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Senate Committee told changes to union site entry laws will create safety risks, conflict

AUSTRALIA's national resource industry employer group, AMMA, has today told a Senate Committee that expanding union access to Australian workplaces is unjustifiable and would present significant risks to productivity, safety, and industrial harmony.

Detailing AMMA's objections to the *Fair Work Amendment Bill 2013*, executive director industry Scott Barklamb said the Bill 'comprehensively fails to respond to Australia's workplace relations challenges'.

"Australia needs a reliable, stable, genuinely balanced workplace relations system that acts as a solid foundation for investment, productivity and competitiveness," Mr Barklamb said.

"These amendments will create more litigation, more disputation and more confusion; moving us even further away from co-operative and productive workplace relations."

A major concern in the Amendment Bill is the proposal to extend trade union access to remote resource sites, including offshore oil and gas platforms. Mr Barklamb said such a proposal is 'completely impractical' and has 'enormous safety, productivity and cost impacts'.

"The Bill fails to respond to existing problems with union access to worksites. In fact, it will cause more problems," he said.

"Imposing greater requirements to open up worksites to unions is a recipe for significant compliance and safety risks. It will also encourage increased union militancy and industrial disputation.

"A particularly concern for our industry are the impractical and unrealistic union entry arrangements proposed for remote and offshore facilities.

"Whether they are complex oil and gas platforms 100 kilometres offshore and remote mining sites in the middle of the desert, these highly specialised operational activities cannot safely or practically accommodate union sightseers or salespeople."

Mr Barklamb also raised concerns about the proposal to make lunchrooms the default meeting places for union officials to conduct business on worksites.

"More than 87% of Australian private sector workers are actively choosing to not be associated with a union. These people deserve to have their lunch in peace and not be constantly exposed to union sales pitches," he said.

Other concerns raised by Mr Barklamb on behalf of the resource industry include unworkable requirements for employers when making minor changes to rosters; additional red-tape around individual flexibility; and changes to the way workplace bullying is handled.

"The resource industry takes bullying seriously but this Bill addresses it in entirely the wrong way."

"Bullying is a serious OH&S issue and should be dealt with under existing state laws, not mixed-in with adversarial IR laws and nor should employers be faced a starting position of 'guilty until proven innocent'.

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"A new role for the Fair Work Commission is likely to overlap and undermine employers' own investigations and actions on any allegations of bullying. The Bill also fails to address the very real problem of bullying by trade union officials and delegates."

Overall, Mr Barklamb said: "There is no evidence to support the choice of prescriptions being pursued, and no justification for imposing additional costs on Australian businesses."

"The vast majority of the Bill's proposals were not recommended by the Government's own hand-picked Fair Work Review Panel and appear set to reduce the competitiveness of business."

[CLICK HERE](#) for a full transcript of Mr Barklamb's opening speech to the Australian Senate Committee.

[CLICK HERE](#) for a copy of AMMA's Submission on the Fair Work Amendment Bill 2013.

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