the challenges of redundant work. As technological advances and artificial intelligence are revolutionising the modern workforce, policy reforms targeting delayed retirement create a larger intergenerational workforce. These policy reforms impact employment conditions and have social consequences. The intended and unintended effects of these changes for employment and broader society are profound. In addition, while the focus of organisations has shifted to machines as a way to maximise efficiency and generate larger returns, machine learning and artificial intelligence are evolving with a greater need for subject expertise. The paper outlines a theoretical framework for collaborative work and policy implications.

GENDER AND MIGRATION IN THE AUSTRALIAN CHILDCARE AND GARMENT SECTORS: A COMPARISON OF HOMEWORKERS' EXPERIENCE IN RELATION TO REGULATION AND REPRESENTATION

Delaney Annie, RMIT University

Ng Yee-Fui, RMIT University

Venugopal Vidhula, RMIT University

Labour markets in Australia have long been segmented by gender and race. Studies usually, focus on a single case, with little comparative analysis. This study compares two highly gendered and racially segmented labour markets, home-based family day care workers and garment homeworkers because we anticipated similarities. The comparative cases examine the broader trends of migration, production and consumption that reinforce gender and racial stereotypes and discourses that underpin representations that women workers are ideally suited to such work. We theorise the gender and racialised inequalities of homework based on the literature on invisibilisation and social reproduction to explore the vulnerable position of migrant women and the consequences of having limited options, such as legal and social protections and any capacity to collectively organise. Our analysis examines the roles and responses of institutions and conceptualises the socio-political factors that affect the characterisation of home work as non-work or as self-employed entrepreneurial activities. By mapping the differing regulatory trajectories of these two groups of homeworkers in terms of regulation and representation we find both similarities and differences. While garment homeworkers have achieved recognition through legislation and voluntary corporate initiatives through extensive social mobilisation and advocacy, their circumstances leave them less likely to access such rights. By contrast, all levels of government have failed to recognise family day care homeworkers, therefore leaving them to market forces and private regulation.

WOMEN IN EMPLOYMENT IN NEW ZEALAND 2008-2017

Douglas Julie, Auckland University of Technology

Ravenswood Katherine, Auckland University of Technology

The heady days of the early 2000s women with commanding the top positions of Prime Minister, Governor General, Attorney General and Chief Justice in New Zealand (Human Rights Commission, 2004) led to a generally held expectation that the age of gender equality was near. However, the Global Financial Crisis and a change of government in 2008 may well have derailed that possibility.

We review the period from 2008-2017 to ascertain the progress that has been made for women's equality in employment in New Zealand. Some highlights for progress include landmark cases such as the equal pay claim case for aged and disability care workers and recent data that shows that the gender pay gap has reduced in the last 12 (Ministry for Business, Innovation and Employment, 2017). These highlights however are dimmed by government crackdowns on single parent benefits, for example, the closure of the Pay and Equity in Employment Unit with the Department of Labour; a financial veto by the government on majority support for extending paid parental leave; and a refusal by the government to pass on 'equal pay' from the aged care and disability decision to mental health workers. Drawing on government agency and other reports, alongside employment statistics this is a timely reflection on how the GFC and a strongly neoliberal government have impacted on women's equality in employment.

WELLBEING AND THE WORK ENVIRONMENT IN AGED CARE

Douglas Julie, Auckland University of Technology

Ravenswood Katherine, Auckland University of Technology

Haar Jarrod, Auckland University of Technology

Measures of employee wellbeing have included fatigue, job-induced stress, job satisfaction and work-life balance (Macky & Boxall, 2008). Thus, it is a broad construct, but one seldom explored in the aged care sector, especially in New Zealand. In addition to job satisfaction, we explore workplace injuries, suggesting they are a neglected aspect of wellbeing. The present study bases itself within the work environment literature, both negative aspects (workload and pressure) and positive elements (autonomy, respect, skill usage). We also include *abuse* (verbal and physical received from clients). Combined, we suggest that a good work environment will be positively related to Wellbeing, while alternatively, a less optimal work environment (workload and abuse) will be negatively related. We do this comparatively: testing the moderating effects of management position, to determine whether managers are better able to manage these factors and enjoy enhanced wellbeing. Using 2017 survey data from 1030 aged care workers and 154 managers (combined n=1184) we test relationships with moderated regression analysis. Results show 53% of workers report at least one workplace injury, with an average of 1.1 injury per person, while the average job satisfaction (as a percentage) was modest only at 58%. Regression analysis found all factors, except abuse, are significant for job satisfaction and all factors, except skill usage, are significant for injuries. These were all in the expected directions. Moderation was widely supported with interaction effects showing managers reported fewer beneficial relationships than employees: lower satisfaction and higher injuries. We discuss the implications.

‘YOU HAVE TO HAVE TWO DAYS OFF IN A ROW A FORTNIGHT’ – UNCERTAIN JOBS IN CERTAIN TIMES; ORGANISING DISABILITY SUPPORT WORKERS

Douglas Karen, RMIT University

Care workers are low paid, undervalued, (Charlesworth 2012) and under unionised. How unions build solidarity among disability support workers in environments where poor regulation is exacerbated under privatised systems of care (Macdonald & Charlesworth 2016) and bargaining opportunities are stifled by systematic underfunding continues to present unions with formidable challenges. Organising techniques centred on building solidarity and politicising workers at the workplace are tested in increasingly fractured work environments. This is a challenge union must face as care work cannot be outsourced.

Using a power resources and capabilities framework (Lévesque & Murray 2010) this article examines how one union in Victoria has applied its internal and external capacities to develop a sense of collective identity in a bargaining campaign. Findings indicate unions face a complex web of internal and external challenges that can be overcome if unions re-examine organising techniques in the face of changed work environments. The paper draws on data collected via semi-structured interviews for my doctoral research.

REMAKING THE PILBARA AND AUSTRALIAN INDUSTRIAL RELATIONS

Ellem Bradon, University of Sydney

How do mining companies overcome the problems faced by the fixity of resources (Ellem, 2006; Bridge, 2008) and how they might come to exercise influence in societies which appear to be mostly post-industrial ones? These are complex questions of political geography. This is not least the case for a region such as the Pilbara – an iron ore site isolated from metropolitan centres – in Australia – a country isolated from many global centres and markets. Localised struggles in this resources site have been profoundly influential in the making of what became a national neoliberal industrial relations agenda (Weller and O’Neill, 2014). Building on other scholarship on the Pilbara (among many: Dufty, 1984; Thompson, 1987) and emphasising the local scale and the details of work and regulation, this paper draws on these secondary sources and a decade of original research (Ellem, 2017) to assess this place’s wider importance. The Pilbara is now a site of thoroughly transformed industrial relations, from a union space when export mining began in the 1960s to, for the most part, an employer stronghold. Policy-makers delivered changes to facilitate the remaking of employer power in workplaces in and beyond mining. This resource ‘periphery’ (following Hayter et al. 2003) has therefore been central to the remaking of national policy regimes. The basis for this importance was the control that employers were able to regain over worksites and town in the Pilbara. Control of the labour process was the foundation of their wider power.

WESTERN AUSTRALIAN TEACHERS, WORK INTENSIFICATION AND PROFESSIONALISM

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Wilson Rachel, University of Sydney

Rainnie Al, Australian Institute Adelaide

Parding Karolina, Lulea University of Technology

Reports commissioned by Australian federal and state education departments indicate that the hours that public sector teachers work has been increasing over the last decade and now a significant portion would be categorised as undertaking ‘very long working hours’ as per the Australian Bureau of Statistics’ (ABS) definition of at least 50 hours of work per week. Compared to other OECD countries, a large amount of teachers’ time in Australia is spent on paperwork and general administrative work. A recent large study of Australian teachers, found that workload, together with smaller class sizes, improved measures for student behaviour management and improved school-level management, were key priorities for change that could support staff mental well-being (Garrick et al. 2017).

This paper examines these trends with specific reference to changes in the WA education system. Since 2009 the state has seen extensive change in school-level management through the Independent Public Schools (IPS) program. Increased accountability and the devolvement of administrative work to the school level, has changed in the working conditions of teachers. During this period student to staff ratio in classrooms rose from 14.5 to 15.5 or 7%, while state funding per student in public schools fell 10.6%. The recent 2017 State Labor government budget has sought to achieve some equity in funding between IPS and non-IP schools by scrapping the additional administrative funding that IP schools received for the larger administrative tasks they undertake. The paper will examine the consequences of these changes for processes of work intensification and (de-)professionalisation.

THEORISING THE ‘GIG’ ECONOMY IN HOME-BASED SERVICE WORK

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Home-based service work has occupied a marginal position in most theoretical treatments of the gig economy to date. Ride-sharing, food-delivery and cloud-based forms of work have tended to dominate analyses of the phenomenon, and for good reason: each of these contemplate labour activities that are readily susceptible to being broken down into simple and short-term tasks, requiring minimal co-ordination with wider industrial processes. The span of the gig economy, however, is not confined to such forms of labour, and extends to forms of work that are complex, relational and are generally resistant to easy subdivision into discrete, short-term tasks.

This paper will take a historical approach to theorising the rise of the gig economy in home-based service work (including platforms such as care.com, Better Caring, Ubercare and Mynder), and situate digital platforms in terms of wider continuities and changes in the patterns of home service work that have existed in Australia. It will extend Jim Stanford’s thesis of a rise-fall-rise pattern in gig work (which brackets the postwar period of the dominant Standard Employment Relationship as anomalous) to contemplate forms of work that were only ever lightly regulated and collectivised and were left virtually untouched by the centralised mass technologies were so crucial to the rise of the Standard Employment Relationship.

CONFRONTING BIAS IN A MERITOCRACY: MANAGER PERSPECTIVES ON UNCONSCIOUS BIAS, MERIT AND AFFIRMATIVE ACTION

Foley Meraiah, UNSW Canberra
Williamson Sue, UNSW Canberra

Public sector organisations concerned with advancing gender equality have increasingly sought to address the adverse effects of unconscious (or implicit) biases on employment processes based on seemingly neutral assessments of merit. In recognition that unconscious biases “may prevent meritocratic systems from working efficiently” (OECD, 2014, p. 67), many Western governments have made unconscious bias training a cornerstone of their gender equality strategies (APSC, 2016; Cabinet Office et al., 2016; Government of Canada, 2017; OPM, 2016), backed by affirmative action measures aimed at mitigating the discriminatory effects of these involuntary and automatic biases (Banaji and Greenwald, 2013; Greenwald and Banaji, 1995). Applying qualitative content analysis to interviews with 104 managers in three federal agencies where bias awareness and mitigation efforts were underway, this study found general agreement among public sector managers for the proposition that unconscious biases contribute to gender inequality in the workplace, and general support for mitigating their effects. Several managers voiced strong objections to affirmative action as a remedy for bias, however, arguing that it violates the principles of fairness and neutrality embedded in merit, even whilst acknowledging that merit-based employment decisions are potentially riddled with subjective biases. Thus, we argue that current efforts to raise awareness about unconscious biases are unlikely to foster gender equitable results unless combined with a re-evaluation of the merit principle. Although our findings are grounded in the public sector, where the concept of merit is explicitly defined, our findings have implications for private sector organisations where the ideology of merit also prevails.

A CRITICAL SHORTAGE: ADDRESSING THE GENDER GAP IN THE CYBER SECURITY INDUSTRY

Foley Meraiah, UNSW, Canberra
Williamson Sue, UNSW, Canberra

Cyber Security has been deemed one of the most pressing economic and national security issues of the coming decades (Department of Prime Minister and Cabinet, 2016), and one of the biggest potential sources of job growth (Corbin, 2013). Women are vastly under-represented in the cyber security industry, representing just 11 per cent of the global workforce. In the Asia-Pacific region, women hold 10 per cent of cyber security jobs, and account for just 1 per cent of executive management roles (Reed et al., 2017). Academic and industry research shows that women in cyber security face widespread discrimination, persistent occupational segregation (both vertical and horizontal), and wage inequality (Bagchi-Sen et al., 2010; Professionals Australia, 2017; Reed et al., 2017).

Building on findings from our *Women in Cyber Security Literature Review* (Foley et al., 2017), which was commissioned by the Department of Prime Minister and Cabinet, we examine the current and future challenges in addressing the gender gap in cyber security. We argue that efforts to address the gender gap in cyber security are already severely hampered by the multi-faceted pipeline issues evident in the science, technology, engineering, and mathematics (STEM) fields, where the barriers to women’s participation commence as early as primary school and compound through the life cycle. We argue that the increasing militarisation of the cyber security industry risks compounding these barriers further, entrenching existing

patterns of gender inequality in this critical field.

WORKING INDUSTRIALLY OR PROFESSIONALLY? WHAT STRATEGIES SHOULD TEACHER UNIONS USE TO IMPROVE TEACHER SALARIES?

Gavin Mihajla, The University of Sydney

In recent decades, governments across Western democracies have endeavoured to inject neoliberal, market-inspired ideology into public education policy; reorganise teachers' work, labour and conditions; and undermine the traditional collective strength of the organisations that represent teachers' interests. Within this context, teachers' salaries have been subject to particular scrutiny. In Australia, and specifically New South Wales (**NSW**), since the early 1980s, neoliberal governments have utilised adversarial tactics in teacher salary negotiations, placed legislative restrictions on wages growth and imposed limitations on the activities of their representative organisation, the NSW Teachers' Federation (**NSWTF**), in pursuing salary increases for teachers employed in the public education system. In light of this context, this paper presents findings which examine the NSWTF's strategic response to neoliberal attacks on salaries through analysing how the NSTWF has shifted from an industrial to professional approach in key salaries disputes since the 1980s.

To investigate this issue, this study incorporates extensive documentary analysis and in-depth interviews with NSWTF officials and members as well as senior government and departmental officials. Through an analysis of several key salaries disputes from the 1980s to now, this paper questions the effectiveness of industrial approaches to unionism, analyses strategies that teacher unions may deploy to achieve salary increases for teachers and contributes broadly to literature on union renewal and revitalisation by considering how teacher unions can act strategically in order to resist neoliberal forces affecting teachers' work and conditions.

THE DISTINCTIVENESS OF THE CONTRACT OF EMPLOYMENT

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An ongoing debate exists in the employment law community about the role of the employment contract. There are those who argue that the employment contract should be treated just like any other contract, such that the general law of contract should apply to it with full force. However, there are also those who maintain that the employment contract has distinctive features and should attract its own specific rules. In an effort to advance the understanding of the correct approach to this issue, this paper focuses on employment contracts as a purported 'class' into which terms are implied by law. Indeed, it is well accepted that courts can fill gaps that exist in all contracts of a particular class, including employment contracts, by implying terms by law as default rules. It is questioned whether the overarching category of 'employment' is necessarily the correct or appropriate class of contract into which courts should imply terms by law.

The paper seeks to demonstrate that, in the context of implying terms by law, the class of employment contracts is not easily identifiable. The so-called 'class' is an overly generalised and inconsistently defined category into which terms have been and are implied by law. There is scope for the courts to develop their understanding of employment contracts as a class. This further understanding will assist courts in developing the common law that regulates employment contracts, while also allowing for more accurate predictions of how the common law will likely develop in respect of those agreements.

CHANGING SURVEILLANCE REGIMES FOR NURSES WORK - FROM 'LEAN' TO NATIONAL STANDARDS FOR PATIENT SAFETY

Gough Richard, Victoria University

Ballardie Ruth, Victoria University

Performance management is a feature of New Public Management (NPM) often focussed upon both increasing efficiency and patient safety. In a context of increasing demand and reducing resources public hospitals are intensifying their monitoring of the work of health care providers as it becomes the focus of an increasingly precarious tension between increasing 'efficiency' and 'patient safety' (McCann, Granter, Hassard & Hyde, 2015).

This paper examines how increasing demands for efficiency and monitoring of patient safety in the context of high workloads shape nurse's experiences and understanding of their work.

This longitudinal, interview-based case study of nurses in a major metropolitan public hospital examines the shift from a lean-based program 'the Productive Ward' to the National Standards for Patient Safety. While both were ostensibly nurse-led and focussed, their outcomes need to be contextualised in relation to increased patient flow and reducing resources which intensify nurse's workloads. High workloads exacerbate the tension between efficiency and patient safety, which then becomes a rationale for more intensive surveillance. This could be considered as an 'ironic logic' of NPM.

As 'technologies- in- practice' (socio-technical) these systems both monitor and co-construct patient safety in particular ways, in particular contexts and in relationship to the specific characteristics of the nursing labour process. They consequently have complex relationships to how nurses experience and understand their work and their profession. These effects vary in relation to the roles that nurses occupy within the system, such as Director of Nursing (executive level), Nurse Unit Managers (operational leads), and nurses.

WHEN DOMESTIC VIOLENCE COMES TO WORK

Guthrie Robert, Curtin University

Laing and Bobic assert that "domestic violence occurs when one partner attempts by physical or psychological means to dominate and control the other. Domestic violence takes a number of forms. The most commonly acknowledged forms of domestic violence are: physical and sexual violence; threats and intimidation; emotional and social abuse; and financial deprivation. Domestic violence can involve a continuum of controlling behaviour and violence, which can occur over a number of years, before and after separation." This definition suggests that domestic violence exists in a realm outside the workplace.

However, it is clear that employers need to appreciate that domestic violence has direct and indirect effects on the workplace. The workplace may be directly affected when the parties to domestic violence are co-workers or where one worker has a violence restraining order against their partner who persists in attempting to contact, harass or assault the protected person in the workplace. In the case of co-workers who are parties to domestic violence an employer may be required to put in place measures so that there can be compliance with restraining orders, often this means separating those workers in the workplace and putting in place protective mechanisms to prevent breaches of the orders. Where the orders protect a person from a party external to the workplace the employer may have to be cognisant of the orders and assist the protected person and police in enforcing the orders. Dismissal or discrimination against a person who is protected by violence restraining orders or who is subject to domestic violence may lead to resort to

industrial tribunals by those affected. The indirect costs of domestic violence relate to absenteeism, loss of productivity and the like.

A PROCESS MODEL OF JOB INSECURITY TO TURNOVER INTENTIONS: A CROSS-CULTURAL STUDY USING UNCERTAINTY-AVOIDANCE

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Ollier-Malaterre Ariane, Université du Québec A Montréal

Sune Albert, Universitat Politècnica de Catalunya

Russo Marcello, University of Bologna

Job insecurity is a global phenomenon, although rarely explored cross-culturally. We test a process model where our research question focuses on understanding the process by which job insecurity influences turnover intentions. We hypothesize that job insecurity predicts negative and positive affect, which then predict affective commitment and finally turnover intentions (see Figure 1 below). Our other research question relates to testing cross-cultural effects for uncertainty-avoidance, which are defined as the extent to which societal members strive to avoid uncertainty by reliance on social norms, rituals, and bureaucratic practices to alleviate the unpredictability of future events. We hypothesize that cultures high on uncertainty-avoidance to alleviate the detrimental effects of job insecurity. We test this across five samples: New Zealand Europeans and Maori, France, Italy and Spain with a total sample size of 1123 employees using structural equation modelling. Metric invariance test supported combining the data. We find a partial mediation model fits the data best, with job insecurity being positively related to negative affect and turnover intentions and negatively related to positive affect. Job insecurity's influence on organisational commitment is fully mediated by affect, although its influence on turnover intentions is partially mediated by organisational commitment. Regarding interaction effects, only towards negative affect was there support, with high uncertainty-avoidance cultures reporting very low negative affect at low levels of job insecurity. However, at high levels of job insecurity all respondents report higher negative affect – irrespective of their culture. The implications for job insecurity research cross-culturally is discussed.

REGULATING WORK IN FRANCHISES: CURRENT PROBLEMS AND CRITICAL DEVELOPMENTS

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Franchising arrangements have flourished in Australia in the past two decades. At the same time, workplace contraventions continue to be commonplace amongst many well-known brands, including Caltex, Domino's Pizza and 7-Eleven. While head franchisors possess strong market power and wield considerable influence and bureaucratic control over their franchisees, they have largely remained insulated from legal liability for employment contraventions occurring within their franchise networks. However, the 'compliance calculus' (Weil, 2014, p. 88) of franchisors may be set to change with the passage of the Fair Work Amendment (Protecting Vulnerable Workers) Act 2017 (Cth). This paper explores three interrelated issues raised by these recent developments. First, this paper will consider the way in which courts and tribunals in Australia have historically responded to the unique issues and complexities presented by cases involving workplace contraventions in franchise businesses on questions of liability and remedy, including under the accessorial liability provisions of the

Fair Work Act 2009 (Cth).

Second, this paper explores the way in which the federal labour inspectorate in Australia – the Fair Work Ombudsman – has sought to use a number of collaborative regulatory techniques to leverage the private hierarchical order of franchise networks to improve compliance outcomes amongst franchisee employers, including by way of proactive compliance deeds.

Third, this paper will discuss key provisions of the new legislation and critically reflect on the extent to which it better harnesses the regulatory power of franchisors and better addresses some of the persistent problems faced by franchise workers.

IMPACT OF ROLE UPON PERCEPTION OF MISSED NURSING CARE IN RESIDENT AGED CARE IN AUSTRALIA

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Blackman Ian, Flinders University

Toffoli Luisa, University of South Australia

Price Kay, University of South Australia

Gibson Terri, University of South Australia

Bonner Rob, Australian Nursing and Midwifery Federation

Hurley Jenny, Australian Nursing and Midwifery Federation

Currie Trish, Australian Nursing and Midwifery Federation

Recent changes to aged care legislation have resulted in the introduction of a user-pays system; the removal of restrictions around the licensing of aged care beds; and a reduction in reporting requirements (Productivity Commission 2011). These changes have been associated with private-for-profit ownership of residential aged care and a change in the skill mix of the workforce away from registered (RNs) and enrolled nurses (ENs) to care workers (PCWs) in an attempt to achieve cost savings (Baldwin et al 2015; King et al 2013). A missed care survey was developed for Residential Aged Care and administered to 1165 RNs, 939 ENs and 1092 PCWs working in the sector across Australia (Willis et al. 2016), in order to identify care tasks being missed and issues of work intensification. This paper reports on nurses and PCWs perceptions of missed care. Nurses and PCWs reported similar levels of missed care in relation to behavioural management however; RNs reported more missed care in relation to activities of daily living and complex health care. When asked to rate the causes of missed care RNs rated skillsmix and lack of clerical support as being more significant than other staff while PCWs were significantly more likely to cite poor staffing, poor teamwork and communication breakdown. PCWs also expressed greater dissatisfaction with their role and with teamwork generally and were more likely to indicate an intention to leave their job in the next year.

WORK-INTEGRATED LEARNING: WHAT ROLE FOR LABOUR REGULATION?

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Owens Rosemary, University of Adelaide

Nikoloudakis Irene, University of Adelaide

Survey data from Europe and Australia confirms the widespread availability and use of internships (or 'traineeships'), especially for young job-seekers looking to make the transition from education to work (DGESAI 2013; Oliver et al 2016). One way of categorising such arrangements is to divide them into placements associated with formal education or training programs; periods of work experience associated with 'active labour market policies' designed by governments to assist the unemployed; and other, 'open market' internships.

Much of the recent debate in various countries about the regulation of internships, and in particular whether they do or should attract the minimum wage or other labour standards, has tended to focus on the third category. Indeed, the European Union's 2014 Quality Framework for Traineeships is expressly stated not to cover work experience placements that are part of the curricula of formal or vocational education and training, nor traineeships whose content must be completed to enter a particular profession (European Union Council 2014). This omission has been justified on the basis that 'traineeships which belong to these categories are in general of better quality, due to the quality assurance by the educational institutions or professional organisations involved' (European Commission 2016, 4).

In this paper, we interrogate assumptions of this kind. If it is appropriate to think about extending labour regulation to cover open market internships, or enforcing those labour laws that already apply, is there any reason why placements associated with formal education or training programs should be excluded? In seeking to answer that question we examine the current legal position in 13 different countries, spanning different regions and levels of economic development. We consider in particular the interaction of laws regulating what are often treated as the separate realms of work and education.

THE ROLE OF SOCIAL MEDIA IN CORPORATE CAMPAIGNING: AN ANALYSIS OF THE CUB DISPUTE

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Barnes Alison, Macquarie University

Liang Xiaoyan, Monash University

Corporate campaigning has developed as a strategy among unions pursuing corporate accountability (Holland & Pyman, 2011; Manheim, 2003). Corporate campaigning works by targeting the network of relationships upon which organisations depend, to pressure management to reconsider their position over a specific issue (e.g., labour rights, working conditions or environmental issues) (Sadler, 2004). In this digital era, social media has increasingly become a tool used by unions to enhance their reach and impact. Our research question therefore is: What is the role and impact of social media in a corporate campaign? Using a qualitative case study method (Yin, 2014), underpinned by mobilisation theory, we analyse the recent dispute where Carlton & United Breweries (CUB) dismissed 55 electricians and fitters at their Abbotsford plant in Melbourne in July 2016, to be replaced by labour hire firm employees on substantially reduced terms and conditions. The Unions representing these workers, the Electric Trades Union (ETU) and the Australian Manufacturing Workers Union (AMWU), supported by the ACTU launched a corporate campaign focusing on the organisation and its products. One innovative and high-profile aspects of the

campaign was the use of social media in targeting CUB customers which included a boycott of products during grand final week for both the AFL and NRL, this proved very successful. The dismissed workers were subsequently reinstated in December 2016, to their previous positions, terms and conditions. Our paper contributes to the increasingly prominent role of the social media as effective instrument in workplace issues.

WHAT MANAGEMENT ACADEMICS WANT - A SURVEY OF MANAGEMENT ACADEMICS IN AUSTRALIA AND NEW ZEALAND

Holland Peter, Monash University

Tham Tse Leng, Monash University

This paper is based on a study of Australian and New Zealand academics in 2017. The study was prompted by the challenge of being an academic in an increasingly competitive climate. This perceived competitive climate has developed in an era of managerialism where the emphasis is peer comparison and benchmarks (Flaherty, Voss, & Mowen, 2009). The research question therefore focuses on the impact of perceived competitive climate on key employee relations indicators in an era of declining union membership and international competition in the Australasian academic community.

This paper explores these issues through the analysis of a survey of Australian and New Zealand management academics in 2017. The survey was completed by 550 and used both the ANZAM and AIRAANZ network of academics with 342 useable responses. Focusing on issues pertaining to well-being and climate, in particular we explored key employee relations indicators of:

- Employee voice
- Employee silence
- Work intensification
- Job stress
- Burnout
- Academic freedom
- Trust in senior management/direct supervisor
- Occupational satisfaction
- Intention to leave the occupation

In doing so, this study illuminates in greater detail key issues within the academic community. Findings of this study indicate a workforce under stress and pressure with less perceived voice. These insights provide key indicators that can inform workplace policy and practices in a workforce facing further resource cuts.

TACKLING VULNERABILITY TO LABOUR EXPLOITATION THROUGH REGULATION: THE CASE OF BACKPACKERS AND PACIFIC WORKERS IN THE AUSTRALIAN HORTICULTURE INDUSTRY

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Reilly Alex, University of Adelaide

van den Broek Diane, University of Sydney

Clibborn Stephen, University of Adelaide

Wright Chris F, University of Sydney

A significant body of academic literature and popular media has explored the vulnerability of temporary migrant workers working in the Australian horticulture industry and abroad. This vulnerability is largely attributed to the low skilled nature of harvest work which is often physically demanding, occurs in remote locations, requires long hours and characterised by a low level of trade union oversight and representation. In Australia the majority of low skilled horticultural workers are visa holders, either backpackers or Pacific workers. In this context, this paper addresses the following research question: whilst legal and institutional frameworks play a significant role in creating vulnerability to labour exploitation in the horticulture industry, what role can and do legal tools perform in meaningfully counteracting or addressing this vulnerability? This first part of the paper draws upon a review and analysis of novel regulatory approaches in overseas industries comparable to the Australian horticulture industry to understand the potential of regulation to alleviate worker vulnerability. This comparative analysis provides insights into the regulatory potential of employer registration and licensing schemes, worker induction and other atypical types of regulation. The second part of the paper considers the extent to which these regulations are effectively enforced and have a real impact on the protection of migrant workers' rights. The final part of the paper examines whether regulation can be used more effectively in the Australian context to address the vulnerability of backpackers and Pacific workers in the horticulture industry and to minimize the incidence of labour exploitation.

WORK-FAMILY COLLISION, LIFESTYLE PREFERENCE AND WOMEN'S CAREER PROGRESSION: WHAT ROLE CAREER AGENCY PLAYS?

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Most of the existing literature on women at work acknowledges the strong interdependence between women's career progression and work family collision as an underlying disadvantage for women wishing to progress into senior leadership positions in many Australian organisations (Andrews & Bourke, 2011; Austen & Birch, 2002; Connell, 2006; EOWA, 2010; Hoobler, Wayne, & Lemmon, 2009; Johnstone & Lee, 2009; Pocock, 2003, 2005a, 2005b). There is evidence to show that the activity of caring for children is still gendered, as is the responsibility for household domestic work (Pocock, 2005a), both of which often impact on women's ability to secure senior executive roles. In this article, I explore how female middle managers who have young children see their career prospects in senior managerial positions in their organisations. 14 mid-level public servant mothers in South Australian Public Service were interviewed for this purpose. From these interviews, it appeared that even though work-family imbalance is one of the major factors in understanding the reason for lack of female representations in top hierarchical positions, there are also other important factors that need considerable attention from social scientists such as, women's career agency, lifestyle preferences and career and lifestyle satisfaction goals. The article begins with a review of

relevant scholarly literatures on women at work and work-life balance, followed by a discussion on the findings from the empirical study done on South Australian Public Service.

INDIVIDUALISATION AND MARKETISATION OF DISABILITY CARE IN AUSTRALIA: IMPLICATIONS FOR THE DEMAND AND PROVISION OF TRAINING

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The roll-out of the National Disability Insurance Scheme (NDIS) has ignited concerns about the capacity of the disability sector to provide sufficient numbers of well-trained, versatile and experienced disability support workers. The sector faces an unprecedented increase in demand for skilled workers and a change in the nature of skills required, as people with disability and their families begin to exercise greater choice and control in how, where, when and what services are delivered. These changes are intensifying pressures on training providers to ensure that the right skills are available to meet the sector's rapidly expanding service requirements. This presentation adopts a mixed-methods approach to investigate the impact of the NDIS on the training of disability support workers. Vocational education and training (VET) data from the National Centre for Vocational Education Research (NCVER) and Student Outcomes Survey (SOS), are used to examine the impact of the Scheme on the uptake of disability training, the characteristics of those undertaking training, and employment outcomes following graduation. Meanwhile, qualitative data from in-depth interviews with disability support workers, and representatives from disability training providers and key stakeholder groups are used to explore the impact of the NDIS on training needs and the funding, content and delivery of disability training. Findings highlight the impacts that the NDIS is having on the skills and competencies required of disability support workers. Our study also shows that the marketisation of disability care in Australia is leading to changes in the form and content of disability training provision. The presentation outlines the impacts these developments will have for the disability sector and its workforce as NDIS achieves national roll-out.

THE NEW CORPORATE MODEL AND THE PROBLEM OF LABOUR STANDARDS

Peetz David, Griffith University

Kaine Sarah, University of Technology Sydney

At the heart of the 'new corporate model' in industrial relations is 'hierarchical contracting'. This is the process by which centres of capital (we call this 'core capital') fragment what would otherwise be corporate structures in ways that maintain high levels of core control, minimise labour costs, maximise core profits and minimise accountability for resultant externalities. The manifestations of this phenomenon vary between sectors and industries. Examples include contracting and subcontracting, franchising, and the development of the 'platform' economy. Common features of hierarchical contracting are high competition, the urge for capital to grow and achieve dominance over other capitals and, as part of this, the urge and ability to reduce labour costs. It has substantial (negative) externalities. It does not, however, mean the demise of large firms, the rise of small firms, the end of employment, or the rise of contract or self-employment and freelancing. Employment is still the most efficient way for

capital to maintain control over labour. The world or work is changing but the core relationships within capitalism remain in place. Compared to a densely corporate model, the hierarchical contracting model increases the incentives and opportunities for non-compliance with labour standards such as award wages and reduces the likelihood of successful enforcement of them.

Accordingly, we also develop a model of labour compliance, featuring four key actors: labour, the state, core capital, and peripheral capital. A number of different potential responses can be seen as focusing on the relations between different of these elements. A series of case studies of industries can be used to illustrate different labour enforcement strategies: road transport; retail & fast food franchising; textiles clothing and footwear; and cleaning.

UNIONISATION IN PROFESSIONAL SPORT: GLOBAL TRENDS AND THE CURRENT STATE OF SPORT IN JAPAN

Kawai Keiji, Doshisha University, Japan

Debate in Japan over the relationship between labour law and professional sport has only occurred recently. Japan's most popular sport, baseball, did not see the Tokyo Metropolitan Government Labor Relations Commission recognise the Japanese Professional Baseball Players Association under the Labor Union Act until 1985. But at the same time Japanese baseball players were considered to be independent contractors according to the Labor Standards Act, a statute which governs general employment conditions in Japan. The status of athletes in Japanese labour law was once again an issue in 2004 when the Japanese Professional Baseball Players Association argued before the Tokyo District Court that Nippon Professional baseball's attempt to reduce the number of teams from 12 to ten was a subject of collective bargaining, a position upheld by the Court. Beyond Japanese professional baseball, the 'internationalisation' of Players' Associations has had a profound impact on other sports as well, as exemplified by FIFpro, the International Rugby Players' Association (IRPA) and others. Certification of Japanese player associations has once again been an issue in recent years: in 2011 the Japan Pro-Footballers Association was granted certification as a labor union and in 2016 the Japan Rugby Players' Association was established. Yet some players remain unrepresented by player unions. Currently, Players' Associations do not exist in women's professional baseball leagues, nor in independent professional baseball leagues such as the Shikoku Island League. They are also absent from Japan's professional basketball league, the B League. In light of the Japanese government revising the Basic Act on Sport in 2011 to support and promote both amateur and professional sports nationwide and labour law developments regarding player unions, this presentation examines the legal standing of professional and amateur athletes from the standpoint of labour law.

A FRAMEWORK FOR HUMAN RESOURCE MANAGEMENT IN RELIABILITY-SEEKING ORGANISATIONS

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The traditional domain of high reliability management has been confined to catastrophe prone applications such as nuclear power plants and aircraft carriers (Roberts 1990). In recent years, the high reliability approach has been more broadly and successfully applied in fields as diverse as railroad operations (Roth,

Multer and Raslear 2006) and fire management (Barton 2015). In such organisations, error-free functioning of integrated, complex systems, including systems of human resource management (HRM), is imperative to avoid crises. Despite the critical role of employees in achieving and maintaining high reliability, research is almost silent about how HRM systems are, or should be, constructed in these organisations. A generalist 'best practice' or 'high performance approach' may be unsuitable where reliability – rather than performance – is the primary strategic objective. This conceptual paper aims to bridge the knowledge gap by developing a framework for HRM in reliability-seeking - compared to high performance-seeking - organisations. Across the core domains of HRM, we compare practices between reliability and performance focussed systems, uncovering some similarities but more often, stark contrasts. These important differences are discussed, highlighting the nuance of people management in the reliability-seeking context, and the need for deeper and richer empirical data. Given broadening applicability of the high reliability approach, specific recommendations are made for future research directions to develop a more robust framework - benefiting both HRM practitioners and the strategic HRM discipline.

WHO DOES THE GIG ECONOMY WORK FOR?

*Kimberley Nicholas, Australian Catholic University,
Chandra-Shekeran Sangeetha, The University of Melbourne*

The rapid growth of the gig economy in Australia and globally has attracted much debate. Despite this, academic literature on the phenomenon is still in its infancy. Existing debates tend to position the gig economy as good or bad, without adequately understanding the motives behind workers engaging in this work. Indeed, much of the existing discussion surrounding the gig economy assumes that the precarious nature of gig work adversely impacts on the workers. Drawing on interviews conducted with Uber drivers in Victoria, Australia, this paper seeks to address two fundamental questions in better understanding the effects of the gig economy on its workers: who does the gig economy work for and under what circumstances? We argue that the gig economy is an appealing employment opportunity for workers who hold existing jobs and seek to increase their financial situation. It is under these conditions that workers are in a position to avoid the negative effects of such precarious work and benefit from this employment structure. However, we also highlight the detrimental labour market impacts more widely of employing workers who are not impacted by poor working conditions associated with precarious work.

ACHIEVING WORK-LIFE BALANCE THROUGH TEAM-MEMBER EXCHANGE

Lau Rebecca, The Open University of Hong Kong

Work-life balance is an important topic in human resource (HR) management. HR researchers and practitioners have been devising measures to help employees achieve work-life balance. Nevertheless, because of the cost and resources necessary for these measures, small firms may find these measures unaffordable. This study examines if a less costly method can be employed: improving employees' social exchanges (i.e. team-member exchange; TMX). TMX represents the degree of reciprocations among team members (Seers, 1989). According to Greenhaus and Powell's (2006) model of work-family enrichment, social resources can enhance work and family roles directly. Hence, TMX is hypothesized to be positively related to work-life balance. On the other hand, social interactions and support provide meaningfulness, resilience, and security, all of which can lead to work engagement (Halbesleben, 2010; Ryan & Deci, 2001). When one experiences high work engagement, he/she tends to invest more cognitive, physical, and

emotional energy in the work role (Kahn, 1992), resulting in improved job performance. The positive mood and affect generated at work can further bring better functioning of the family role (Greenhaus & Powell, 2006). It is thus hypothesized that TMX affects work-life balance through work engagement. With a survey design, data were collected from a total of 176 employees in Hong Kong. Regression analysis results suggest that while TMX directly influences work-to-family enrichment and family-to-work enrichment, work engagement partially mediates the relationships. HR managers are advised to encourage and help employees develop close exchange relationships which in turn can benefit the employees' work and family roles.

INDUSTRIAL RELATIONS IN SOUTH-EAST ASIA: A CROSS-EXAMINATION

Le Queux Stephane, James Cook University

Lee Cooke Fang, Monash University

Cox Anne, The University of Wollongong

Our presentation is based upon the Editorial *exposé* of a special issue on industrial relations in Asia recently published by the *Chronique Internationale de l'IRES* (Delahaie and Le Queux 2016). Contributions were drawing on original research work and covered up to seven countries from the South-East Asian region (Taiwan, The Philippines, Vietnam, Thailand, Malaysia, Indonesia, Singapore) plus China. Three streams were under scrutiny: 1) Low wages and decent work; 2) Migrant workers and informal labour; 3) Industrial conflict, and the way labour organisations (or the State) dealt with it.

Contributions on Indonesia and Thailand touched upon decent work in low-wage economies, and the one on The Philippines on precarious employment more particularly; those on Singapore and Taiwan addressed the challenges and contradictions of maintaining a productivist agenda under tight corporatist regimes. The one on Malaysia focused on migrant labour and informal work. Contributions on China and Vietnam reflected on the nature and modality of industrial disputes and how these came to challenge established Communist labour institutions. China and Vietnam were given additional attention as they provided ground for a comparative analysis.

Observations are congruent with the literature: States still play a dominant role of 'pacification' of industrial relations, with capitalist 'accumulation' being the primary motive (Ford and Gillan 2016); international pressures are indispensable yet commitment to the enforcement of workers' rights remains problematic; echoing a long-lasting assessment (Deyo 1981; Leggett 1999), the overarching conclusion is that the interface between development and industrial democracy is a key determinant in the region.

WAGE THEFT, UNPAID WORK AND UNDERPAYMENTS IN MARKETISED SOCIAL CARE UNDER THE NDIS

Macdonald Fiona, RMIT University

Bentham Eleanor, RMIT University

Malone Jenny, RMIT University

New marketised models of social care provision in Australia are placing pressures on service providers and driving changes in work organisation and employer practices, with potential to degrade social care jobs. While the British experience of marketised social care has demonstrated the vulnerability of social care workers to wage theft and to other violations of employment laws, Australia's relatively strong industrial relations safety net might be expected to be better able to protect these low-paid workers. Nevertheless,

there is emerging evidence of negative impacts on the pay and entitlements of frontline workers in the expanding community support and homecare workforce. This study investigates the paid and unpaid work time of disability support workers under Australia's new National Disability Insurance Scheme. The research takes a novel approach combining analysis of working time diaries and qualitative interviews with workers to expose how jobs are being fragmented and work is being organised into periods of paid and unpaid time, leaving workers paid below their minimum award entitlements. The article highlights the role of social care policy along with inadequate employment regulation and considers potential avenues for addressing the issues.

THE FAIR WORK COMMISSION PENALTY RATES CASE AND ITS IMPACT ON EMPLOYMENT

*Markey Raymond, Macquarie University
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Weekend penalty rates has been an important area of contention in Australian industrial relations in recent times, with employers seeking their reduction or elimination altogether. In its recent 4 Yearly Review of Modern Awards, the Fair Work Commission (FWC) reduced Sunday penalty rates in a number of awards. The decision was in part informed by a recent review by the Productivity Commission (PC), which recommended that penalty rates on Sundays be made equivalent to Saturdays. In this paper, we scrutinise the two main justifications for reducing Sunday penalty rates. Firstly, we examine the question of whether Sundays are still 'special' in a sense likely to warrant higher penalty rates than those on Saturdays. We find that Sundays remain the least preferred day to work, are most valued by employees, and occupy a particular role in time shared with family. Secondly, we examine the key claim by the PC – accepted by the FWC - that a reduction in penalty rates would necessarily result in increased employment, as well as hours worked for existing employees, in the industries considered. We find that to date there has been little direct empirical evidence for this.

To address the lack of empirical evidence on the impact of penalty rates, we surveyed over 1300 workers in industries affected by the FWC decision. For the first time we provide empirical data on the impact of variation in penalty rates on both new employment and hours for existing employees in the Retail and Hospitality sectors.

THE REGULATION OF LABOUR HIRE IN QUEENSLAND

Martin John, Queensland Council of Unions and University of Queensland

The growing use of labour hire in Australia has been the cause of considerable concern to employees, their representatives and elected governments. It is apparent that the use of labour hire has been used to go well beyond its traditional use with concerns that its use is driven by cutting labour costs and employers avoiding their responsibilities (Crawley 2000:1; Hall 2002:16; Thai 2012:150; Underhill 2013:193; Watson et al 2003:73). In addition, labour hire is significantly contributing to the growth of non-standard employment in Australia (Hall 2002:4; Underhill 2013:192). Employment within labour hire is associated with an ongoing degradation of employment standards and an absence of protection to the employee (Hall 2002:6; Underhill 2005:31; Watson et al 2003:76). Closely associated with the degradation of employment standards is the disinclination of employees within the labour hire industry to speak out about their conditions (Hall 2002:7). Moreover, recent discussion concerning low wage growth (Hutchens 2017, Jacobs

and Rush 2015; Lowe 2017) makes labour hire a significant issue in the Australian labour market. Four Australian jurisdictions have now undertaken inquiries into labour hire. In Queensland, two inquiries have been undertaken into labour hire practices, the first of which was a parliamentary inquiry (Queensland Parliament 2016) and the second was in response to a Government issues paper (Queensland Treasury). The result has been the introduction into parliament of a Bill that seeks to regulate labour hire in Queensland (Grace 2017). This paper discusses the salient features of that Bill and how the state of Queensland seeks to regulate labour hire within its constitutional limitations.

THE QUEENSLAND INDUSTRIAL RELATIONS ACT 2016: ITS KEY FEATURES

Martin John, Queensland Council of Unions and University of Queensland

The Australian union movement did not advance the Your Rights @ Work campaign beyond the 2007 federal election (Peetz and Bailey 2013). The net result, in the context of federal industrial legislation, was the introduction of the *Fair Work Act 2009* (Cth) (FWA) which retains a range of the key elements of previous (anti-union) legislation (Barnes and Lafferty 2010; Peetz and Bailey 2013:535; Pittard 2013:97/98). In Queensland, the *Industrial Relations Act 2016* (Qld) (IRA 2016) repeals and replaces the various amendments to the Queensland industrial relations legislation that were undertaken by the Newman Government (Forsyth 2017; Workplace Express 2016).

IRA 2016 is not only a recession of key features of the Newman Government amendments, it also introduces a raft of amendments that might be described as converging with the FWA (Workplace Express 2016). In some cases, the IRA 2016 goes further than FWA did advancing union recognition and rights, for example by removing non-union agreements and restrictions on union right of entry.

The vexed question of arbitrating the settlement of bargaining disputes appears to have reached a midpoint in the pendulum between the automatic extinguishing of protected action under the Newman laws (Workplace Express 2013) and the seemingly high threshold of the FWA.

The question to be answered is whether the IRA 2016 goes further than the FWA in advancing unions' and workers' rights. This paper concludes that the IRA 2016 does represent a significant advancement in industrial legislation but will do nothing to address other matters, such as free riding.

REVIEW OF WORKPLACE HEALTH AND SAFETY IN QUEENSLAND

Martin John, Queensland Council of Unions and University of Queensland

Workplace fatalities in late 2016 led to the Palaszczuk Government conducting a review of workplace health and safety in Queensland (Workplace Express 2017; WHSQ 2017).

Queensland legislation reflects harmonisation of WHS legislation agreed upon by the Council of Australian Governments (Bluff and Gunningham 2012; Bray et al 2014). The harmonised legislation was introduced by most Australian jurisdictions in 2012 and maintained the approach adopted with the Robens Model.

There is a lack of evidence in Australia concerning compliance with respect to WHS laws (Purse and Dorrian 2010; Scofield et al 2014). Of the two complementary strategies available, deterrence refers to the use of punishment, in the case of WHS laws prosecution for breaches of the law, whereas compliance refers to the use of persuasion by "encouraging and supporting companies to comply with safety duties" (Scofield et al 2014).

Prosecutions however remain rare and prosecutions of individuals remains even rarer (Bailey et al 2015; Jamieson et al 2010; Scofield et al 2014; Wheelwright 2016).

This paper argues that Queensland, like other jurisdictions, has preferred softer compliance measures over deterrence strategies to the detriment of workplace health and safety.

SKILL SHORTAGES IN THE AUSTRALIAN AGED CARE SECTOR: THE ROLE OF LOW WAGES

Mavromaras Kostas, National Institute of Labour Studies Flinders University

Wei Zhang, National Institute of Labour Studies Flinders University

Sloane Peter, National Institute of Labour Studies Flinders University

Presently the Australian Aged Care sector employs approx. 250,000 direct care workers. The sector has been experiencing a large rise in the demand for supports in the 2010s and we expect this trend to continue.

In the midst of continuously rising demand, there have also been continual warnings of too low wages **and** of signs of highly prevalent skill shortages. Having a skilled and affordable provision is at the heart of achieving financial sustainability for the sector and skill shortages is one of the most difficult obstacles to growth that a sector can face.

In the context of recent economic changes, long-standing demographic changes and the recent 2013-17 institutional reforms, the paper examines the prevalence and causes of skill shortages and the responses of employers. The paper uses the National Aged Care Workforce Census and Survey (NACWCS) which were collected for the Department of Health in 2012 and 2016. Each census includes approx. 400-4,500 Aged Care organisations and approx. 15,000 of their direct workers in each of the two collection years, in a linked employer-employee format. The data provides direct evidence about the most preferred responses by employers to skill shortages, including increasing the hours worked by staff, increasing wages, outsourcing and other.

The paper compares the pressures between 2012 and 2016 to find reduced skill shortages and their associated changes in their responses to skill shortages. Overwhelmingly employers respond that too high wages are neither the cause nor the remedy to their skill shortages. The paper finds that other adjustments to skill shortages are used to counter skill shortages, including training and more flexible work arrangements. These adjustments are facilitated by the increase in the proportion of continuing and part-time employment in 2016. We find that the drop in casual work is followed by an increased attachment to the employer whilst the increase in part-time employment is clearly associated with the desire to work more hours by individuals who are more willing to work longer hours in an irregular fashion, when shortages are encountered. The paper thus provides an explanation as to why the low wages warnings of the Productivity Commission 2011 report have not materialised in the Aged Care sector.

PLATFORM WORK IN THE PHOTOGRAPHIC INDUSTRY: A SNAPSHOT OF THE GIG ECONOMY

McDonald Paula, Queensland University of Technology

Williams Penny, Queensland University of Technology

Mayes Robyn, Queensland University of Technology

An increasing number of Australian workers are thought to be deriving at least part of their income from work accessed through online digital platforms. Platforms operate on different scales but in general, they all connect individual workers, through intermediaries, with end-users who seek specific services. While a

growing body of grey literature speculates about work trends in the gig economy, there is surprisingly little empirical evidence to support such conjecture.

Photographers are a specific, yet ideally placed group of workers to reveal how the contours of the gig economy are impacting work and workers. The number of Australians identifying their employment as "photographer" is growing and the majority of those are self-employed or freelance (75%) and working part time (53%) (ABS 2015). In this highly fragmented industry, digital platforms such as Snappr, OneFlare and Imagebrief have proliferated, offering potential avenues of income generation for professional photographers, such as uploading images for royalty-free sale; responding to photo shoot briefs; and accessing booking services.

Drawing on in-depth interviews with 43 photographers, this paper explores the extent, nature and impact of such platforms in the photography industry in Australia. It reports some unexpected findings. Although photographers have adapted in a range of innovative ways to social and cultural shifts resulting from technological advances, they actively resist platform work, citing either, or both, pragmatic and ideological reasons for doing so. Their experiences complicate our understanding of the motivations of gig economy workers and the benefits that digital platforms are thought to offer the self-employed and freelance (creative) worker.

DO INTERNSHIPS CONSTITUTE A BARRIER TO SOCIAL MOBILITY?

McDonald Paula, Queensland University of Technology

Oliver Damian, University of Technology Sydney

Stewart Andrew, University of Adelaide

It has been argued that a lack of access to internships threatens opportunities for social mobility because internships provide a key route into high status, high paying jobs. Taken at face value, the link between internships and social mobility seems plausible. If internships have emerged as an essential pre-requisite for securing professional employment, and individuals with greater social and economic resources have greater access to such opportunities, barriers to social mobility will inevitably result.

Such claims however, are based on two key assumptions which constitute the focus of this paper. Firstly, it is assumed that participation in internships leads to enhanced employability because it allows graduates to demonstrate their 'real world' experience to prospective employers in a 'try before you buy' culture (Smith 2010; Siebert & Wilson 2013). The second, related assumption is that those who participate in internships do so in order to acquire a competitive advantage in the labour market over their job-seeking peers who do not participate.

In this paper we expose the tensions inherent in research and policy relevant to internships and other forms of unpaid work experience by examining these two assumptions. First, we problematise the notion of competition and advantage in the labour market, especially in fields where internships have become so ubiquitous that *all* (or nearly all) graduates have completed an internship or sustained period of work-integrated learning. Second, we present the emerging and mixed evidence on the outcomes of participation in unpaid work on employability. Taken together, these issues challenge some of the taken-for-granted ideas associated with graduate employment. Ultimately, we canvas an agenda for the appropriate regulation of unpaid work that may go some way towards supporting fair access amongst young job-seekers from different socio-economic backgrounds.

TEACHERS' PRIORITISING TO SURVIVE WORK OVERLOAD

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Stacey Meghan, University of Sydney

Wilson Rachel, University of Sydney

Parding Karolina, University of Sydney

Fitzgerald Scott, University of Sydney

Rainnie Al, University of Sydney

Very often shifts in education policy are targeted at particular kinds of schools (e.g. DOE, 2017). or may be targeted at all or a range of schools, yet have differential effects, intended or otherwise (Considine, 2011; Considine, 2011). In this paper, we report on a qualitative 2017 study of NSW school teachers' workload which found that the scale of teachers' workload has been expanded substantially through additional administrative tasks, government reporting and the pressures of standardised national and international benchmark testing. What is distinctive about our findings is that this overlay the usual patterning of differentiation between schools. We analysed data from across a range of diverse school settings and looked for patterns of response that were related to school geography, socio-educational status, and school type (primary, secondary and central). Overall, increases in workload are felt universally: there was surprising uniformity in responses in relation to high hours of work and administrative sources of workload. This suggests that the issue is a systemic one, with a diverse and extensive policy settlement blanketing the entirety of the NSW public school landscape in a layer of increased requirements. As the problem is systemic, we argue that the solution must be, too: a longitudinal plan is needed, and any workload policy strategy must be integrated with other long-term education strategies so that key educational goals can be met. Given the symbiotic relationship between teaching conditions and students' opportunities to learn, these findings hold particular significance, which may extend to other educational sectors. The necessity for decisions by teachers about what components of workload excess must take priority and what can be set aside invokes notions of prioritising within hospital emergency-room settings.

SEEK AND YOU MAY NOT FIND: THE MARGINALISATION OF INEXPERIENCED YOUNG JOB SEEKERS THROUGH JOB ADVERTISEMENTS

Moore Katherine, Queensland University of Technology

Youth unemployment has most commonly been investigated from a deficit model perspective, identifying the structural and personal barriers experienced by youth when entering the workforce. Social policies have been constructed on these models as far as mutual obligation activities are based on the job search activities, and punitive measures for non-compliance to such activities have been put into place to ensure young unemployed Australians actively pursue employment opportunities. Yet limited research has investigated the availability of suitable jobs for young Australians with limited or no work experience, education, or qualifications. This paper presents the findings of a study exploring the actual number of advertised jobs that would be deemed suitable employment opportunity for an inexperienced and unqualified young person. Advertised jobs on the job search platform SEEK.COM.AU across all Australian regions during the month of March 2017 (a total of approximately 160,000 advertisements) were reviewed. The suitable jobs for young job seekers were identified through the key search words of *no experience necessary*, *entry-level*, and *junior*. Content analysis was then conducted on the identified positions, totalling 1,291 jobs (approximately 1% of the total job advertised in the period) to reveal the common types of jobs and industries, and the typical hard and soft skills required for these jobs. Further analysis explored the

extent to which the advertised jobs differed on these criteria according to the region and location, industry, and job titles. The major finding revealed from the study was that employer inflated expectations for prior experience, qualifications, and developed hard and soft skills for entry level jobs, further marginalise youth who do not possess these attributes thus contributing to the ongoing concern of youth unemployment. The findings of the paper are discussed in terms of the role and responsibilities of employers in addressing youth unemployment in Australia.

‘THE WRONG SEX’? UNDERSTANDING MEN’S REPRESENTATION IN THE AUSTRALIAN AGED CARE SECTOR

Moskos Megan, Adelaide University
Isherwood Linda, Adelaide University

Aged care providers in Australia, are currently experiencing considerable workforce pressures. These workforce shortages are occurring in an environment in which the overall Australian workforce is ageing, the numbers of older people requiring care is projected to increase substantially, and the roll- out of the NDIS will increase the demand for workers who have similar skills.

With projected future demand severely outstripping the current workforce size, it is crucial for the aged care sector to develop strategies to encourage non-traditional workers (such as men) into the sector. Yet, despite some recent progress, there is still surprisingly little empirical evidence about how to attract and retain men into gender atypical occupations such as aged care.

This paper offers an in-depth and innovative investigation on male aged care workers, their experience of the work and their expectation for the future. Using a mixed methods design, this paper combines the findings from an analysis of the National Aged Care Workforce Census and Survey (NACWCS) with the findings arising from 60 in-depth interviews conducted with male aged care workers. The integration of these findings allows us to understand the determinants of men’s representation in the aged care sector so that workforce strategies and policies can be generated about how the sector can best attract male workers to meet current and future skill shortages.

INDIVIDUALISED FUNDING AND ITS IMPLICATIONS FOR WORK AND EMPLOYMENT IN THE DISABILITY SECTOR IN AUSTRALIA

Moskos Megan, Adelaide University
Isherwood Linda, Adelaide s University

The National Disability Insurance Scheme (NDIS) is heralded as one of the most significant social policy initiatives of recent times. The introduction of the NDIS follows similar moves towards individualised funding and consumer directed care in the aged care sector.

International evidence provides examples of individualised funding changing working conditions and skills sets for support workers (Cunningham and Nickson 2010), however little attention has been paid to how the shift to individualised funding will impact on the disability care workforce in Australia (MacDonald and Charlesworth 2016). This paper aims to provide such an examination. Drawing from interviews conducted with key stakeholders; disability support workers; people with disability, and their families and carers; disability service providers; and training providers this paper examines the impact of the NDIS on the skills, training requirements and working conditions of the disability support workforce.

These multiple perspectives enhance understanding of the impacts individualised funding have for the

disability support workforce. Findings suggest that disability support workers require new skills to support choice and control, to be more customer service orientated and, to move from a task focus to person-centred care. Further, the shift to individualised funding has seen some of the financial risks associated with client choices about disability support provision transferred from provider organisations to individual workers. The presentation concludes by considering the consequences these developments hold for the disability sector and its workforce as the roll out to full scheme progresses.

GENDER IN THE LONG-TERM FUTURE OF WORK AND INEQUALITY

Murray Georgina, Griffith University

Peetz David, Griffith University

Discussion of the future of work has focused a lot on the type of jobs that new technology will create or destroy and, to a lesser extent, the nature of employment or contracting relationships related to the growth of platform technologies. Little consideration has been given to how gender fits into this (aside from occasional consideration of the gender aspects of the types of jobs that will be created or destroyed), nor to the long-term effects of changing technology on the digital-biological interface, and how this affects gender and work. This paper seeks to redress that by locating gendered futures in an historical context and considering how these will interact with future technologies over the long term. Contrary to some popular perceptions, forecasts indicate that the best prospects for future employment growth lie in occupations with a heavy emphasis on 'care' or 'creativity'. The first of these, in particular, tend to have relatively high female employment. However, those in the occupations with the ability to influence the direction of work are likely to be in information and computer technology (ICT) and science. Unlike most occupations, which exhibit growth in female employment share over the past three decades, ICT occupations experienced a decline in female employment. This paper will explore the patterns of female employment in these occupations in OECD countries, in both the past and in projections, the historical reasons for the decline in female employment in ICT occupations, the peripheral status afforded women in these occupations at present, the likely power dynamics between these and other occupations in the near and distant future, the implications these may have for power relations between the sexes and gender inequality, and potential policy responses.

THE SELF-REGULATION OF LABOUR IN AUSTRALIAN PROFESSIONAL SPORT: WHEN IS EXTERNAL REGULATION NEEDED?

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Kawai Keiji, Graduate School of Policy and Management, Doshisha University.

Sport is viewed through many lenses but rarely is regulatory theory used. This article uses autopoietic theory and self-regulation to create a construct of how Australian sport is regulated. In the context of labour regulation this internal autopoietic system rarely engages with external regulation. In fact, most Australian sports when conducting collective bargaining, operate outside the framework of Australian labour law. This article will look at when external regulation and regulatory actors have intervened in the regulation of labour in Australian sport and also current examples where there is a need for external regulation.

THE RELEVANCE OF THE 457-TEMPORARY SKILLED WORK VISA FOR INDIAN IT FIRMS OPERATING IN AUSTRALIA

Patel Parth, Australian Institute of Business

Over the past decade, Australia's skilled migration program has allowed several Indian IT companies to use the 457-temporary skilled work visa to bring skilled workers from India to deliver IT services to their Australian clients. However, the Australian government's recent decision to abolish the 457 visa to curb the influx of foreign workers has forced Indian IT firms to reassess their approach in their ability to continue using temporary labour to perform skilled IT work in Australia. This study explores the relevance of the 457-temporary skilled work visa, and in general, the Australian skilled migration program has for Indian IT firms operating in Australia. Drawing on Iredale's (2001) skilled migration typology, data from qualitative interviews, gathered from senior managers of multiple case studies of Indian IT firms in Australia. This study found that the 457-temporary skilled visa program served an important purpose for Indian IT firms as it allowed them to use their flexible and client-centric business model to transfer skilled labour from India to work on Australian customer sites in a cost-effective manner. As Indian IT firms in Australia struggled with the perception of poor brand image and lack of global reputation, they found it hard to hire local talented IT workers to perform the IT work. This study contributes to our understanding of the important role that the 457-temporary skilled work visa plays in multinational corporations that are engaged in the practice of body-shopping. The implications relate to the utilisation and the exploitation of this visa program.

THE ROLE OF LEADERSHIP IN MAINTAINING THE CONSTRUCTION SECTOR'S 'MACHO' CULTURE

Powell Abigail, UNSW Sydney

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Good leadership is critical to an organisation's success or failure and lays the foundation for organisational culture. In the construction sector, this culture is known to be overtly masculine and exclusionary to women and minority groups. In this paper, we draw on qualitative interviews with construction professionals and participant observation on six construction sites around Australia, to explore the role of leadership and informal rules in maintaining this culture. We explore this from the perspective of feminist institutional theory and leadership thinking. We find that leadership on the construction site is largely archetypal, characterised by self-confident, charismatic leaders who actively exercise their 'power' and authority, and expect the people they work with to 'follow' them. We argue they are able to do so through the use of informal gendered rules and cultural norms. This runs counter to current thinking about leadership, which questions the idea of command and control resting only in the hands of those with formal, positional authority, and instead values everyone's perspectives, experiences and ideas. In the research conducted, there was little evidence of managers increasing the sense of power among those they led, particularly in relation to women. We argue that the sector needs to go beyond 'quick-fix' leadership interventions, which rarely result in changing people's default behaviours and ways of operating. We conclude that the role of leadership on the construction site, at best, fails to challenge the existing culture and, at worse, actively promotes it.

COPING WITH ARTIFICIAL INTELLIGENCE: REFRAMING PRIORITIES AND THE SKILLS PARADIGM FOR EDUCATIONAL STAKEHOLDERS

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The array of innovations induced by artificial intelligence (AI) has raised the potential to supplement, substitute and amplify the majority of tasks performed by humans with critical consequences for achieving significant productivity and improvements in organisations (Makridakis, 2015). AI, on one hand has refashioned old industries and created new industry and business models, such as *Shared/Platform/Gig* economy and at the same time has raised the possibility of increased unemployment. This envisages a possibility of a future with utopian freedom (Arkin, 2016) comprising of *transient employees* (Friedman, 2014) riding the wave of the *Shared/Platform/Gig* economy or has potential dystopian consequences (Elon Musk) with a *long tail of losers* (Zysman and Kenney, 2015), losing their jobs (Bort, 2014; Lynch, 2015). In either case, the onus will be on preparing new entrants to the workforce, with strong social, employability, and work-readiness skills that reflect the behavioral, attitudinal, and character traits highly valued in these new advanced business models. Given that AI is likely to change employment in a profound way, it is expected that the very nature of work-readiness skills needs to be reframed and “re-gigged with the help of all the stakeholders concerned. The present study based on extensive literature review sought to explore whether educational stakeholders are aware of the transition to these new business models and if so, what innovative strategies they are employing to produce work ready graduates of the future. The findings from the present study offer an interesting insight into how educational stakeholders envision their role in providing future employment and career prospects for graduates.

ENSURING FAIR AND PRODUCTIVE WORKPLACES IN NEW ZEALAND?

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Since the Employment Contracts Act 1991 opened for employer-driven flexibility and individualism there have been concerns about too much leeway being given to unfair employment practices. While the Employment Relations Act 2000 tried to reduce the scope for unfair employment practices there are doubts how well this has succeed. This is particularly so following a string of amendments under the post 2008 National-led governments. However, recent legislative interventions have strengthened workplace regulations, including health and safety, employment standards and statutory minima. In that context, this paper focuses on regulatory constraints on unfair employment practices, with special emphasis on the curtailing of ‘zero-hours contracts’ by the Employment Standards Legislation 2016. This Act sought, according to the National-led government, to “encourage fair and productive workplaces”. The paper addresses three questions. First, what has prompted the National-led government to strengthened workplace regulations recently? It is shown that there has been a reactive public policy pattern partly driven by union and media campaigns but partly also with an eye to public opinion and political risks. Second, what are the problems associated with the Employment Standards legislation? Answers highlight a variety of low-level employment standards and draw on empirical research of employer attitudes to legislative changes. Third, what would it take to achieve more comprehensive reduction of unfair employment practices? We focus on the Labour Party’s employment relations approach

but also suggest even stronger workplace and individualised regulations to ensure fair and productive workplaces in New Zealand.

EMPLOYMENT RELATIONS REFORMS AND NEW ZEALAND'S PRODUCTIVITY 'PARADOX'

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Fletcher Michael, AUT Auckland

In Australia, there has been strong employer criticisms of the Fair Work Act's possible negative impact on productivity growth (Bray & Stewart, 2013). This has been contested by other commentators and employment relations researchers while the Productivity Commission and Peetz (2012) have downplayed the possible impact. In New Zealand, there has also been considerable interest and debate about that country's so-called productivity 'paradox'. It has also been an explicit aim to raise productivity growth of the two last employment relations reforms – the Employment Contracts Act 1991 (ECA) and the Employment Relations Act 2000 (ERA).

This paper will focus on the New Zealand productivity debate and how employment relations has been supposed to impact on productivity growth during the ECA and ERA periods. It will draw on employment relations analyses, official statistics, research on productivity and our own empirical research. It will discuss why employment relations reforms have yet to shift the productivity growth and what explanations have been provided for the 'paradox' so far. In particular, it will address two issues. First, the influence of employers on public policy changes and how employer attitudes and behaviours may be part of the productivity 'paradox'. Second, it will briefly overview the research and approaches of the Productivity Commission and how the Government has responded to its public policy suggestions (Productivity Commission, 2016). The paper suggests that, while employment relations can play a part in lifting productivity levels, what is really crucial are contextual factors and how employment relations and other policies are combined to reinforce each other.

LEGISLATIVE REGIMES IN NEW ZEALAND EMPLOYMENT RELATIONS: HOW DO THEY COMPARE?

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Stewart Andrew, University of Adelaide

This article aims to analyse the current Employment Relations Act 2000 (ERA) in a historical perspective and identify its distinctive features compared to two previous legislative employment relations regimes: the last phase of the conciliation and arbitration system (1973-1991) and the Employment Contracts Act (1991-2000). The focus on distinctive features is prompted by the unclear position of the ERA: it was accused of being a return to the conciliation and arbitration system at its introduction in 2000, there are long standing doubts about whether the ERA has fulfilled its intentions, and there have been a number of 'adjustments' to the ERA since 2008. The article draws on an analytical approach developed to analyse the historical position of the Fair Work Act in Australia (Bray and Stewart 2013). This approach gives priority to the processes of rule-making promoted by the three legislative regimes. It shows that since 1973 there has been considerable change in New Zealand labour law. The most conspicuous is the decline of delegated regulation as industrial tribunals and their awards lost their previously central role. Collective agreement-

making fared only marginally better. It is individual agreement-making and managerial unilateralism underwritten by modest statutory regulation that make the ERA distinctive compared to previous frameworks. The analytical framework, however, also suggests a changing balance between the rule-making processes, especially since 2008. While individual contracting and managerial unilateralism remain dominant, their dominance is being questioned recently through new statutory regulation as well as modest efforts to promote collective agreement-making.

ASSESSING FACTORS IMPACTING EMPLOYEE ATTRACTION AND RETENTION IN SMES OPERATING IN THE WESTERN AUSTRALIAN FRESH PRODUCE INDUSTRY

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Small business owner-managers operating in Western Australia's fresh produce industry are concerned about employee attraction and retention. Using qualitative methods and semi-structured interviews, we are gathering rich phenomenological data regarding factors impacting employee attraction and retention within this low-margin, low-skill industry.

Staffing is critical for small firm owners (Cardon, 2003; Taylor, 2006). Attracting and retaining superior employees can result in sustained competitive advantage (Lado & Wilson, 1994; Pfeffer, 1994; Sheehan, 2014). However, it is costly for them to implement formal HRM practices, which are not seen as core (Reid, Morrow, Kelly, & McCartan, 2002). SMEs are likely to have inferior levels of employer legitimacy, with prospective employees viewing them as less attractive (Williamson, 2000).

The study will broaden the understanding of attraction and retention in SMEs, in Australian and support decision making by stakeholders within Western Australia's fresh produce industry.

Preliminary findings highlight factors inhibiting the ability of SMEs to attract and retain staff, including: economic downturn, Sunday trading, obscure working hours, the nature of unskilled work, few career prospects, low margins, and the payment, or not, of award rates. Furthermore, it is clear that most business owners are using informal, word-of-mouth recruitment processes, as suggested in the literature (Leung, 2003). Businesses that have lower turnover rates see a focus on building a positive work environment and culture, flexibility around rosters, paying award rates, overtime and penalty rates and offering permanency. Another factor appears to hinge on transparency about the nature of the work during the recruitment and selection process.

DIVERSITY MANAGEMENT PROCESSES AMONGST WORKERS WITH INTELLECTUAL DISABILITIES IN THE AUSTRALIAN HOTEL SECTOR

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Meacham Hannah, Monash University
Bartram Tim, La Trobe University
Cavanagh Jillian, La Trobe University

This study examines the diversity management processes amongst workers with intellectual disability (WWID) in the hotel sector in Australia. The research explores how social identity, self-categorisation and inclusion norms of WWID in a work group can influence HRM and diversity management processes in organisations. This research further aims to identify practical strategies through drawing on the Thomas and Ely's (1996) managing diversity framework. A critical methodological case study approach was

employed through participant interviews, focus groups and observations. The research identified that the three main factors features influencing social-identity and diversity for the WWID are the integration of being fair and ensuring equal opportunity, access to work and valuing difference and developing organisational strategies to support diversity. This study extends the traditional framework for managing WWID with proposed new strategies for diversity management. Where many studies report that organisations tend to focus on what legislative requirements and equal opportunity should inform their business our study was able to draw out how the three hotels manage diversity and provide fair opportunities for WWID to achieve through their work. Practical implications relate to HR managers and organisations being able to use these diversity management strategies to enhance the knowledge, skills and opportunities of WWIDs which contribute to a positive social climate. Theoretical implications exist in the advancement of the knowledge base related to the diversity and social inclusion of WWID through improved work experiences based on the theoretical frameworks used in this study.

FACILITY CLOSURE MANAGEMENT AND APPROACHES TO MENTAL HEALTH SUPPORT FOR RETRENCHED WORKERS

Snell Darryn, RMIT University

Glavas Audra, Independent researcher and mental health practitioner

Closing an operation is one of the greatest challenges for HR managers but the process of facility closure management is under researched. It is generally recognised that facility closures, and retrenchments more broadly, result in significant personal and family hardship as workers confront the loss of an income and the pride, dignity and self-esteem associated with being employed. How organisations manage terminations can have significant implications for the mental health of workers as they confront 'life transition' events. Drawing upon a case study methodology, this paper examines four recent facility closures and considers firm approaches to managing the mental health of their soon-to-be retrenched workforce. The cases include firms in the auto and auto supply chain industry and power and electricity industry and involve interview data collected with HR managers and unions involved in the closure processes. The paper argues that while firms acknowledge the personal hardship closure presents for workers there is tendency to underestimate the need to manage the mental health of its workforce as part of it's facility closure management process. Through comparing the strengths and limitations of different approaches adopted by firms, it identifies key lessons for mental health support in the facility closure management.

JOBS AND CHANGE IN INDUSTRY 4.0: OPPORTUNITIES AND CHALLENGES OF THE FOURTH INDUSTRIAL REVOLUTION FOR AUSTRALIA

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Industry 4.0 – the digitalisation of manufacturing – is widely regarded as a revolutionary transformation of industrial production with disruptions to social and economic patterns potentially resembling those of the three Industrial Revolutions before it. The concept has most often been framed in terms of its economic impacts and opportunities for innovation with little attention paid to social impacts. This paper investigates the most neglected area of Industry 4.0's impacts in a growing body of multi- and inter-disciplinary literature – the consequences of digital automation for human workforces, jobs and workers' rights. From

an analysis and comparison of existing international policy and academic research on Industry 4.0 we argue that, with the exception of policy and academic work in the labour movement, significant gaps remain in terms of what is being considered in policymaking for Industry 4.0 in Australia. We find that in the Australian context, policy often favours the business case for smart digitalisation, automation and technological solutions to economic transformation, without due consideration of their role in job destruction and the transformation of industrial relations. A more elaborate treatment of industrial relations is visible within the policymaking of nations with long-established traditions of the corporatist or tripartite approach to industrial relations. In particular, German Industry 4.0 policy has coordinated manufacturing digitalisation through collaborative initiatives that ensure technological disruptions produce positive social transformations. The success of nations like Germany in preparing for Industry 4.0 offers lessons for Australia as it negotiates its place within a rapidly changing global manufacturing landscape.

MULTINATIONAL ENTERPRISES, HRM PRACTICES AND EMERGING RESEARCH ISSUES

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Bartram Tim, RMIT University

Burgess John, RMIT University

Australia has been a major recipient of foreign direct investment (FDI) for the past 200 years. While the post European settlement FDI was dominated by Great Britain, and the post war period by the USA, in the past decade we are witnessing a shift towards FDI from Asia, especially Japan, Korea, India and China. According to UNCTAD (2016), in 2015 there were 342 greenfield FDI projects into Australia (value around \$16b.) and 210 greenfield FDI projects established through FDI out of Australia (value around \$10b.). In terms of Global FDI, Australia as a host destination is in the top 20 countries by inflow value and was in the top 10 countries in the period of the resources boom from between 2005 and 2013. For 2015/16 the top five investing countries in Australia (in order of A\$ value) were the USA, Japan, the UK, the Netherlands and China (FIRB, 2016).

We examine the question of why the study of the HRM practices of MNEs. We consider whether HRM practices should be similar by country of location and origin. That is, do HR practices in the host country resemble the HR practices of the home country? Is there a tendency for HRM practices to converge and replicate each other? Following, we explore the empirical evidence on HRM in MNEs operating in Australia, and then examine the practices of Australian based MNEs. Finally, we consider the emerging research issues linked to the HRM practices of MNEs in Australia.

THE LEGAL STATUS OF DIGITAL PLATFORM WORKERS IN AUSTRALIA: ASSESSING THE STATE OF PLAY

Stewart Andrew, University of Adelaide

The rise of digital platform work, whether in the form of 'crowdwork' performed online, or 'work-on-demand' performed in the real world but organised through online platforms, poses major challenges for current forms of labour regulation (De Stefano 2015). There are a number of ways in which a state might respond to this challenge (Prassle & Risak 2017; Stewart & Stanford 2017). But the purpose of this paper is to consider the treatment of digital platform workers under existing Australian labour laws. Two main questions are answered. How are such workers likely to be classified? And if they are not to be treated as

employees, what rights and protections do they nonetheless enjoy? To help answer the first of these questions, the paper reviews the outcome of test cases in foreign jurisdictions such as the USA, the UK and South Africa on the status of Uber drivers and other 'gig' workers.

SECURING DECENT WORK FOR INTERNS: A COMPARATIVE PERSPECTIVE ON THE REGULATION OF 'OPEN MARKET' INTERNSHIPS

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Owens Rosemary, University of Adelaide

Hewitt Anne, University of Adelaide

Nikoloudakis Irene, University of Adelaide

Students, graduates and job-seekers are increasingly undertaking internships, job trials and other forms of work experience that are not connected either to formal education or training, or to active labour market programs mandated or facilitated by governments. The 2016 national survey of unpaid work experience in Australia revealed that over 40% of the most recent episodes reported by respondents fell into this 'open market' category (Oliver et al 2016). Policy-makers around the world have expressed concern about the socio-economic costs associated with the rise of such arrangements, especially if they replace paid-entry-level employment (International Labour Conference 2012; European Union Council 2014). In this paper we examine the status of open market internships in 13 different countries, spanning different regions and levels of economic development. Using a typology developed by Owens and Stewart (2016), we identify five different types of instrumental state regulation of internships that are found in these countries. We also propose some guiding principles or minimum expectations for the regulation of this important and increasingly common type of work arrangement.

'A GOOD JOB' OR 'A GOOD SECOND JOB': IN-HOME SUPPORT WORK UNDER INDIVIDUALISED FUNDING MODELS

Taylor Wendy, RMIT University

The introduction of individualised funding models in an environment of consumer direction and deregulation has been transforming the disability workforce in Australia for more than a decade. Under the National Disability Insurance Scheme, the most wide-sweeping reform, the number of in-home support workers needed is predicted to be as many as double the current number (Productivity Commission 2011). Yet despite this growth and mounting evidence that many of these workers have far from standard working arrangements, little research has explored how the workers themselves define 'a good job' under these models. Drawing on the concept of job quality, used as a heuristic tool in 18 semi-structured interviews with in-home support workers, this paper analyses the importance workers place on various aspects of job quality. This examination illuminates the role individuals' working arrangements play in explaining the variation in perspectives on 'good jobs' as well as highlighting the complexity of many in-home employees' working arrangements under individualised funding arrangements. The value of employers' understanding the role in-home support work plays in their employees' working lives is indicated by the emergence of differences between what makes 'a good job' and what makes 'a good second job'.

EMPLOYEE SILENCE WHEN REGULATORY VOICE MECHANISMS EXIST: BULLYING, RETRIBUTION AND TRUCK DRIVER SAFETY

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This paper builds on the growing employee silence literature by examining the operation of cultures of silence in the presence of regulatory systems of protection for employee voice. With a focus on road freight truck drivers and occupational health and safety risks, we use Goffman's dramaturgy theory to consider whether the metaphor of front and back stages can shed light on how, in contexts where employers ostensibly comply with safety laws and regulations, a culture of employee silence concerning unsafe practices may flourish. Through exploring truck driver silence on OHS concerns, the paper reveals the role that cultures of injustice, through workplace bullying, alongside a deaf ear syndrome can play in constructing silence. This contributes to conceptual knowledge of the relationships between bullying, silence and voice.

TRADING OFF WORKPLACE RIGHTS? ITALIAN TEMPORARY MIGRANT WORKERS IN AUSTRALIA

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Campbell Iain, University of Melbourne*

Recent years have witnessed intense debate in Australia on the increasing numbers of temporary migrant workers and the policies driving the "permanent temporary migrant paradox". The literature offers several common themes, including the prevalence of precarious work, the risks of 'co-ethnic exploitation', the vulnerability of workers, and the role of labour market conditions in the source country in 'framing' the attitudes and responses of migrant workers. One crucial policy issue concerns the enforcement of workplace rights for temporary migrant workers. How can employer non-compliance in hazardous sectors such as hospitality and horticulture be remedied?

The paper takes up the important example of Italian temporary migrant workers. It draws on a small qualitative study, based on in-depth interviews with 15 Italian temporary migrants about their work and non-work experiences, in order to answer the following questions. What are the motivations and the plans of TMWs from Italy who come to Australia? How do Italians respond to their work experience in Australia and what factors influence their response? What can the analysis of workers' agency contribute towards better protection of migrant workers' rights?

It highlights the pattern of precarious work and the importance of bad labour market conditions in Italy in spurring (temporary) emigration. However, it is primarily concerned with the issue of poor enforcement of workplace rights. It particularly focuses on the agency of workers in deciding not to pursue complaints about poor wages and working conditions and disentangles some of the contextual and individual factors that underpin this reluctance. By tackling the 'collusive breach' side of the enforcement equation, it offers an opportunity to think about new ways to address the 'compliance calculus'

TAKEN FOR A RIDE? 'GIG' WORKERS IN THE AUSTRALIAN FOOD-DELIVERY INDUSTRY

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Goods Caleb, The University of Western Australia

Barratt Tom, The University of Western Australia

Platform-based work in the 'gig' economy (De Stefano 2015), such as food-delivery, involves traditional real-world tasks organised in novel ways through online platforms and mobile applications. The companies who run these 'apps' function as intermediaries between workers and the markets in which they offer their services. In the Australian food-delivery industry a number of platforms provide workers with access to new sources of income and highly flexible work hours. At the same time, there is growing concern about the working conditions in the 'gig' economy, with suggestions of worker exploitation and the inadequacy of existing regulatory frameworks (Stewart & Standford 2017). Despite such concerns there remains limited empirical research on this type of work in the Australian context. Thus, questions of whether 'gig' work is meaningfully different from 'traditional' work, who are the workers that undertake this type of work, and what are their lived experiences remain unanswered. Our research engages with this research gap by examining the perspective of food-delivery riders', adopting a qualitative approach. We conducted semi-structured interviews with over 50 food-delivery workers across several Australian cities; exploring their rationales, the nature and social dimensions of the work, and issues around control. The findings highlight how a large proportion of these workers are marginally or contingently attached to labour markets, with a large proportion of workers on temporary work visas. We uncover a pattern in which workers report feelings of exploitation, yet at the same time a large proportion view 'gig' work as preferable to other low-paid jobs due to apparent autonomy of the work-process and work-time.

E-VOICE AND EMPOWERMENT AMONG UBER DRIVERS

Walker Michael, University of Technology Sydney

This study examines e-voice from a neo-pluralist perspective. E-voice means worker voice expressed through electronic media such as email, online forums and social media (Barnes et al., 2014). The research question is whether informal voice, in the form of e-voice, ever leads to an improved situation, or acts as a catalyst for other forms of voice. E-voice is a growing way in which workers express voice, individually and collectively. Until now there has been little empirical research on it. Despite rhetoric that e-voice is deviant behaviour it can actually be constructive (Silverman et al., 2013, Holland et al., 2016, Courpasson, 2017). This case study looks at Uber drivers combining interview data with a netnographical study of online forum data (Richards, 2016). It emerged that e-voice can be collective and can lead to empowerment even without these being its intention (Qiu, 2015). In this particular case it was not sufficient to create empowerment on its own but acted as a catalyser for other offline channels which have since brought about improved working conditions. E-voice can be more powerful than face-to-face communication because it collates ideas separated by time and place into a virtual location that persists across time making them seem louder than they otherwise would. A limitation of the research is that the organisation under study is very large and the results may not be replicable in small or medium sized enterprises.

UNIONS IN CYBERSPACE: AN EVALUATION OF DIAMOND AND FREEMAN AFTER FIFTEEN YEARS

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Lloyd Tamsin, AMWU National

Unions in Australia are beginning to use digital tools to reach and organise workers (Barnes et. al., 2013, Hodder et. al., 2015, Maiorescu, 2017, Walker, 2017). It has been fifteen years since Diamond and Freeman predicted the emergence of digital unionism, so this has been a long time coming. The authors are both involved in this field and will present based on firsthand experience. An assessment will be made of unions' current efforts at engaging with both current and prospective members digitally. Digital organising that is being undertaken ranges on a spectrum of intensity from automated digital marketing to deliberative and targeted messaging to person-to-person online engagement (Wood, 2015). These initiatives will be measured against Diamond and Freeman's five hypotheses. We argue that Diamond and Freeman were correct about the internet bringing in new modes of organising, improved union services and changes to industrial disputes but it's too early to say whether unions have escaped the existential peril that the internet presents as a rival source of information.

REVISITING THE AUSTRALIA-NEW ZEALAND COMPARISON: THE END OF MOST SIMILAR CASE RESEARCH DESIGNS?

Walpole Kurt, University of Sydney

After sustained interest in the 1990s and early 2000s, since 2005 there have been very few extensions of the literature comparing the shifts away from conciliation and arbitration in Australia and New Zealand to encompass the Work Choices and Fair Work Acts. Having identified only three review articles published after 2005 (Harbridge et al., 2006; Lansbury et al., 2007; Wailes, 2011), this paper asks why the dramatic legislative changes of the late 2000s have not inspired further original empirical comparative research. The paper traces the development of this literature and divides contributions into 3 groups based on publication date, authorship and theoretical framework. It explores how research design considerations have shaped the articulation of similarities and differences between the two countries from different historical vantage points. This reveals that industrial relations systems theory has deeply influenced the comparative literature, encouraging analysis in terms of rigid categorical 'systems', and this may be a reason for the dearth of new comparative analyses. The paper discusses the implications and possible avenues for future research comparing the changing industrial relations structures in Australia and New Zealand.

INSTITUTIONAL RESETTLEMENT AND THE PROLIFERATION OF REGULATORY BODIES UNDER WORK CHOICES

Walpole Kurt, University of Sydney

The Work Choices amendments became a critical political issue in Australia and were a decisive factor in the Howard Government's defeat in the 2007 federal election (Wilson and Spies-Butcher 2011). However, analysts were divided in their assessments of the law, with some describing it as radical and a 'revolution'

(Murray 2006; Hall 2006) and others arguing it was not the ‘big bang’ many expected (Stewart 2006). Beyond the direct reductions in labour market protections and minimum legal entitlements to conditions, analyzing the Work Choices amendments is complex because they altered so many aspects of the Australian labour law regime. This included the constitutional basis of Australia labour law, asserting the federal jurisdiction’s precedence of State jurisdictions and overhauling the model for labour law enforcement (Hardy 2009). Adopting a political science perspective, this paper asks how the Howard Government implemented these major revisions to the structure of Australian labour law. Specifically, the paper adopts an Historical Institutionalist framework based on ‘modes’ of institutional change, such as institutional layering, conversion or displacement. The paper reviews six distinctive modes of change proposed by Historical Institutionalists and argues that Work Choices is best understood as an example of Institutional Resettlement. Institutional Resettlement describes the reallocation of regulatory authority between different agencies and bodies. Work Choices created several new regulatory agencies while also reallocating functions of the AIRC to existing bodies including the Minister, Parliament and the Federal Court. The paper discusses how institutional resettlement enhances our understanding of the Howard Government’s strategy for labour law change.

SURVIVING EMOTIONAL LABOUR: THE COPING STRATEGIES OF EMPLOYEES IN THE SRI LANKAN SERVICE SECTOR

Wanninayake Shalini Dananjan Kumar, University of New South Wales – Canberra

Employers pay service employees to juggle their emotions at work in order to meet their customers’ needs. Hochschild named this exercise of enhancing, faking or suppressing emotions for commercial benefit, ‘emotional labour’ (1983). A great deal of research has been conducted on this area, with much of it focusing on the negative impacts on employees who are required to dispense emotional labour (Bartram et al., 2012; Doshi, 2014; Grandey, 2003; Kinman, 2009; Lee and Ashforth, 1996). The ongoing detrimental effects of this process has re-focused researchers’ attention towards exploring the coping strategies employees used to minimise the damage caused (Korczynski, 2003). An extensive review of literature suggests that the consequences of performing emotional labour are broadly similar across industries (Browning, 2008; Henderson, 2001; Jung and Yoon, 2013; Yagil, 2008). The similarities and differences of employees’ coping strategies across different service industries, however, has received limited attention. Based on two case studies in the hospitality and healthcare industries in Sri Lanka, this paper identifies the similarities and differences between these two groups of employees. The author finds that while some coping strategies were common, hotel workers and hospital nurses used problem solving and escape-avoidance strategies very differently. As well as differences between industries, the author finds that there are differences in coping strategies between Western and non-Western workplaces. This study is significant as it adds to the limited literature on coping strategies of emotional labour across service industries, with a special focus on the Asian culture.

OPENING FOODORA’S BOX: AN ETHNOGRAPHY OF PRECARIOUS WORK IN THE PLATFORM ECONOMY

Weimar Oskar, The University of Melbourne

In the platform economy, developments in technology have paved the way for new types of labour processes that are centred on the mediation and organisation of work through digital infrastructures. This

paper explores the effect of these developments on workers, drawing on six months' ethnographic work as a Foodora delivery rider, conducted for a master's thesis at the University of Amsterdam in 2017. Taking a labour process theory perspective (Smith 2015), this paper shows that Foodora work was organised through a range of hybrid control mechanisms.

Unlike other, similar work in the platform economy such as Uber, Foodora riders in the Netherlands were subject to surprisingly low levels of surveillance and monitoring, were paid by the hour as zero-hour employees and were free from algorithmic control mechanisms and information asymmetries (Rosenblat & Stark 2016). As a result, Foodora riders, often students or recently arrived migrants, tended to characterise their work as flexible, with relatively high levels of autonomy compared to other work they considered available to them. I argue that, when considered through a 'social location' framework, riders' subjective experiences of their work as 'flexible' and 'free' functioned to obscure precarious conditions of employment while at the same time serving as a motivator for intense work. The research findings contribute towards a deeper understanding of the experiences and motivations of workers in the platform economy, and towards long-standing debates in Labour Process theory regarding the dynamics of worker consent (Burawoy 1979).

DE-GENDERING CARE WORK? PAID PARENTAL LEAVE AND GENDER NORMS IN THE UNITED STATES AND AUSTRALIA

Widiss Deborah, Indiana University / Melbourne Law School

In both the United States and Australia, the vast majority of paid caregivers are women; low pay rates and longstanding gender norms are both a cause and a result of this reality. Women also provide the bulk of care for their *own* families; normalizing male caregiving within families could play a role in addressing the highly gendered nature of paid caregiving. This paper compares and contrasts recently-enacted paid parental leave (PPL) schemes in the United States and Australia. Although each is nominally gender-neutral, they take very different approaches to the expectation that women typically provide newborn care. (Although the U.S. lacks a national policy, a growing number of U.S. states have enacted paid leave.) Australia's PPL provides 18 weeks of pay to the "primary carer" for a newborn; the primary carer may transfer some or all of these weeks to a partner. Early data suggests that in most instances, the birth mother takes this full leave without transferring any portion. The law also includes two separate weeks of "dad or partner pay," which has helped normalize (at least a short) parental leave for fathers (Martin et al. 2014). U.S. jurisdictions, by contrast, provide each parent an identical leave (ranging from 4-12 weeks) with no possibility of transfer. Under this scheme, women take more and longer leaves than men, and couples rarely exhaust their "total" leave rights. However, men's leave-taking rates are slowly rising (e.g., Applebaum & Milkman 2012). This paper probes the pros and cons of the varying structures and the role that each may play in modifying gender norms around care work more generally.

THE FUTURE OF INDUSTRIAL AND EMPLOYMENT RELATIONS EDUCATION IN THE GIG ECONOMY

Wijeratne Aaron, Australian Institute of Business

The Australian industrial relations environment is currently at a tipping point. Shifts in government legislation and workplace policies, a steady decline in union membership, the rise of technology (Cusumano, 2015), and an evolving workplace culture has meant the employment relationship in Australia

is changing (Rosenblat & Stark 2016; Sundararajan 2016). Questions are raised in both the academic and practitioner literature as to whether this move is for the better or worse (Friedman, 2014). One critical area contributing to the uncertainty is the rise of contract, freelance and 'gig' work (Kenney & Zysman 2016). Yet we know little about how this new world of work and the 'gig' economy is going to impact upon the employment relationship in Australia. This paper aims to clarify the uncertainties in the environment to provide a platform for understanding the changing demands in Industrial and Employee Relations Education in Australia. Adopting an inductive ethnographic stance using multiple qualitative techniques this paper draws together insights from the practitioner and academic literature as well as from perspectives of employment relations and human resources students in Australia. Findings of the research demonstrate that at present a gap exists in educational programs abilities to prepare students for the new world of employment. Specifically, it reveals that students have little understanding of the impact of this changing economy on the employment relationship. The research offers advice for developing educational programs for employment relations, industrial relations and human resources professionals in preparation for the new 'gig' economy.

AUSTRALIAN PUBLIC SERVICE GENDER EQUALITY STRATEGIES: FROM EQUAL EMPLOYMENT OPPORTUNITY TO DIVERSITY MANAGEMENT?

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Over the past twenty there has been years a shift from a collective, social group-based approach to redressing sex discrimination, to managing diversity, which focuses on the positive differences of staff attributes (Johns, Green and Powell, 2012, 778). In this paper the authors conduct a discourse analysis to examine the new gender equality strategies of the 18 Australian Government departments, covering almost two-thirds of APS employees (APSC, 2016). The authors ask: does the framing in the strategies align with an approach centring on equal employment opportunity, or has the focus moved to a diversity management approach? The authors examine the underlying rationale; whether the policies aim to treat employees the same, or differently; and whether the approach targets individuals or social groups. It is crucial to identify these factors, as they drive implementation (Kirton and Greene, 2015, 134). The authors find that even though branded as gender equality, many of the policy elements stem from diversity management. This approach has resulted in gender equality strategies which aim to meet the needs of organisations, individuals and groups, men and women, but which are also somewhat gender-blind and paradoxically, give limited recognition to employees' intersecting and multiple identities.

PATTERNS OF ACTIVISM: THE KERR-SIEGEL HYPOTHESIS REVISITED

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This paper explores pit-level variation in commitment to the 1984-85 miners' strike within the Yorkshire coalfield as measured by the reported proportion of miners involved actively in picketing and by the percentage of miners that returned to work by Christmas 1984 and in March 1985, before the strike formally ended. The research was undertaken during the strike and in the immediate aftermath involving face-to-face interviews with branch officials and activists at every pit in Yorkshire (Winterton and Winterton, 1989). The data collected are revisited to explore the utility of the Kerr-Siegel (1954) hypothesis in explaining patterns at the establishment level and even, through anecdotal evidence, at the individual

level.

Kerr and Siegel (1954) produced one of the most enduring theories of inter-industry differences in strike activity, claiming that coal miners, for example, exhibited a higher propensity to strike than other occupations because they lived in isolated communities and constituted a solidaristic mass. Rimlinger (1959) compared the strike propensity of coal miners in four countries in the period 1902-1955 and found substantial differences between countries, concluding that despite 'certain universal characteristics, miners in a given country may have either very many strikes or practically none at all.' (ibid: 405). Eldridge (1969: 38) similarly drew attention to anomalies such as the steel industry whose workers can form an 'isolated mass' but demonstrate substantially lower strike propensity. Edwards (1977) even goes so far as to describe the Kerr-Siegel hypothesis as 'falsification of knowledge.' Church and Outram (1998) offer a more measured assessment in relation to the history of British coal mining strikes.

Whilst the Kerr-Siegel hypothesis has notable flaws in explaining inter-industry strike differences, a review of the evidence from one of the most significant conflicts of the 20th Century suggests that a modified version offers a relatively robust explanation for establishment-level variations, and individual level engagement.

FUTURE PERFECT? JOB LOSSES AND SKILLS SHORTAGES

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This paper analyses global labour market changes from a South-East Asian perspective to address the question of how job losses and skill shortages are being predicted simultaneously. The research is being undertaken as part of a project funded under FRGS by the Malaysian Government to develop a human capital index for Malaysia. The methodology combines a structured literature review with an analysis of statistical trends and scenarios published by international organisations and governments. The theoretical focus is on the methods used in forecasting jobs and skills needs. The major contribution of this paper is to propose a more nuanced approach to addressing skills mismatches that are apparent in both developed and emerging market economies.

After almost two decades of dire warnings of an impending shortage of labour shortage of labour (Chambers *et al.*, 1998; Michaels *et al.*, 2001; Dychtwald *et al.*, 2006) the rhetoric of a 'war for talent' has given way to even more dramatic predictions of the job losses we can expect with the Fourth Industrial Revolution (Frey and Osborne, 2013; WEF, 2016). It is surprising that the media continued to give so much attention to assumed labour or skills shortages after the GFC, when 5.7 million jobs were lost from US manufacturing (Atkinson *et al.*, 2012) and there have been dissenting voices, most consistently from Cappelli (2003; 2015). Less surprising is the idea that workers with 'higher' skills will be in demand to develop, install and maintain those new technologies that will displace other workers and make their skills obsolete. Such scenarios are characteristic of rapid technological change as are the skills mismatches that accompany them. What is unusual, however, is that despite all the policy rhetoric of the high skills future, substantial proportions of those in employment report that their skills are under-utilised or that they are 'over-qualified' for their current job.

LABOUR SHORTAGES OR BENEFICIAL CONSTRAINTS? ADDRESSING LOCALISED LABOUR SUPPLY CHALLENGES IN THE AUSTRALIAN HORTICULTURE INDUSTRY

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The Australian horticulture industry faces labour supply challenges that are often characterised as labour shortages. However, there is consensus within existing scholarship that for a labour shortage to exist certain preconditions need to be met. At a national level, changes to immigration policy through an expansion of temporary visas have been one of the main solutions used to address these challenges in the recent past. This paper draws upon scholarship on skills shortages and labour market institutions in order to assess the characteristics of the existing labour supply challenges in horticulture and identify appropriate policy responses. It draws upon evidence from a national 332 survey of vegetable growers and regional case studies to examine the different ways that growers have addressed localised challenges specific to their regions. Our findings indicate that from a national perspective, growers face extensive labour supply challenges that temporary migrant labour play a critical role in addressing due to inherent characteristics of the industry. However, when assessing localised responses, we found that the more effective and efficient are migrant worker pathways into the industry, the less incentive there is to find labour supply solutions using the local labour market, such as training workers, developing career pathways and other organisational innovations. These findings indicate that acute labour supply challenges, while posing significant short-term problems for business viability, can potentially act as a 'beneficial constraint' (Streeck, 1997) by encouraging employers to develop localised solutions that are more sustainable in meeting long-term labour needs.