



Fair Work no fair go for mining sector

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The legacy of Labor's "unbalanced" Fair Work Act has added to the "extremely challenging" conditions confronting resources companies, says an industry-wide survey calling for the next federal government to prioritise workplace relations reform.

Right of entry to mines, enterprise bargaining and agreement-making, unfair dismissals and workplace flexibility were areas crying out for reform, the survey of more than 100 members of the Australian Mines and Minerals Association representing 85,000 workers showed.

Just one in 13 employers said enterprise bargaining under the Fair Work Act met the needs of "both employers and employees", with 95 per cent of those surveyed concerned at having to pay "go-away money" to settle unfair dismissal claims that had "no merit", the survey found.

The snapshot of workplace relations in the resources industry taken ahead of this year's election also revealed 76 per cent of

employers had downsized their workforce in the past two years, and were bracing for a further downturn.

Amid the tougher operating environments, most of those surveyed said the next government should embrace recommendations of a Productivity Commission report commissioned under Tony Abbott; 87 per cent said the government should go even further.

AMMA chief executive Steve Knott told *The Australian* Labor's workplace relations reforms were hampering the industry despite three years of Coalition government.

He blamed the "intransigence" of the opposition, the Greens and "some independent senators" for "endangering jobs as well as the competitiveness and viability of Australian enterprises".

"The core problem is the legacy of flawed and unbalanced regulation in Labor's Fair Work Act, and the failure of the opposition and the Greens to support even a modicum of change during this parliament, when it is clear the legislation is increasingly failing employers

ON THE JOB



- **94%** want an enforceable code of conduct for unions entering workplaces

- **1 in 13** enterprise bargaining under the Fair Work Act meets the needs of both employers and employees

- **95%** concerned at having to pay 'go away money' to settle unfair dismissal claims even when they have no merit

- **9 in 10** resource employers say: employees/employer should be able to enter into collective agreements without a union party

and employees," Mr Knott said. In 2014-15, the value of Australian resource exports was \$171.9 billion and it is projected to increase to \$256bn in 2019-20.

More than half the value of all Australian exports comes from the resources industry.

"The survey overwhelmingly confirms that Australia's workplace relations laws are creating

significant barriers to employment and growth, and making it difficult for Australian companies to compete globally," Mr Knott said.

An overwhelming majority of employers responding to the association's survey agreed that conditions were "challenging" or "extremely challenging" — BHP said earlier this year that it was facing the "toughest market conditions for the industry in well over a decade".

BHP Billiton head of coal Mike Henry slammed a Fair Work Commission decision in February that allowed Construction Forestry Mining and Energy Union officials to meet workers in the cabin of dragline equipment at the group's Caval Ridge site.

The site was 2.4km from the meal-break room where unions can legally convene, with Mr Henry declaring that the outcome of the case "highlights the productivity-disabling imbalance in the current Fair Work Act right-of-entry provisions and the need for reform".

The CFMEU has previously branded the association an "extreme anti-union organisation".