
Precarious work and Australian labour norms

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Abstract

Casual employment in Australia is more prevalent than temporary work in most European nations, and casual employees have fewer rights and entitlements than comparable temporary employment categories in Europe. Yet, despite Australia's long history of industrial activism and political representation of labour, there are fewer examples of social or political movements in Australia resisting precarious work than in Europe. This article provides a partial explanation of this puzzling lack of social resistance to casual employment. It begins from the idea, developed by the Frankfurt School tradition of critical social theory, that economic systems can create or sustain norms that conceal their more harmful social effects from public view. It then uses conceptual categories drawn from critical social theory to show how individual and social costs of casual employment have been overlooked or 'reified' in the workplace and in public political discourse. The study is based on existing qualitative research and on a new analysis of attitudes to work and economic organisation in Australian public discourse.

JEL Code: J8; Z1

Keywords

Decent work, flexibility, industrial relations, precarious work, security, sociology of work

Casual employment in Australia is more prevalent than temporary work in most European nations, and casual employees have fewer rights and entitlements than comparable temporary employment categories in Europe. Yet, despite the long history in Australia of industrial activism and political representation of labour, there are fewer examples of

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social or political movements in Australia resisting precarious work than in Europe. After analysing this puzzling lack of social resistance to the comparatively poor conditions of casual employment, this article offers a partial explanation of why this may be the case.

The analysis has three main sections. The first section discusses the relative paucity – until recently – of attention to casual employment by unions, social movements and mainstream political parties in Australia. Not only is this situation unusual in comparison to European experiences, it is also inconsistent with two normative standards that have been historically embedded in Australia's industrial relations framework: the principles of needs-based wages and comparative wage justice. The second section highlights one theoretical perspective from which a lack of resistance to objectively poor working conditions is not just explicable, but in a certain sense anticipated, namely, post-Marxian or Frankfurt School critical social theory. The third section uses conceptual categories drawn from critical social theory to explain how individual and social costs of casual employment have been overlooked or 'reified' in Australian workplaces and political discourse. At the workplace level, this article draws on existing studies of casual employment to show how the structural conditions of casual work limit casual workers' capacity to effectively raise concerns. At the political level, the article uses a new study of public speeches to show how recent political discourse in Australia has glossed over casual workers' experiences, and how Australia's self-perceived dependence on global economic systems has curtailed critical scrutiny of this type of precarious employment.

Precarious work in Australia: Practice and principles

Burgess and Campbell (1998: 6–8) and Vosko et al. (2009: 6–7) distinguish two ways that work might be defined as 'precarious'. On one definition, precarious work denotes a lack of ongoing tenure, and so is directly contrasted with the 'standard employment relationship' (SER).¹ A second approach uses 'precarity' as a multidimensional measure of uncertainty at work. In addition to limited or uncertain tenure, work may be precarious in this sense if workers lack rights, lack control over their working conditions or have low or highly variable wages (e.g. Rogers, 1989; Standing, 2011; Vosko et al., 2010).

Casual employment in Australia is highly precarious on both definitions. First, while casual employment lacks a statutory definition, its main feature is that workers are employed and paid on an hourly basis, such that 'the employer need only offer employment to the casual employee if he or she wishes to do so' (cited in: Sappideen et al., 2011: 15). As Wooden (2001b) observes, casual employment need not be short term. However, since casual workers are generally not *entitled* to stable employment, they lack the ongoing tenure characteristic of the SER. Second, casual work satisfies most if not all of the broader features of precarious work used in multidimensional measures. Casual workers have no right to paid sick and holiday leave. They are also not entitled to regular hours of employment, which limits their capacity to control their working conditions and maintain a stable wage. Other conditions of casual employment in Australia vary to some extent across 'awards', which are legally binding agreements on employment conditions that were historically determined by wage and arbitration boards. However, as Campbell (1996, 2005) explains in detail, while some awards have limited the *extent* of casual

employment, they have typically excluded casual workers from the *conditions* of permanent employees, creating an ‘officially sanctioned gap in protection’ (Campbell and Burgess, 2001: 177).

Changes in the legislation governing awards have affected how casual employment is managed, but has not essentially changed the status of casual employment as a sphere of exemption from ‘standard’ employment entitlements. Examples are the Workplace Relations Act (1996) and the Workplace Relations Amendment (‘Work Choices’) Act (2005), which were introduced by the Liberal National Coalition (LNC) as part of a broader agenda to increase the influence of market forces on wages and conditions. The most significant effect of these Acts for casual employment was to prohibit award restrictions on its use, rather than to fundamentally change its conditions. For instance, while ‘Work Choices’ was widely criticised for curtailing employment rights (Muir, 2008), most notably unfair dismissal protection, the exceptional status of casual employment meant that casual workers often already had no or tenuous access to these rights.

The Australian Labor Party’s (ALP) Fair Work Act (2009) extends some rights for casual staff into awards, especially for the seemingly oxymoronic category of the ‘long term casual employee’. However, it does not alter the fundamental nature of casual employment as a ‘gap’ in employment protection. For example, while the Fair Work Act (2009) mandates 10 minimum standards that all national awards must include, casual workers are guaranteed full access to just two of these conditions, with restricted access to five conditions and exclusion from three (Fair Work Ombudsman, 2013).² While casual workers are nominally paid a wage loading to compensate them for their lack of entitlements, typically between 20% and 25%, this loading has not always been paid (Campbell, 1996), and does not compensate casual workers for their lost financial benefits (Buchler et al., 2009; Watson, 2005).

Temporary employment in Europe is typically less precarious than casual work on these measures. First, the Organisation for Economic Co-operation and Development (OECD) category of temporary employment designates workers whose contracts have a fixed end-point (OECD, 2012: 241, fn. a), and so who are entitled to at least a limited period of future employment. Second, temporary employment in Europe typically includes ‘standard’ employment benefits like sick pay and holiday pay on a pro rata basis (OECD, 2002: 146–148).³ Third, even though many European nations have relaxed regulations on temporary employment (OECD, 2004: ch. 2), there remain legislative limits at both the national and European level on the use of temporary contracts, which includes restrictions on the circumstances and period for which temporary employment can be used (Campbell, 2005; OECD, 2004: 113–115).⁴ Fourth, while both temporary and casual workers are low paid (OECD, 2002: 144), casual workers are not entitled to minimum weekly hours, but only – in many awards – to a minimum number of hours per engagement.⁵ This means that the pay of casual workers is especially unstable, as demonstrated by the high rate of casual workers holding multiple jobs (Buchler et al., 2009). The only potential advantage of casual employment in Australia over temporary work in Europe is the casual pay loading where this loading is in fact paid.

Not only does casual employment have fewer rights and entitlements than temporary employment in Europe, it is also more widespread. It is difficult to precisely compare the rate of casual employment in Australia to temporary employment in Europe because of

the unique features of casual work in Australia. OECD data on temporary employment either excludes Australia (e.g. OECD, 2012: 241) or only reports on temporary employment categories with direct correlates in other OECD nations: seasonal employment, labour hire and fixed-term contracts (OECD, 2002: 175).⁶ Nonetheless, insofar as casual workers can be reasonably classified as temporary workers on the basis of their shared lack of entitlement to ongoing tenure (Campbell and Burgess, 2001), the current rate of 23.1% of Australian employees – or 19% of all employed persons (Australian Bureau of Statistics (ABS), 2012) – in casual employment would rank Australia alongside Spain (25.3%) and Poland (27%) with the highest rates of temporary employees in Europe (OECD, 2012: 241). By contrast, the OECD weighted average of temporary employees is 12%, and the United Kingdom has just 6.2% of employees on temporary contacts. ABS data on casual employment also understates the rate of precarious work in Australia overall, because it excludes fixed-term employees who receive sick pay and holiday pay, but who the OECD would classify as temporary.

Since casual employment in Australia is both more precarious and more extensive than temporary employment in Europe, the first puzzling feature of Australian industrial relations is that there has been less public resistance to casual employment in Australia than to temporary employment in Europe. For present purposes, the concept of the ‘public’ excludes the extensive academic discussion of casual work in Australia, which does not necessarily reflect or influence broader social sentiment and policy. Instead, this article focuses on responses to casual employment by unions, by social movements and in mainstream political discourse over the period of economic reform in Australia that began with the float of the Australian dollar in 1983 to the present, and which has coincided with a substantial increase in the rate of casual employment. For much of this period, unions in Australia predominately viewed casual workers as a threat to the conditions of permanent employees. Consequently, while many unions did seek to restrict casual employment, they mainly fought to limit the extent of casual employment rather than to improve casual workers’ conditions (Campbell, 1996). There are signs that this is changing, with the Australian Council of Trade Unions (ACTU) (2011) recently launching a national campaign for greater job security for casual and contract workers.⁷ In response to the exceptionally high rate of casual employment in tertiary education (Junor, 2004), the National Tertiary Education Union (NTEU) is also campaigning for secure jobs for casual workers, despite the NTEU membership overwhelmingly occupying ongoing positions. However, that the ACTU campaign has only been initiated in 2011 – with some more sporadic initiatives from the late 1990s (see Campbell, 2005) – after substantial growth in casual employment since 1983 is indicative of the marginal position of casual workers’ concerns within the union movement. It also remains to be seen how widely the current ACTU campaign will be adopted by other industry-level affiliates.

Second, there is a comparative lack of social movements representing casual workers outside of mainstream union channels. Australia has not witnessed mobilisations of casual workers across industries comparable to precarious workers’ movements in France and Italy (Standing, 2011; Vosko et al., 2009: 5). Nor has Australia seen the emergence of unions independently representing casual workers’ interests comparable to the Freelancer’s Union in the United States (Horowitz, 2012). Third, while precarious employment has historically been subject to political debate in Australia (Quinlan, 2012),

the resurgence of casual employment since 1983 has attracted relatively little political attention. This is despite the centrality of work in Australian political discourse (e.g. Dabscheck, 1995) and two decades of government by the ALP. Even when the ALP won government in 2007 with a strong mandate to improve job security (Muir, 2008), they provided no substantive agenda to improve casual workers' conditions (see Rudd and Gillard, 2007; Stewart, 2009).⁸

The lack of public resistance to casual work in Australia also appears surprising in light of Australia's industrial relations history. As Campbell (1996) observes, award regulation in Australia has fostered casual employment by excluding casual workers from entitlements without effectively controlling its use. Yet, casual employment also violates what Hampson and Morgan (1999) describe as two 'profoundly anti-market principles' which have been historically embedded in the Australian industrial relations system. The first principle is that wages should be set with regard to workers' needs rather than to market processes or employers' capacity to pay alone. This principle dates from Justice Higgins' famous judgement in the Harvester case in 1907 that a reasonable wage should provide for the 'normal needs of the average employee, regarded as a human being living in a civilized community' (cited in Fair Work Commission, 2013). While Higgins' original judgement was overturned on appeal, his approach to setting wages with reference to workers' basic needs influenced subsequent decisions by wage arbitration boards. However, because casual workers are not entitled to a minimum weekly wage or to a minimum number of shifts, there is no guarantee that their total income will meet their basic needs. Buchler et al. (2009; see also Wilcox and Lowry, 2000: 38–39) find that casual workers are in fact struggling to meet their needs, with casual workers less likely to be able to pay basic expenses like mortgage repayments, rent and utilities. Hence, the growth of casual employment in Australia constitutes a *de facto* repudiation of the needs-based wages principle. While not an issue addressed in this article, it is also notable that casual employment reinforces one widely rejected element of the Harvester judgement – his use of a male bread-winner model – because casual workers are more likely to be female (see Campbell et al., 2009; Vosko et al., 2009).

The second principle is comparative wage justice. Comparative wage justice has different possible meanings (Dabscheck, 1989: 58–64), but the relevant idea for present purposes is that employees performing the same job should receive a similar wage. In Australia, this principle has been implicit in how industry awards have historically tied workers' wages – or at least the wages of White male workers – to their role rather than to their individual market power. This practice reflects an egalitarian ethos within a particular trade, although wage boards did make a conscious effort to preserve hierarchical wage ratios between different levels of skill and experience (Dabscheck, 1989; Hampson and Morgan, 1999: 761). Nonetheless, casual employment undermines even this limited egalitarianism because casual workers often have lower pay and conditions than their colleagues even when performing the same task in the same industry, and sometimes in the same workplace. A well-documented example is casual academic employment, where the lack of a wage hierarchy for skill and experience for casual academics, and persistent underpayment for hours worked, means that casual academics are likely to receive lower pay than tenured colleagues for the same work (e.g. Brown et al., 2010).

In summary, there is a unique paradox in Australian industrial relations history, which is that while the formal architecture of the award-based system has facilitated the increase of casual employment, normative principles embedded in this system seem to mitigate against it. To be sure, economic deregulation in Australia has partly been a direct repudiation of extending ethical principles like needs-based wages and comparative wage justice into labour markets (Kelly, 1994). Yet, these principles have *in fact* informed wage determination in Australia for a large part of the 20th century, as even critics of these norms acknowledge. For example, Paul Kelly (1994) describes award wage fixing and arbitration as ‘the greatest institutional monument to Australian egalitarianism’ (p. 9). Egalitarian norms also retain at least rhetorical currency across mainstream Australian political parties. For instance, in 2004, former LNC Prime Minister (PM) John Howard – a consistent advocate of market-based wages – described his government as having brought ‘An Australia bound together by the common bonds of egalitarianism and mateship’. Irrespective of whether ethical ideals like comparative wage justice and needs-based wages *should* inform labour market organisation, it remains puzzling that employment practices that repudiate these norms have not attracted greater public scrutiny.

Harm and interpretation in critical social theory

The first section of this paper has shown how the lack of social resistance to precarious work in Australia seems unusual in light of international experiences and Australia’s own industrial relation history. However, from a more abstract and critical perspective, a lack of social resistance to objectively poor working conditions as such is neither theoretically exceptional nor unanticipated. The particular reference here is to the tradition of post-Marxian critical social theory inaugurated by Max Horkheimer, which more recently includes Jürgen Habermas and Axel Honneth. A shared premise of this tradition is that capitalist economic systems create both certain social harms and shared beliefs or norms that hide these harms from public scrutiny. In Honneth’s (2009) summation,

The social circumstances that constitute the pathology of capitalist societies have the peculiar structural feature of disguising precisely those states of affairs that would otherwise provide particularly urgent grounds for public criticism. (p. 30)

A paradigmatic example of these structural features is Marx’s (1976: ch. 1, Sc. 4) account of ‘commodity fetishism’ or commodification. As is well known, Marx views the production of commodities under capitalism as exploitative because the ‘surplus’ value that workers create beyond their cost of subsistence is appropriated by owners of capital. However, Marx also contends that exploitative conditions of capitalist production are hidden by market exchange because in markets the commodities that workers produce appear for sale as merely ‘things’ with no social history. Hence, the exchange of commodities in capitalist market disguises what for Marx should be the primary target of social critique: the social conditions under which commodities are produced. Commodification can be described as a structural feature of capitalism because in Marx’s

view the essence of market exchange is to value commodities only in relation to other commodities or money, rather than by the labour required to produce them.

Georg Lukács' (1971) account of 'reification' begins from Marx's definition of commodification as when 'a relationship between people takes on the character of a thing' (p. 83). However, Lukács extends Marx's analysis by arguing that commodification captures a more general feature of *all* social relations in capitalist societies. Drawing also on Max Weber's account of rationalisation, Lukács claims that as capitalist economies develop, economic enterprises require an increasingly predictable environment in which to operate. As a result, previously fluid and informal social relationships are progressively codified into more formal and predictable systems, as in the systematisation of law and bureaucratic procedure (Lukács, 1971: 96–97). Consequently, Lukács claims, all social relationships under capitalism increasingly take on the character of commodity relations in product markets. That is, just as capitalist product markets represent goods as merely things to be used, so too does the formalisation of social systems increasingly represent connections between people as solely objects or processes to be manipulated. Lukács (1971) claims further that this reifying attitude eventually encompasses a person's perception of his or her attributes and capabilities, which 'are no longer [viewed as] an organic part of his personality, they are things which he can "own" or "dispose of" like the various objects of the external world' (p. 100). As this mode of viewing both social relations and one's own capacities as objects to be used extends further into people's self-consciousness, it comes to seem natural, as if society and self could be interpreted in no other way.

Marx's and Lukács' accounts of commodification and reification, respectively, are not adopted in their entirety by later critical social theorists, yet their ideas inform this tradition. Contra-Lukács, Habermas (1984) rejects that reification describes *all* social life under capitalism (see also Dahms, 1997). Yet, like Lukács, Habermas views capitalist economic systems as a threat – albeit preventable – to healthy human interaction in other social domains. Habermas claims that while an instrumental, calculative rationality is desirable in economic activity, it threatens to subsume (or 'colonise') more collaborative and norm-governed institutions and practices (i.e. the 'lifeworld'). Honneth (2008) also rejects Lukács' claim that all social relations become reified under capitalism because he insists that even economic interactions depend implicitly on 'thick' normative relations between people, and more precisely, on relations of recognition (see also Fraser and Honneth, 2003; Honneth, 1995). Nonetheless, Honneth (2008) concedes that economic processes might be reifying in a more limited sense, which is if they cause people to *overlook* or *forget* these underlying normative relations. Thus, while Habermas and Honneth are less pessimistic than Lukács about social relations under capitalism, they also think that market economies *might* systematically misrepresent how people interpret and interact with others.

Without assessing these theories in any depth, the initial contribution of critical social theory to the present inquiry is to provide a systematic account of why social resistance is not a corollary of harmful economic conditions. In the most general terms, economic systems create ideas and norms as well as products. Since these ideas can be misleading, the most fully developed economic systems might also most fully hide their undesirable social consequences. On this basis, the role of critical social theory is not only to identify

harmful effects of any given economic system but also to identify ideas or norms that might prevent these harms from coming into public view. In particular, Marx's and Lukács' analyses suggest at least two broad processes by which ideas embedded in economic systems might disguise social harms. First, ideas generated by, or associated with, prevailing economic systems might hide undesirable social effects simply by directing people's attention elsewhere. Marx's account of commodification illustrates this type of process, because for him the representation of products as mere objects hides from view damaging and unjust production conditions. Second, economic processes might come to appear natural and immutable, rather than as part of a socially constructed order that can be changed. This second idea is fundamental to Lukács' analysis of reification because for him the 'reified' subject under capitalism is essentially a *spectator* rather than an *actor* (Chari, 2010). To this subject, economic systems appear natural, autonomous and outside of collective social control. By contrast, social resistance to a given economic phenomenon requires that it appears both undesirable *and* plausibly subject to change. If a harmful economic phenomenon instead appears natural or incontrovertible, then resistance will seem misconceived or impotent.

The invisibility and reification of casual work in Australia

This section adapts ideas from critical social theory to partially explain the lack of public resistance to casual work in Australia. The analysis is based on small-sample qualitative studies of how casual work is experienced and understood in two domains: (1) the workplace and (2) public political discourse. Qualitative studies of precarious workers tend to reveal more negative perceptions of precarious employment than quantitative studies (Conley, 2008: 734), and this disjunction is reproduced in studies of casual workers in Australia (e.g. Pocock et al., 2004; Watson, 2005; Wooden, 2001a). Nonetheless, detailed qualitative analysis is best suited to the present task of identifying the opaque and potentially misleading understandings of society or self that a critical-theoretic approach highlights. The weakness of this approach is that the results are not necessarily generalisable, and further research would need to investigate how widely the results hold.

Since casual workers' experiences in the workplace have been well studied, the analysis at this level is based on existing qualitative research, and especially on Pocock et al.'s (2004) seminal report. The study of public political discourse in this section independently analyses two sets of public speeches. The first comprises 12 'landmark' speeches by Australian PMs between 1983 and 2009 held by the Australian Museum for Democracy (see Appendix 1). These speeches are typically election campaign launches, and so are major attempts to articulate and shape how employment and economic organisation in Australia is perceived. The second set comprises eight speeches that foreshadow or address the controversial 'Work Choices' legislation. These speeches were selected from the Australian Parliamentary Library catalogue on Workplace Reform from 2004 to 2007, and from an edited compilation of Work Choices texts (Teicher et al., 2006), to include LNC, ALP, union and employer perspectives (see Appendix 2). All 20 texts were systematically analysed using computer software (NVivo 10 from QSR International Ltd (2012)) to identify connected themes, and with particular focus on the processes highlighted by critical social theory.

Table 1. Ideas limiting public resistance to casual work in Australia.

		Level	
		The workplace	Public discourse
Critical–theoretic process	Invisibility	Of workers and their concerns	Casual work occupies a ‘normative gap’
	Reification	Of <i>category</i> of casual work	Of economic sphere, and especially international economic threats

The results are summarised in Table 1, which distinguishes four ideas that limit public resistance to precarious work by level of analysis (workplace or political discourse) and type of critical–theoretic process (‘invisibility’ and ‘reification’). Each idea is explained in more detail below, with two main qualifications. First, while this section adopts a critical–theoretic approach, the meaning of certain critical–theoretic terms – most notably ‘reification’ – have been adapted to best fit the research findings. Second, no claim is made that the processes this section identifies are the *only* reasons for the lack of public resistance to casual work. However, insofar as public reaction to any social phenomenon depends on how that phenomenon is interpreted, it is claimed that the interpretations of casual employment described below are a necessary part of this process.

The invisibility of casual work

Invisibility in the workplace. One reason that casual work lacks public attention is the relative invisibility of casual workers and their concerns in workplace organisation. This invisibility is sometimes quite literal: casually employed academics frequently lack a desk at their workplace and so are rarely seen by other staff (Brown et al., 2010; see also Shelton et al., 2001: 435). Casual workers are also less likely to be included in work-related meeting and social functions. For example, Junor’s (2004) survey of 2494 casual university staff found exceptionally low rates of inclusion in formal meetings (15%) and social functions (29%). Pocock et al. (2004: 92) document similar experiences of exclusion in other industries. For example, ‘George’, a 40-year-old technician employed on a casual basis by the same firm for 10 years, reports that as a casual,

You don’t ever feel that you fit in as part of the team properly. For instance they have work days where you are just rostered off and you’re not even thought of so you know you’re paid for that day but you’re not also included in the things like the picnic days, the Christmas shows, any other functions that might be happening ...

This absence of casual workers from organisational life means that permanent workers are less cognisant of the extent of casual employment, and that there are fewer forums in which casual workers are present to raise concerns.

Even where casual workers are present there are structural limits on their capacity to make their issues heard. Adapting a concept from Hirschman (1970), Pocock et al. (2004) argue that ‘permanency confers voice’, in at least two respects (p. 13). First, casual

workers who challenge their employers are at greater risk of dismissal due to their lack of entitlement to ongoing employment. In some cases, casual workers are directly threatened with dismissal (e.g. Wilcox and Lowry, 2000: 38; see also Zeytinoglu et al., 2004: 533–534). In other cases, the potential loss of employment has the same effect:

I think it does [affect your say] because it's so easy to get rid of you if you're a casual that you're often not willing to say anything ... I've had one particular [workplace] where there's all sorts of things happening but I just didn't feel like I could say anything because he [her employer] was the type that would punish you for it. ('Monique', in Pocock et al., 2004: 116)

Second, even where workers perceive their employment as secure, there is evidence that even experienced casual workers' perspectives are marginalised in organisational discourse because other workers regard them as less knowledgeable about, or committed to, the organisation, as Kenneth (Pocock et al., 2004: 94; see also Brown et al., 2010: 178) explains,

I don't think that they think you get the full picture of the business. You just turn up and do what you're supposed to do and then leave and they don't appreciate the fact that you know as much about the business as what they do. And that you take your responsibilities just as importantly as what they would take theirs on a daily basis.

This invisibility of casual workers can be described as a structural feature of precarious employment because it is a direct consequence of casual workers' low employment rights. Since casual work in Australia is especially precarious by international standards, a plausible supposition is that the invisibility of casual workers and their concerns is also commensurately higher.

Invisibility in political discourse. Despite the prevalence of casual employment in Australia, only one speech reviewed for this study referred to casual employment directly.⁹ Other discussions of employment in Australia tended to indirectly deny or misrepresent the extent of precarious employment. For example, Julia Gillard MP (member of parliament) introduced the Workplaces Relations Amendment (Transition to Forward with Fairness) Bill (2008) into Federal Parliament as implementing the ALP's belief that 'all Australian employees are entitled to a safety net of ten National Employment Standards'. Yet the exclusions of casual workers from these standards was not acknowledged. In 1993, then ALP PM Paul Keating claimed that under an LNC government, 'Workers will lose the protection of awards and be forced to negotiate individual contracts with their employers or face the sack'. This statement implies that employees are generally protected by collectively negotiated awards, when at the time of PM Keating's speech 22.7% of employees were casuals (Burgess et al., 2008: 165), and so were largely excluded from substantive award protections.

A more subtle type of invisibility of casual employment is due to what will be termed a normative or ideological gap in Australian political discourse. For present purposes, the term 'normative gap' refers to phenomena that fall outside the value systems of a political community, and so do not receive the attention or positive

evaluation that their objective features merit. While casual employment is highly ‘flexible’, the status of casual workers as employees means that they are excluded from the positive evaluation that the political right reserves for owners of capital. For example, in his 2004 election launch, then PM Howard lauded the innovative and flexible contributions made by both small businesses and independent contractors to the Australian economy:

Small businesses are the heart and soul of the Australian economy ... They represent the new face of innovative Australia. The new face of entrepreneurial Australia. We must do more to encourage them, to entrench that culture ...

... [A]s a result of the ever-increasing contribution that *independent contractors* make to our economy, a re-elected Coalition Government will establish separate legislation to enshrine and protect the status of independent contractors ... They opt for freedom and flexibility but they are always under attack from unions. (emphasis added)

Casual employment has many similarities with small business and contract work: little job security, variable hours and often the need to juggle multiple employers (Buchler et al., 2009). Casual employment also substantially contributes to economic ‘flexibility’, constituting 27.7% of employees at the time of PM Howard’s speech (Burgess et al., 2008: 165). Yet, unlike small business and contract workers, casual workers received neither praise nor policy incentives. The only mention of casual workers by PM Howard – or indeed any public figure – in the reviewed speeches is his statement in a 2005 address to the Sydney Institute that casual work ‘reflects the contemporary needs of many employers and employees alike’. One explanation for this marginalisation is that the implicit assessment of casual workers is normative rather than technical: as employees, casual workers are disqualified from the value attached to ‘free’ economic agents within an economic–libertarian political framework.

On the other hand, because casual workers are often not viewed as full members of their workplaces or the workforce by colleagues and unions, they tend to be excluded from the positive value attributed to workers in standard employment by the political left. This tendency is accentuated by the shift in the ALP speeches reviewed for this study from norms stressing economic co-operation and the common good in the Hawke–Keating era towards the more achievement-orientated discourse advanced by Kevin Rudd MP and PM Julia Gillard. Both Rudd and PM Gillard stressed the value of *hard work*, where pay and entitlements are framed as a response to workers’ efforts. For example, in Rudd’s ‘Facing the Future’ speech in 2007, he states that

Australians are *hard workers*. In return for a fair day’s work, they are entitled to a fair day’s pay. And in return for their hard work and their loyalty to their employer they are entitled to decent treatment, to a fair go. (emphasis added)

PM Julia Gillard articulated similar sentiments in her 2010 campaign launch:

Friends, I have believed all of my life in the *power of hard work*, in the importance of work, in defining a life in the importance of work, in earning your keep, in making sure you do your best every day. (emphasis added)

To be sure, the value of work is a firmly ALP norm, and Rudd does go on to stress the importance of job security (although not for casuals). Nonetheless, a valorisation of hard work and a 'fair day's pay for a fair day's work' distract attention from the specific challenge that precarious employment poses to traditional union and ALP values. While casual staff are typically lowly paid, casual workers can work hard, earn their keep, and even receive 'a fair day's pay' while still lacking many of the rights and entitlements achieved by labour movements in Australia over the 19th and 20th centuries, which includes job security, stable working hours, a wage sufficient to need and paid sick and holiday leave. By moving political debate away from these claims, a narrative of achievement through hard work glosses over the large number of Australian employees who lack these 'standard' rights and entitlements.

The reification of casual work

In the workplace. With some modification, Lukács' concept of reification can be used to articulate how casual work tends to be conceptualised as a natural category, and thereby implicitly viewed as an illegitimate subject of critique. In particular, the category of casual employment in Australia is an arbitrary social creation, yet it is often seen to denote an objectively different type of worker. This perception is visible in the inferior treatment of casual employees when there are no substantive differences in their task or performance. An indicative example is the experience of Jeff (Pocock et al., 2004), a skilled tradesman who is casually employed and who states that other workers 'treat them [casual workers] like shit ... Just basically making you not feel part of the team even though you might have been there even longer than they have' (p. 105). This perception of precarious workers as meriting a lower standard of treatment is well captured in Barbara Garson's (1988) observations of freelance workers in the United States:

When a staff artist is injured, the employer pays his medical bills, his department signs a get well card and some fellow workers phone and visit. When a freelance artist gets hit by a bus, you find a new one. The card is optional, and fewer people are likely to visit even if the freelancer worked on the premises. *Somehow, the company's limited financial responsibility affects everyone's personal commitment.* (pp. 234–235, emphasis added)

Staff may not always be conscious of these kind of biases; for example, one casual retail worker states that 'I don't think that managers are aware of their bias against casual staff, they see them simply as extra bodies to fill in the gaps of their full-time staff roster' (Wilcox and Lowry, 2000: 41). Nonetheless, the inferior treatment of workers in both freelance and casual employment when performing the same task implies that the arbitrary social category of precarious employment has been 'reified' into a natural or objective feature of precarious workers themselves.

Of course, in this context 'reification' does not have the same precise meaning as in Lukács' original analysis. Yet, the concept of reification here is consistent with Lukács' literal definition of reification as 'the transformation of a social relation into a thing'. More importantly for present purposes, conceptualising attitudes to casual employment as a form of reification highlights how regarding malleable social relations as immutable objects reduces possibilities for critique and dissent. In this case, the more casual

employees are viewed as an objectively different category of worker, the more the inferior conditions of casual work will seem appropriate to that different (i.e. inferior) worker. Hence, reification of casual employment reduces the impetus for employers or other workers to improve casual workers' conditions. Lukács' account of 'self-reification' also suggests how economic processes might influence precarious workers' perceptions of their own status and capabilities, since there is evidence that some casual workers internalise the perception that casual employment denotes an objectively different class of worker. For example, despite an estimated 50% of university teaching being performed by casual staff (see May et al., 2011: 188), casual academics sometimes describe themselves as an inferior class of worker:

Well you're *not a real staff member*, you're not at staff meetings, you're not aware of what is happening in the university in a broader sense ... You're just picked up the week before the semester starts and dropped when the semester ends. ('Molly' in Brown et al., 2006: 35, emphasis added)

Molly's description of herself as 'not a real staff member' reflects a reification of the category of casual employment insofar as she does not consider herself a fully legitimate worker due to her casual employment status. One possible reason that casual work endures then is that employers and workers on ongoing contracts, and to a lesser extent casual workers themselves, have imbued an arbitrary social relation with a false and misleading objectivity.

In political discourse. The reification of casual employment in Australian public political discourse is much closer to Lukács' original use of this concept. The main reference here is to the perception in Australian political discourse that labour market practices are largely determined or constrained by autonomous international economic systems. This perception is reflected in the recurrent use of international economic threats to legitimate economic and labour market policies and reforms in the speeches reviewed. For example, in 1984, then ALP PM Robert J. (Bob) Hawke introduces his policy platform as 'meet[ing] even more effectively the challenges and opportunities of an increasingly complex world and an increasingly competitive Western Pacific region'. In 1993, PM Keating indirectly attributes the preceding national recession to global economic competition, stating that 'Today a whole generation of Australians know that the world does not owe us a living'. In 1998, PM Howard states that the Asian economic crisis tells Australians that 'we must change and reform if we are to survive the challenges of international economic circumstances'. In 2005, Kevin Andrews MP defends 'Work Choices' as necessary to meet 'the challenges of ongoing global competition', as does Business Council of Australia (BCA) President Michael Chaney:

Australia, and the businesses and families that make up the Australian economy, have to continue to increase their productivity. Any country that fails to keep pace with reform will quickly be overtaken by its competitors.

The view that internal economic organisation must adapt to global economic threats and challenges is not unique to Australia, and the 2008 global financial crisis is a timely

reminder that the harms that global economic processes can cause to national economies are not illusionary. Yet, as a small, trade-dependent nation with a long history of economic crises attributed to international events, the constraints that international economic systems pose loom especially large in Australia's national consciousness.

Drawing on Lukács once more, a consequence of viewing global economic systems as largely autonomous is to restrict what a national political community perceives as its available policy options. Kevin Doogan (2009) has developed this idea in an international context; he argues that one reason that the neo-liberal policies implemented in many OECD nations were not more thoroughly challenged is the mistaken perception that these policies were corollaries of global economic forces rather than deliberate policy choices. In Australia, Kelly's (1994) influential narrative is that the egalitarian ideals embodied in centralised wage fixing were necessarily doomed by the nation's need to improve international competitiveness. However, Kelly's critical target is the labour market rigidities embedded in award wages and conditions, rather than the specific and extreme form of labour market 'flexibility' characteristic of extensive casual employment. Moreover, a critique of rigidities in award wages and conditions is not *ipso facto* a justification of casual employment because casual employment is just one (extreme) alternative to employment under 'standard' award conditions.

There is a similar trend in the public speeches reviewed for this study. While flexibility and international competitiveness are recurrent themes, there is only one brief attempt – by PM Howard – to defend casual employment in particular. Even this defence is curiously qualified because while Howard 'refuses to demonise the growth of casual employment', he also argues that weaker employment protection will increase permanent employment. There are more detailed defences of casual employment elsewhere in the Australian public sphere, including by the BCA (2012), the Australian Industry Group (AIG) (2005) and the Institute of Public Affairs (Lloyd, 2012). Yet, casual employment has attracted very little public scrutiny relative to how widely it is used, and relative to the extensive discussion of labour market flexibility more broadly. Given that both the ALP and LNC have sought a more flexible employment environment, and that both parties have justified their policies using international economic threats, one supposition is that casual employment has become wrapped up in a more general fear of labour market rigidity in the face of powerful international market forces. Yet, while international economic processes clearly restrict national labour market policies, the case has not been made either widely or effectively that extensive casual employment is a necessary response to these global processes. This inchoate fear of subjecting casual employment to rigorous public scrutiny would also go some way towards explaining the persistence of two apparently incommensurate features of Australian political organisation: a nominally egalitarian ethos and the extensive use of a two-tier system of employment rights and entitlements.

Conclusion

This article provides a partial explanation of the lack of public resistance to precarious employment in Australia. It begins from an idea drawn from the Frankfurt School tradition of critical social theory, which is that economic systems produce ideas and norms that

might conceal their harmful features. While critical social theorists do not directly explain the persistence of casual employment, their analyses point towards norms and practices in Australia that perform an analogous function. Casual workers' lack of rights limits their visibility in the workplace, and perceptions of casual employees as an objectively different class of worker implies that they merit their poorer conditions. The analysis of public speeches in Australia in this article suggests that casual work suffers from a similar lack of visibility in political discourse, and is not well captured by either the freedom or employment rights-based norms deployed in recent LNC and ALP discourse, respectively.

The focus on international economic threats in Australian political discourse also suggests that an ingrained fear of labour market rigidity in the face of global market forces may have curtailed political discussion of casual employment, without the link between casual employment and labour market flexibility more generally being subject to adequate public scrutiny. For those who view casual work as a necessary or desirable feature of Australian economic organisation, this finding suggests that more work is required to show why extensive use of this highly precarious form of labour market flexibility is required to meet the challenges of global economic systems. For those who defend an egalitarian norm in Australian political discourse, more work is also required to show how this principle is compatible with the widespread inequities in rights and entitlements reflected in the extensive use of casual employment.

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Notes

1. Although 'standard' employment is a misleading designation in the Australian context, where 40% of employees are in 'non-standard' employment relations (Australian Bureau of Statistics (ABS), 2012; Howe et al., 2012).
2. Casual workers are entitled to maximum weekly hours and a Fair Work Information Statement. Only 'long term casuals' are entitled to request flexible work and parental leave, and casual staff can access only unpaid personnel and carers leave, community service leave and public holidays. Casual staff are not entitled to annual leave or redundancy pay or guaranteed long service leave or notice of termination.
3. The conditions listed for Australian workers here refers to workers on fixed-term contracts rather than casual workers, which explains the Organisation for Economic Co-operation and Development's (OECD) statement that temporary workers in Australia have paid holiday leave. By contrast, the ABS definition of casual workers explicitly states that these are workers who are excluded from paid leave entitlements (e.g. ABS, 2012).
4. The Australian data here refers to workers on fixed-term contracts and so overstates the regulation of temporary employment overall.
5. One exception is casual academic employment.

6. Perplexingly, while the OECD highlights that the 27% of employees on casual contracts are excluded from the definition of temporary employment, they argue that this is evidence *against* viewing work in Australia as characterised by a high rate of precarity (OECD, 2002: 171).
7. A previous Australian Council of Trade Unions (ACTU) campaign for casual workers was to enable casual workers to access unpaid maternity leave, as described by Watts (2001). However, this did not change the fundamental precarity of casual employment as defined above.
8. As Stewart (2009) explains, some small changes were made to casual workers' conditions.
9. Except for Kevin Andrews' comment that casual workers will be excluded from the number of employees required to exempt business from unfair dismissal laws.

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Author biography

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Appendix I

Landmark political speeches

1. PM Julia Gillard, ALP Campaign Launch, Brisbane, 2010.
2. Kevin Rudd MP, ALP Policy Launch, Brisbane, 14 November 2007.
3. Kevin Rudd MP, 'Facing the Future', National Press Club, Canberra, 17 April 2007.
4. PM John Howard, Liberal Party (LP) Policy Launch, Brisbane, 26 September 2004.
5. PM Howard, LP Policy Launch Speech, Sydney, 28 October 2001.

6. PM Howard, LP Policy Launch, Sydney, 20 September 1998.
7. John Howard, MP, LP Policy Launch, 18 February 1996.
8. PM Paul Keating, ALP Policy, Sydney, 24 February 1993.
9. PM Robert (Bob) J. Hawke, ALP Policy Launch, Brisbane, 8 March 1990.
10. PM Robert (Bob) J. Hawke, ALP Policy Launch, Sydney, 23 June 1987.
11. PM Robert (Bob) J. Hawke, ALP Policy Launch, Sydney, 13 November 1984.
12. Robert (Bob) J. Hawke, ALP Campaign Launch, Sydney, 16 February 1983.

Appendix 2

'Work Choices' speeches and texts

1. Julia Gillard MP (ALP), Second Reading Speech – Workplace Relations Amendment (Transition to Forward with Fairness) Bill 2008, 14 February 2008.
2. Trevor Carroll (Australian Industry Group National President), Address to the AIG National Dinner, Parliament House, Canberra, 13 August 2007.
3. Michael Chaney (BCA President) Renewed Reform: Why it's an Imperative, ICAA Breakfast Briefing, 8 November 2005.
4. Kevin Andrews MP (LP), Workchoices: A New Workplace Relations System, speech to the Australian Financial Review Conference, reproduced in Teicher et al. (2006).
5. Sharan Burrow, ACTU President, 'Workchoices: The Re-Commodification of Labour', revised version of speech reproduced in Teicher et al. (2006).
6. Greg Combet (ACTU), All Have a Right to a Fair Deal, *The Australian*, 22 September 2006.
7. Stephen Smith MP (ALP), Speech on Workplace Relations, in House of Representatives Official Hansard, No. 6, 25 May 2006, pp. 83–86.
8. PM John Howard, Address to the Sydney Institute, Four Seasons Hotel, 11 July 2005.