

## EMPLOYERS WARN BOTH SIDES ON IR LAWS

# Big miners want more flexibility



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RESOURCE sector employers have urged Kevin Rudd and Tony Abbott to immediately release policies supporting major changes to the nation's workplace laws, warning that the status quo would entrench third-party interference at the expense of productivity.

While pushing Labor to make changes, the Australian Mines and Metals Association — on behalf of companies including BHP Billiton and Rio Tinto — challenged the Opposition Leader to spell out an "alternate policy vision" that assured voters he would have a flexible system that gave fair and reasonable protection to workers.

The association's chief executive, Steve Knott — a vocal critic of Labor's workplace laws — said his letter to the Prime Minister and Mr Abbott had the support of the AMMA board, whose members include executives from BHP, Woodside, Rio Tinto and Newcrest Mining.

Mr Knott urged changes to the Fair Work Act, including providing access to individual contracts, immediate sanctions for unlawful strikes, more restrictions on unions entering workplaces and new limits on the content of enterprise agreements.

"It would appear that in the rush to destroy the former Work Choices regime the industrial relations pendulum has been pushed too far back the other way," he said.

But Mr Knott called on the Co-

alition to immediately release its policy, saying Work Choices had gone too far. "Most Australians recognised that past reforms which allowed minimum conditions to be undercut were a step too far," he said. "We are pleased to see that even the federal Opposition Leader has publicly recognised this fact. He now needs to clearly enunciate an alternate policy vision, which assures both employers and the general public alike of a genuine reform agenda which is underpinned with a system of fair and reasonable protections for workers while at the same time delivering the flexibility modern Australian workplaces need."

Many of the proposals in Mr Knott's eight-page letter appear to be favoured by Mr Abbott, including the reintroduction of individual contracts and the proposed exemption from unfair dismissal laws for businesses with 20 or fewer employees.

In other proposals likely to win support from the Liberals, Mr Knott wants new restrictions on workers taking legal industrial action, the banning of union content in workplace agreements, and laws making it harder for unions to enter workplaces.

However, Deputy Prime Minister Julia Gillard said the government's industrial relations policy was well-known.

"We took it to the last election and the Australian people supported it," she said. "Mr Knott is right to ask what Mr Abbott's policy is. He has given one version to a business lunch, and a different

one to the Australian people.

"We do know Mr Abbott supports cutting penalty rates from workers, stripping away conditions via a new version of Australian Workplace Agreements, and making two million Australians ineligible for unfair dismissal protections.

"Mr Abbott should now indicate exactly which of Mr Knott's measures he supports."

ACTU secretary Jeff Lawrence accused Mr Knott of wanting to bring back Work Choices and remove workers' rights.

"Millions of Australians would lose their rights to collective bargaining and suffer cuts to pay and conditions under AMMA and the Liberal Party's plans to reintroduce individual contracts," Mr Lawrence said.

"Instead of drafting a new hardline industrial relations policy for the Liberal Party, AMMA should focus on sitting down with the mining workers and their union representatives and lifting the appalling health and safety standards in the industry."

Mr Knott said the Fair Work Act had not met "the aspirations of our members to create job opportunities in an environment free of the disruptive and destructive strike activity based on the ideological struggles of the past".

"In our view, without amendments to the workplace relations framework, the progress achieved over the last two decades will come to an abrupt halt and provide a conduit to a return to the worst aspects of our past industrial relations system by en-

trenching third party interference and influence at the expense of workplace productivity and competitiveness," he wrote.

The association's board of directors includes Ian Ashby, BHP Billiton Iron Ore's president of iron ore; Steve Hodgson, president of Rio Tinto Alcan Ltd's bauxite and alumina division; Eve Howell, Woodside Energy's executive vice-president, North West Shelf; and Ian Smith, Newcrest Mining Limited's managing director and chief executive officer.

Mr Knott said the individual flexibility arrangements promoted by the government as an alternative to individual agreements had not worked, as unions had successfully restricted flexibility to peripheral issues.

"It is not uncommon for an enterprise agreement to meet the Fair Work Act's requirements by solely allowing flexibility of when a tea break can be taken," he said.

Mr Knott said the legislation allowed unions to take economically damaging strike action to soften up employers in negotiations. Citing recent action by the maritime union that led to workers achieving massive pay rises in the offshore oil and gas sector, he said: "The taking of protected industrial action against an employer should only be . . . a last resort".

The legislation needed to include immediate sanctions where workers engaged in unlawful industrial action.