

MEDIA RELEASE



A U S T R A L I A N
R E T A I L E R S
A S S O C I A T I O N

[2 May 2007]

It's the award-way or the highway for small business under a Labor government!

David Edwards of the Australian Retailers Association today said retailers had responded with horror over confirmation at the weekend that the ALP will remove entirely any individual agreement making option from the federal industrial relations system if elected. Since the introduction of a statutory individual agreement making option over 10 years ago retailers seeking flexibility and productivity gains have increasingly taken up the individual agreement making option. Small retail businesses in particular continue to almost universally prefer the individual agreement making stream.

Edwards said: *"Retailers are getting increasingly annoyed by the ALP political red herring that somehow common law contracts represent an alternate to statutory individual agreements. Not only is this nonsense it is causing confusion amongst small retailers about how they deal with award entitlements in common law contracts and that is the last thing small retailers and their employees need."*

Edwards said that is beyond dispute that common law contracts cannot override the terms of an award but that statutory agreements like AWAs completely displace award terms and conditions allowing employers and employees to mutually agree to terms that are tailored to the individual business circumstances.

AUSTRALIAN RETAILERS' ASSOCIATION

Level 11, 45 Market Street
SYDNEY NSW 2000

104 Franklin Street
MELBOURNE VIC 3000



The ALP is literally saying to retailers you are free to negotiate higher penalties than the award, free to negotiate higher wages and free to negotiate higher allowances and you can do it all with a common law contract. Edwards said the ALP might like to explain where the fairness applies for small business in that proposition.

Edwards went on to say that: *“The ALP should just come clean about the inflexibilities they want to inflict on employers and stop trying to trick small businesses into believing that the ALP will provide an individual agreement making option. The ALP should tell employers that it’s the award-way or the highway for small business under a Labor government.”*

Media Enquiries: David Edwards Acting Executive Director (03) 9321 5000.

The Australian Retailers’ Association (ARA) is the peak retail employer association representing the interests of the largest employing industry in Australia. We provide leadership and solutions to improve the long-term viability, productivity and visibility of the retail industry by proactively dealing with government, media and other regulatory bodies. We also manage issues that impact members by lobbying Federal, State, Territory and Local governments to ensure members’ business concerns are given an effective voice.