

MEDIA RELEASE

23 January 2017

What is going on with Australia's workplace relations system?

(AMMA – Australian Mines and Metals Association)

THE shock resignation of a senior and well-respected member of Australia's national employment tribunal, the Fair Work Commission, raises serious questions about the operation, effectiveness and relevance of the Commission and the workplace relations laws it administers.

The *Australian Financial Review* today [reports](#) longstanding FWC Vice President Graeme Watson has resigned from his position and written a letter to Minister for Employment Michaelia Cash outlining grave concerns with the way workplace relations is regulated and administered in Australia.

"Vice President Watson is well respected by all users of Australia's workplace system and, in almost 10 years' service to the employment tribunal, has proven to be fair, objective and pragmatic in his application of Australia's workplace relations laws," AMMA chief executive Steve Knott said.

"While VP Watson's resignation is a real loss to the Fair Work Commission, of even greater concern is the dysfunction in the tribunal and our workplace laws that has prompted the early resignation of one of its most senior and widely respected members.

"This is the second senior FWC member to have recently left the tribunal well before their statutory retirement date. Senior Deputy President Peter Richards, a Howard Government appointee like VP Watson, left in September 2016."

Many of the concerns outlined by VP Watson to Minister Cash echo those detailed by AMMA in a [letter](#) to the Minister last October, which included:

- Increasing evidence that the FWC is dysfunctional, not serving users well and appearing to pursue political agendas rather than assisting constructive workplace relations outcomes.
- The growing need for an independent appeals tribunal to ensure greater rigour and consistency in the decisions of the FWC, including that its members respect established Full Bench principles.
- The application of the Fair Work Act's unfair dismissal and adverse action provisions seeing employees rewarded for making speculative claims against their employers, even where their actions clearly justify dismissal from their workplaces.
- The failure of enterprise bargaining to support productivity and industrial harmony in Australian workplaces, and instead rewarding unions for threatening and taking strike action.
- Increasing instances where the FWC is not approving agreements based on technicalities such as minor typos in forms or documents incorrectly stapled together.

"The issues raised in the Vice President's resignation letter add further weight to previous calls from the business community for the government to conduct an urgent review of the Fair Work Commission, its structures, powers and decision making," Mr Knott said.

"The serious problems identified by VP Watson also reaffirm the importance of the government acting on the Productivity Commission's 2015 review of Australia's workplace relations framework, and implementing the majority of its recommendations for reform during 2017."

Click [here](#) to learn more about AMMA's workplace relations reform priorities.

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