



MEDIA RELEASE

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Resources Sector Welcomes Opposition Amendments

The peak national industry body representing Australia's resources sector, the Australian Mines and Metals Association (AMMA), has welcomed the Opposition's decision to oppose various union power grabs proposed by the Government; powers that were not part of the ALP's pre-election policy.

AMMA Chief Executive Steve Knott said the extraordinary increase in union powers buried away in the Fair Work Bill was rightly being challenged by the Opposition and various non-government Senators.

"AMMA supports today's analysis by Senator Fielding that the so-called Fair Work Bill *'is anything but fair, it stinks'*," said Mr Knott.

"The Senator's comments reflect the growing concern that the Government is giving union powers priority ahead of helping employers and workers to keep jobs."

"Some of these powers totally override individual rights and are almost police-like, such as the right of unions to access the personal records of non-union members," said Mr Knott.

A recent survey of AMMA members on anticipated redundancies highlighted a bleak outlook for 2009 with a staggering 55 per cent of companies planning more job cuts this year and another 21 per cent reporting possible redundancies in the next 12 months.

"While we're hearing a lot about international economic forces, we still need to work on the domestic front to help the resources sector to improve productivity and to reduce the cost of doing business", said Mr Knott.

"If the Fair Work Bill is left unchanged, it will increase business costs and lead to more job losses."

Mr Knott said the Fair Work Bill currently proposed to facilitate industrial tribunal capacity, on application by unions, to impose unsustainable wages and conditions on employers.



Australian Mines and Metals Association

“This is something the Government specifically denied they would do pre-election.”

“Given the current economic environment, such a 180-degree policy change is going to have catastrophic employment consequences for industry.”

Mr Knott said the Prime Minister’s stimulus package would be threatened and infrastructure projects delayed by cumbersome agreement-making processes for new projects.

The process would be impeded by a public interest test announced today by the Government and would involve both industrial tribunal and multiple union interventions in agreement making.

“Transfer of business law changes, also not announced pre-election will stop employers from hiring employees who have previously done similar work for another company.”

“The time for the Senate to act is now. In the national interest, AMMA supports the Coalition’s and key Independent Senator’s opposition to the anti-employment/union power grabs that did not form part of Labor’s IR election platform.”

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* See below for key AMMA proposed amendments designed to address concerns over excessive union powers and the new bargaining framework, while ensuring Australian workers continue to have access to a proper safety net.



Australian Mines and Metals Association

Key AMMA Amendments include:

Remove automatic access to non-member records

- Protect privacy of all employees by limiting union access to employee records to circumstances where it has the written consent of the affected employee (union or non-union member) or an order of Fair Work Australia providing authority to access particular employee records;

Prevent automatic (default) union representation without express written approval

- Remove the union default bargaining rule and only allow union representation where employees have expressly requested and provided written approval;
- Ensure that a bargaining representative can only be covered by an agreement where a genuine majority of employees vote for that particular representative (union) to be covered by the agreement;

Provide certainty for billion dollar resources sector Greenfield projects

- Prevent rogue unions from putting at risk billion dollar resources projects by amending or clarifying proposed notification and agreement requirements under the Fair Work Bill to allow employers to enter into Greenfield agreements with one or more (not necessarily all) eligible unions

No Means 'No'

- Ensure good faith bargaining orders cannot be imposed on employers who exercise their rights to not make concessions or agree to unrealistic terms to be contained in an agreement

Ensure resources sector companies can maintain production and supply

- Allow companies to continue to operate by specifically excluding the engagement of alternative labour from the definition of capricious or unfair conduct.

Retain prior levels of industry flexibility in hours of work, rostering and leave

- Ensure workplaces with remote rostering requirements can continue to effectively operate FIFO (fly-in, fly-out) and Norwegian rosters by restoring the 52-week average rostering period and allowing 12-hour ordinary shifts to continue.
- Allow resources sector employees to cash out Annual Leave by agreement.

Review transitional legislation before passing Fair Work Bill

- Review transitional legislation before passing Fair Work Bill.