



The HR Nicholls Society Inc.

Reforming Australia's Industrial Relations



Hon Senator Chris Evans,
Minister for Tertiary Education, Skills, Jobs and Workplace Relations,
Parliament House,
Canberra,
ACT, 2000.

21/6/11

Dear Senator,

I write to you on behalf of the HR Nicholls Society in light of your welcome confirmation that the government will conduct a review of the FWA as outlined in the Explanatory Memorandum.

As you will be aware, the EM includes the following statement:

“As mentioned above, the Government is committed to monitoring the impact of the provisions contained in the Bill through a post-implementation review. This review will provide a comprehensive analysis of how the Government’s new workplace relations system is operating and its impact on employers, employees, the community and governments. The review will assess if the provisions in the Bill have led to any differential impacts across regions, industries and occupations.”

In light of that commitment the HR Nicholls Society is seeking answers to the questions below:

What preparatory work is being undertaken in regard to the review?

Is detail of that preparatory work and any data that it contains going to be made public before the review commences?

In light of the EM what are the precise terms of reference for the review?

Will the review be conducted in public as requested by the HR Nicholls Society and will it be conducted in a transparent manner by three independent commissioners?

In light of the slide in productivity will the review also look at the impact the FWA is having on productivity?

Will the review also take into account the operations of the “modern awards” and the impact they are having on employment?

With the number of long term unemployed people rising will the review look at the impact the Act is having on this problem and will the review consider the issue of the Act's impact on the under utilisation of labour?

Will the review particularly explore the problems that are besetting small business in particular with unfair dismissals, the lack of binding advice from the Fair Work Ombudsman and the inability to effectively strike an IFA and their lack of accountability?

As the Act would appear to be having significant impact on the economy and in light of the public interest surrounding the review your prompt response to these questions would be appreciated.

Yours sincerely,

A handwritten signature in black ink that reads "A. Bisits". The signature is written in a cursive, slightly slanted style.

Adam Bisits
President, HR Nicholls Society.