

# Local Government, Racing and Cemeteries Employees Union (WA)

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May 18,2026

The Hon. Simone McGurk,  
Minister for Industrial Relations,  
8<sup>th</sup> Floor, 2 Havelock Street,  
WEST PERTH WA 6005

Dear Minister,

## RE: AMENDMENTS TO THE INDUSTRIAL RELATIONS ACT 1979 AND CONSEQUENT REGULATIONS

Further to directions from the union's executive committee of management, the union writes to you in your capacity as Minister for Industrial Relations, seeking discussion regarding two (2) important and significant areas that impact on our membership in both Local and State Government.

The areas of interest are as follows:

- Same work, same pay for all labour hire and contracted in employee working in both Local and State Government;
- Provision for claims for underpayment of wages and /or entitlements using Small Debts jurisdiction as an alternative mechanism to using the Western Australian Industrial Magistrates' Court.

In respect to labour hire and contracted in employees we note there has been extensive use particularly in Local Government in Western Australia, in the operations area of councils. The assessment of the numbers is difficult to attain, as council's regulatory reporting mechanisms, such as their Annual Reports and related financial documents which are readily attainable, do not break down employee costs in any meaningful way.

We can identify at a local level with some evidence, for example a current council that we are negotiating with current employees (10) active labour hire employees out of a cohort of fifty-one (51) position identified in its current registered industrial agreement as being operations employees. This represents 20% of their current operational structure. We are aware that these employees are paid significantly less than our members who are directed employed and they are also excluded from benefits of paid annual leave, personal leave, local government long service leave, matching employer superannuation provisions and public holidays

From the unions' perspective the above is an example of wholly unsatisfactory situation due to the fact that Section 306 of the Fair Work Act which deals with these issue does not provide protection for Local and State Government employee in Western Australia.



*The LGRCEU acknowledges the Whadjak people of the Nyoongar Nation, as the Traditional Custodians of the lands on which our head office is situated today, and pay our respect to Elders past, present and future.*

*I N U N I T Y*

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2.

In respect of the issue of claiming underpayment of wages and or entitlements, the Small debts jurisdiction which is afforded to Federal covered employees would also enhance members' rights in Western Australia given that the Industrial Magistrates Court is a highly technical jurisdiction which is more suited to use by legal practitioners rather than ordinary workers and advocate such as union officials seeking to assist and or represent those workers.

We are of the view that both the Industrial Relations Act 1979 and consequently regulation should be amended to afford Local and State Government employees the same rights that employees enjoy in the Federal system.

We look forward to your response and the opportunity to meet and discuss further.

Yours sincerely

Andrew Johnson  
General Secretary  
LGRCEU(WA)

cc Mr. W. Wood Secretary WASU



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