

CoSBA



Combined Small Business Alliance of WA (Inc)



Date: 2 June 2011

Hon Julia Gillard  
Prime Minister  
Parliament House  
CANBERRA ACT 2600

Senator Greg Evans  
Minister for Workplace Relations  
Parliament House  
CANBERRA ACT 2600

Dear Prime Minister Gillard and Minister Evans

**Re: OVERHAUL OF WORKPLACE RELATIONS LAWS**

We make reference to articles published in yesterday's (31.5.11) and today's (1.6.11) editions of *The Australian* newspaper under the headings 'No room for flexible work' and 'Employer group pushes IR overhaul' respectively, of which you are no doubt aware, and which sets an urgent and compelling case for the overhaul of federal workplace laws.

With reference to the articles, we wish to add our voice and support to the call made by the Chamber of Commerce and Industry of Western Australia for a "radical overhaul of the federal workplace system, outlined in the chamber's 48-page policy paper detailing 11 key proposals forwarded to federal and state politicians".

In addition, we would strongly advocate for the repeal of laws that facilitate businesses, in particular small businesses, being dragged into the Federal Court, at costs of tens or hundreds of thousands of dollars, when, under the previous Workplace Relations Act such matters were adequately and competently dealt with by the Australian Industrial Relations Commission at a fraction of the cost.

In the 1997 report "More Time For Business", the Federal Government's response to the 1996 "Bell Report" (Time For Business), the then Prime Minister, John Howard, in his Foreword stated, in part:

*"Small business is the engine room of the Australian economy, a vital source of enterprise, innovation and jobs.*

*Small business is based on the self-reliance, initiative and vision of men and women with a commitment to hard work and the preparedness to take a risk to achieve their goals and ambitions. Small business is integral to the decentralised network of family, workplaces and community which is the most effective guarantor of freedom and choice.*

*Too often in the past, government has been a burden for small business. Government has appeared unable or unwilling to understand the special needs of small business and unaware of the impact of decisions on them."*

We believe that statement to be as cogent and relevant today as the day it was penned.

**Re: OVERHAUL OF WORKPLACE RELATIONS LAWS**

In our judgment, both the Fair Work Act and “Modern Award” system are both systems that are of a ‘flat earth and ‘one size fits all’ character, that that in large part do not take into consideration the needs and aspirations of small businesses and operate to burden small business with laws that bind small business in unnecessary red tape, costs and legalistic processes.

Accordingly, in the developing workplace laws we urge the Government to demonstrate a willingness to understand the special needs of small business, not to burden small business with laws that unnecessarily bind small business in red tape, costs and legalistic processes, and be fully aware of the impact of its decisions on small businesses.

Yours faithfully

**Combined Small Business Alliance  
of Western Australia Inc. (CoSBA)**



**OLIVER MOON  
Chief Executive Officer**

cc.: Tony Abbott, Leader of the Opposition; Senator Eric Abets, Shadow Minister for Workplace Relations; Bruce Billson, Shadow Minister for Small Business; Colin Barnett, Premier Western Australia; Simon O'Brien, Minister for Small Business (WA)