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Committee Secretary
Senate Education, Employment and Workplace Relations Committees
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Submitted by email: eewr.sen@aph.gov.au

Dear Committee Secretary

RE: FAIR WORK AMENDMENT BILL 2012

The Victorian Employers' Chamber of Commerce and Industry (VECCI) is Victoria's leading and most influential employer group. An independent, non-government body, VECCI services 15,000 businesses each year.

Our membership base is diverse, with involvement from all levels and sectors of industry including:

- Manufacturing;
- Health and Community;
- Business Services;
- Hospitality;
- Construction;
- Transport;
- Retail; and
- Tourism.

VECCI is a member of the Australian Chamber of Commerce and industry (ACCI), which develops and advocates policies that are in the best interests of Australian business, the economy and the wider community. VECCI endorses the submission made by ACCI to the Committee and makes the additional comments outlined below.

While we note that the scope of the Bill is narrow, and represents only the first tranche of amendments – as discussed below – it is appropriate to revisit the key recommendations of VECCI's submission in summary form here.

VECCI's initial submission addressed key provisions of the operation of the *Fair Work Act 2009*. These were:

- Flexibility;

- Enterprise bargaining and agreement making;
- Industrial action;
- General protections and workplace rights;
- Unfair dismissal; *and*
- The institutional framework.

VECCI's submission spoke to member experience of these provisions of the Act – and explored whether or not there was scope for improvement within existing provisions. Anecdotal evidence drawn from member experience suggests that the operation of the Act, the institutional setting in which it operates, and its regulatory effect of have not delivered on the key promises outlined in the Act's objects. VECCI members all too often observe that the Act has introduced a regulatory setting that has meant a number of steps backward for business, rather than forward.

Indeed, many VECCI members have described the policy outcomes of the Fair Work reforms as detrimental to the capacity of business to do business productively, flexibly and efficiently, and have not provided an appropriately modern regulatory framework for modern workplaces and business structures. More specifically, while the Federal Government promised that the Act would not increase costs, the cost of doing business has increased as a consequence of the Act – along with the administrative and practical on-costs of regulatory uncertainty, coupled with uneven and two or three track economic conditions many industries face.

Accordingly, our key submissions spoke to the character of the regulatory framework that is emerging in practice, and the deficiencies thereof. These were – and remain – as follows:

Flexibility

- Members report an overwhelming lack of familiarity and/or hesitance in implementing IFAs due to systemic issues including the narrow scope of matters, unilateral termination of the IFA at short notice, and uncertainty over the operation of the BOOT test. Furthermore, the current requirement for a flexibility clause in enterprise agreements is resulting in token flexibility clauses that hamstring any meaningful flexibility afforded to employers; and

- The Act's provisions for union-only greenfields agreements is resulting in cost blowouts, delays to projects and results in an unbalanced negotiating advantage to unions.

Enterprise bargaining and agreement making

- Majority Support Determinations ("MSD") are not working effectively.
- The 'matters pertaining' doctrine relating to enterprise agreement content has been significantly eroded, resulting in an expansion of matters that are subject to both bargaining and industrial action.
- VECCI members are frustrated with the time and effort required to accurately interpret the procedural requirements prescribed by the FWA.
- Similarly, VECCI members have found that the requirement to respond to trade union applications (prior to bargaining being agreed) under s240(1) of the FW Act for a 'Section 240 Conference' is costly. VECCI submits that this process is misguided and should be revised.

Industrial action

- Parties seeking protected action ballot orders are pursuing claims for matters not permitted by the FWA and yet allowed to seek orders for industrial action that is likely to result in detriment to an employer's business.

- Parties are not required to show they are 'genuinely trying to reach agreement' with respect to matters that can be objectively shown to increase productivity outcomes according to the size, needs and circumstances of the business.

General Protections

VECCI submits that the general protections regime, which was not foreshadowed by the Government prior to its election in 2007, is flawed for the following reasons:

- The introduction of the broad construct of 'workplace rights' has resulted in an increase in termination-related claims for businesses to defend and therefore in costs.

- This has been compounded by the inability or disinclination of Fair Work Australia to dismiss claims that do not meet the statutory requirements or do not evince a 'cause of action' on the application. In addition to this, employers face challenges recouping the costs of defending the claim from unsuccessful applicants.

- The onus of proof regime prescribed by the Act, as was seen in *Barclay*, is subject to subjective interpretation and has imposed a significant burden upon employers.

- Current timelines for applications have resulted in a 'double dip' approach in termination matters.

Unfair Dismissal

- A convoluted and expensive process for claims; including issues with the way in which FWA unfair dismissal claims are vetted, scheduled and heard;

- An extension of the test for 'genuine redundancy'; placing a positive onus on employers in considering each and every vacancy regardless of geography or compatability prior to moving to redundancies;

- A failure of the protections promised to insulate small-business from costly litigation; and

- Problems with the high-income threshold which have become overly complex and have unnecessarily extended protections to high income earners, or made it difficult to definitively discern eligibility without a hearing.

Institutional Framework

- VECCI submits that our members have found great inconsistency across both the FWO and FWA in interpreting the Act. Fuller detail concerning this was provided in our initial submission.

These arguments for reform of the Fair Work framework have been made before. The problems that inform them remain. The Federal Government must be seen to substantively

and meaningfully engage with the experience of SMEs since the commencement of the Act. The existing mantra that the legislative objects of the Act are being fulfilled and that business is satisfied with the operation of it persists, despite the contrary case being made out by employer representatives.

It remains VECCI's contention that the Fair Work system is fundamentally flawed in a range of respects and that significant changes must be made in order for Australian business to be able to be competitive in both domestic and international markets, and for workplaces (particularly for SMEs) to be productive, efficient and meaningfully modern.

Stated plainly, it is incumbent upon both the Federal Government and the Minister to adopt a comprehensive policy position. The experience of business – and the decline in the rate of productivity growth must be acknowledged as must the impact of regulating the way in which work can be performed – without pandering to alarmist translations of reasoned debate about the Fair Work framework. As the Panel themselves noted,

> Another principle was that the Panel should not limit itself to evaluating the FW Act only through the lens of the legislation that had immediately preceded it… The option of returning to WorkChoices was not seriously explored by any of the major stakeholders during consultations with the Panel.

VECCI champions a forward-looking approach to workplace relations policy and practice and the improvement of the existing framework. In this way, we argue for a system that is not detrimental to the capacity of business to function productively and that is free of the burden of regulatory uncertainty. VECCI has particular concern with the experience of the SMEs that comprise a significant portion of our members, customers and clients – and for whom the FWA looms large. These members are invariably award dependent, without in-house workplace relations expertise, and are most vulnerable to the inequities and uncertainties of the legislation of the day.

'Towards more productive and equitable workplaces' – the Panel's report

The Fair Work Act Review Panel was tasked to consider the extent to which the effects of the *Fair Work Act 2009* were consistent with the objects set out in s.3 of the *Fair Work Act 2009*.

In addition, as the Panel's final report noted, the terms of reference to the Inquiry charged the Panel to analyse whether the Act is operating as intended *and* to explore opportunities for improvement to it, where this was consistent with the legislation. The terms of the review were flawed because of the flaws lying behind the legislative intent.

A comprehensive review of the real significance of the Act for Australian business and, therefore, for the economy, was required. By broadly adopting the position of the Federal Government that the Act is working as intended, the Panel has missed the opportunity to make an adequate and substantive response to the submissions by key informants from Australia's business and employer groups.

Two remarks by the Panel concerning the review process – and its provisional recommendations –deserve repeating here:

> … The Panel finds that the effects of the Fair Work legislation have been broadly consistent with the objects set out in s.3 of the FW Act. We also find that the legislation is broadly operating as intended.

And

> After considering the economic aspects of the FW Act the Panel concludes that since the FW Act came into force important outcomes such as wages growth, industrial disputation, the responsiveness of wages to supply and demand, the rate of employment growth and the flexibility of work patterns have been favourable to Australia's continuing prosperity, as indeed they have been since the transition away from arbitration two decades ago. The exception has been productivity growth, which has been disappointing in the FW Act framework and in the two preceding frameworks over the last decade.

These findings are in stark contrast to the employer experience of the Fair Work framework and institutional setting, coupled with uneven economic outcomes. While VECCI acknowledges the work undertaken by the Panel, we do not find the outcomes of this process to be entirely satisfactory. That a significant number of the Panel's recommendations adopted the evidence put before it by employee groups over that put by business representatives, could mean the position of our members is made worse.

Detail of the ACCI response to each of the Panel's Recommendations is included at **Appendix A**. As a member of ACCI, VECCI affirms and adopts ACCI's responses on a without prejudice basis.

We submit that the limitations of the Panel's Report (and scope of its investigation) are also apparent in the Federal Government's response to and interpretation of the Report, and the first tranche of amendments. It is to this that we now turn.

The Fair Work Amendment Bill 2012

As noted by the Explanatory Memorandum, the *Fair Work Amendment Bill 2012* (hereafter referred to as the FWAB) represents a first tranche approach to the Panel's Report, and includes "mainly technical and clarifying amendments recommended by the Panel and where there is broad consensus among stakeholders".

The FWAB also gives effect to changes to the machinery, the process for selecting superannuation funds as default funds in modern awards, and outlines changes to the powers of the President of Fair Work Australia. While some of the amendments are largely uncontroversial and demonstrate a correct translation of the Report's recommendations by the Federal Government, the rationale behind the amendments regarding the President's powers remain unexplained and were certainly not recommended by the Report, nor foreshadowed by the Government. These amendments are discussed in more detail below. VECCI is, however, concerned that more pressing matters, such as (among others) the payment of annual leave loading on termination and the peculiarities of s.90 of the Act, have not been addressed by this first tranche of amendments.

VECCI submits that the decision taken by the Government to adopt a first tranche approach to so-called minor and technical amendments over more substantive amendments, such as have been called for by both VECCI and ACCI – is problematic. It remains to be seen whether the Government has the political will to address ongoing deficiencies within the Fair Work system.

VECCI notes that in introducing the FWAB to Parliament, Minister Shorten stated:

> This [bill] is not the last step. I am committed to continuing to work with all stakeholders on making appropriate amendments to the Fair Work Act where there is a clear policy justification and where they reflect the government's clear policy frameworks. I and the government retain an open mind on all remaining recommendations from the Fair Work Review Panel and none of these has been ruled in or out.

VECCI hopes that there is indeed commitment to a second tranche of amendments is genuine and that they will be undertaken in both a timely and efficient manner. VECCI hopes that any subsequent amendments adopt the Panel's recommendations that would improve the system for business, and do not add to the existing complexity (and attendant regulatory uncertainty) of the legislative scheme for employers.

VECCI remains sceptical about the scope for meaningful amendments in line with the case made out by employers for legislative change, given that the Minister has indicated that amendments will only be considered where this is both a clear policy justification *and* where they reflect the government's policy framework. If this is the criteria, the government must adjust its policy framework and respond to the difficulties the Act imposes upon Australian business, and particularly upon SMEs.

In respect of the first tranche of amendments contained in the FWAB, VECCI makes the following submissions.

1. Default superannuation funds and modern awards – Schedules 1 and 2

Schedule Two of the FWAB establishes an Expert Panel, tasked with the responsibility for recommending default superannuation funds to be included in modern awards and minimum wage reviews. Schedule Two will have the effect of repealing the Fair Work Minimum Wage Panel, and causing the incumbents to be displaced.

This institutional structure was not recommended by the Panel, and nor does it accord with the Productivity Commission's Report on Superannuation. As such, VECCI supports the maintenance of the status quo, which provides for a dedicated Minimum Wage Panel, comprised of members with relevant expertise and interest in wage setting, rather than the proposed 'Expert Panel' with carriage for both matters.

We defer to and provide support for ACCI's extensive submission concerning the FWAB's Schedule 1.

2. Modern awards – Schedule 3

VECCI regards the provisions of Schedule 3 of the FWAB as uncontroversial.

The technical amendment at s.160 aligns with s.158, is an accurate translation of the Panel's recommendation 15 and is strongly supported.

In the same way, the legislative note inserted at s.158(1) is an accurate translation of the Panel's recommendation 14, and is supported.

3. Enterprise agreements – Schedule 4

As evidenced by VECCI's initial submission, a number of aspects of the statutory scheme concerning the making and bargaining of enterprise agreements are faulty and emerging in practice as significant impediments to workplace productivity as well (and relatedly) as being costs intensive.

VECCI – along with ACCI, as per Appendix A – does not support a number of the Panel's Recommendations and, in turn, opposes the relevant provisions in the FWAB.

We state our opposition to the prohibition on the making of an enterprise agreement between a single employer and an employer. There is no logical reason that would support the amendment.

Principles of freedom of association are demonstrably at issue with regard to the amendment of Part 3- Unlawful terms (a consequence of the Panel's recommendation 23). This amendment would create a new 'unlawful term' under s.194 to cover a term of an enterprise agreement that would enable an employee or an employer to opt out of agreement coverage. It is VECCI's view that an individual's right to freedom of association should not be undermined by whether or not an employee is covered by an enterprise agreement. Again, this amendment demonstrates a poor policy outcome and must be subjected to further scrutiny by the Senate Committee.

We agree with the Panel that "the s.173 notice is an integral element in the bargaining regime"; however, we oppose the step taken by the Panel in recommending amendments to s.173 and s.174.

We also take this opportunity to endorse the Panel's recommendation 21, and its realisation in amendment to Part 2 of Schedule 4 of the Act. This amendment is an appropriate response to *Technip Oceania Pty Ltd v W. Tracey [2011] FWAFB 6551* which was a significant test of the FWA's provisions regarding bargaining representatives.

4. Unfair Dismissal and General Protections – Schedules 5 and 6

VECCI's primary position regarding both unfair dismissal and general protections are that small business should be exempted from the Act's unfair dismissal provision, and that the general protections should be repealed. The reasons for this position are outlined below.

The Panel made a number of recommendations concerning the operation of the unfair dismissal and general protections provisions of the FWA, most of which are adopted by the FWAB.

As with a range of matters concerning the post-implementation review of the Act, the Panel appears to have weighted the Government's policy position on both unfair dismissal and general protections more heavily than the evidence put to them by employer representatives. Indeed, the view of the Government, as articulated by the Minister's reading speech, is that the Panel gave a ringing endorsement of the unfair dismissal provisions and general protection; and further, that small business is pleased with the operation of the small business provisions.

VECCI's evidence, presented in our initial submission to the Panel, speaks at length to the cost and resourcing implications of both the unfair dismissal and general protection regimes. Taken together, these have worked to significantly expand the range of bases upon which employees can bring a complaint against an employer. They are evidence of the fundamental flaws of the Fair Work Act in prioritising employee rights, expanding employer obligations and exerting considerable restraint on an employer's capacity to exercise managerial prerogative. In addition, these provisions of the Act have seen the return of high levels of 'go away' money being paid to employees and have caused employer costs to rise significantly. Accordingly, it is vital that there are avenues by which Fair Work Australia can assess and dismiss unmeritorious unfair dismissal claims and on this basis, VECCI provides in principle support for the amendment of s.394. For similar reasons, VECCI provides support for the amendment of s.400A.

The matter of timelines for applications being made with Fair Work Australia was addressed in detail in VECCI's initial submission to the Review. VECCI only provides support to the amendments that will extend the time line for making unfair dismissal applications to twenty-one days because they are accompanied by amendments that will reduce the timeline for making general protections claims from sixty to twenty-one days. VECCI's support for these amendments is intended to reflect our members' experience that the two avenues for remedy of termination can be and have been readily exploited by 'double-dipping' where an application for unfair dismissal remedy fails and an employee subsequently makes a claim under the general protections.

The various amendments regarding powers of Fair Work Australia to make costs orders are supported because they improve the current wholly unsatisfactory position, but the fundamental problems will remain. First, employers will still have to spend money proving the claim is without merit and the employee has acted unreasonably and second, the power to award costs is not automatic but discretionary only. There will be no guarantees that costs will follow the event.

Importantly, VECCI support for these amendments should not be read as an otherwise comprehensive endorsement of the laws regulating unfair dismissal, and the general protections scheme. More must be done to further balance the right of an employee to make a claim against the right of an employer to ensure that they are only required to respond to applications that have merit. As long as these provisions continue to be operative – and applicable to small business – VECCI will continue to advocate for:

- On the papers unfair dismissal hearings;
- A process for determining jurisdictional coverage that is economical and timely;
- Amendments to the Small Business Fair Dismissal Code;
- Broader and more effective protections for small business against unmeritorious and vexatious claims, including more expansive provisions to provide for cost orders to inhibit the making of such claims;
- The amendment of the FWA to better clarify the scope of the 'reasonable redeployment' requirement and the obligation on employers when considering redeployment issues.

However, as indicated above, it is VECCI's position that while the proposed amendments are a welcome improvement, the best solution for small business is an exemption from the unfair dismissal regime. As has been noted throughout this document, the apparent lack of political will to do so will continue to have dire consequences for SMEs in Australia. We continue to call on the Minister to desist from simply amending the bad law and bad policy exposing small businesses to the costs of unfair dismissal claims, and to exempt it altogether. The only improvement for small business will come from an exemption from the unfair dismissal regime.

Similarly, it is our position that the Act's general protections should be repealed. The general protections were not foreshadowed by the Government in the lead-up to the 2007 Federal Election. They were not outlined as part of the Fair Work reforms that would be adopted if the ALP was to win Government. No grounds for their inclusion were advocated or debated. As with the unfair dismissal provisions of the Act, the general protections have provided another burden upon business, imposing the cost of defending claims. Accompanied by a reverse onus of proof that has obliged an employer to defend both conscious and unconscious decision making in respect of actions taken, these protections work to severely compromise business' managerial prerogative. These provisions represent a quantum leap away from the previous unlawful termination provisions, which operated on well-established precedent, and which had not proven to be a means for the kind of judicial activism that the general protections already have.

5. Industrial action – Schedule 7

A number of the Panel's recommendations concerning industrial action are opposed by VECCI, as they work to expand the grounds on which an employee might be eligible to vote on an enterprise agreement and then take industrial action in regards to bargaining; in particular, we note our objection to recommendations 32(a) – 32 (d). These recommendations are realised in amendments to Parts 2 and 3 of Schedule 7 of the FWA.

As VECCI noted in its initial submission to the Panel, the provisions of the FWA concerning industrial action have proven controversial in practice and have led to undesirable practical outcomes. It is regrettable that neither the Report nor the FWAB will give effect to the changes to the industrial action provisions sought by employer representatives.

Changes to the structure and operation of Fair Work Australia – Schedules 8 and 9

While VECCI's submission notes some issues with the institutional framework established by the FWA, VECCI now submits that the amendments in the FWAB concerning the structure and operation of Fair Work Australia were neither foreshadowed by the Panel's Report nor by the earlier discussions amongst stakeholders concerning the scope of the post-implementation review of the Act. It is VECCI's view that these amendments are both controversial and unexplained. These sweeping changes to the powers of the President of Fair Work Australia – or the Fair Work Commission, as it is to be known following the passage of the bill – are without precedent. While the Government has made reference to stakeholder consultation in relation to these amendments, neither VECCI nor, we understand, ACCI have been afforded an opportunity to participate in such consultation. It is far from clear as to why the decision has been taken by the Government to invest the President with these specific and expanded powers.

The Minister's second reading speech referenced the role of President Ross as a stakeholder in consultations undertaken by the Government concerning the function of Fair Work Australia. This is somewhat incongruent with comments made by the President concerning the same. Appearing before the Senate Estimates Committee on 17 October 2012, President Ross responded to questions from Senator Abetz concerning a number of decisions by an unnamed member of Fair Work Australia in the following terms:

> I think the most transparent way of dealing with legal error is the appeal mechanism. If there are any broader concerns about the competence of any member, or any issue like that, that's a matter for Parliament.

It is apparent that recent public statements by the President of Fair Work Australia, such as these, about the capacity of the President to manage complaints about members of the Commission– and his stated view that doing so would undermine the organisation's integrity and independence – is out of step with the changes to the function and powers of the President now proposed by the FWAB.

Accordingly, VECCI calls upon the Senate Committee to recommend against these amendments and to wind back the expansion of the President's powers provided by the FWAB. The Government has not explained why such a range of powers needs to be specifically outlined and enshrined in law. It is unclear how these powers might be exercised and where they might lead. They could result in a politicisation of the role of the President at a time when overall confidence in the tribunal needs to be restored.

It is vital that the Government's – and indeed the President's – stated commitments to the integrity of the tribunal (or commission) are accurately reflected in reasonable and appropriate mechanisms, checks and balances for the efficient governance of the tribunal and Parliament is already empowered to deal with members of Fair Work Australia in existing provisions of the Act (Sections 641 – 644).

Summary

VECCI has welcomed the opportunity to revisit some of the issues that were addressed by the Panel's Review and its subsequent Report, and to make submissions on the amendments proposed by FWAB.

VECCI will continue to agitate for further change, and urges the Government to properly engage with SMEs as the process of responding to the Review Panel's report continues into 2013. It is vital that SMEs are afforded substantive relief from the unfair dismissal regime and increase to the cost of doing business brought about by the *Fair Work Act 2009*.

VECCI stands ready to consult with the Government on the next tranche of recommendations, and urges the Committee to consider its submissions carefully.

VECCI thanks the Committee for the opportunity to make this submission.

Yours sincerely

Richard Clancy
Executive Director
Industry Policy and Workplace Relations Services

Appendix A – ACCI Response to Recommendations – "Towards more productive and equitable workplaces: An evaluation of the Fair Work legislation"

The Australian Chamber of Commerce and Industry (ACCI) has reviewed the recommendations of the three-member panel contained in its report, "Towards more productive and equitable workplaces: An evaluation of the Fair Work legislation" (2012), on the operation of the Fair Work Act 2009 (FW Act) and the Workplace Relations Amendment (Transition to Forward with Fairness Act) 2008.

ACCI and its members provided detailed submissions as part of the Post Implementation Review of the legislation. Those submissions also addressed a range of related workplace policy issues, not limited to the Fair Work legislation which are also impacting employers and business. ACCI reiterates its strong support for implementing those recommendations in full.

ACCI's response to the panel's recommendations is without prejudice to ACCI or its members' further consideration.

Recommendations and Response

1. ACCI's recommendations, if implemented, would achieve these policy goals and objectives.

2. Strongly supported.

3. Opposed.

4. Opposed.

5. Opposed.

6. Strongly supported.

7. Under consideration.

8. Support in-principle subject to consideration of detailed amendments.

9. Conditional support for the better off-overall test in s.144(4)(c) and s.203(4) amended to expressly permit an individual flexibility arrangements to confer a non-monetary benefit on an employee in exchange for a monetary benefit. This should apply equally to s.193 of the FW Act. Oppose other limb of recommendation.

10. Strongly opposed.

11. Conditional support for the FW Act to be amended to provide a defence to an alleged contravention of a flexibility term under s.145(3) or s.204(3) where an employer believed on reasonable grounds, that all relevant statutory requirements are met. Oppose other requirements which are linked to recommendation 10.

12. Support in-principle. However, this should be amended in line with ACCI's written submissions/recommendations.

13. Opposed. Section 341(3) currently applies to the issue.

14. Support in-principle subject to consideration of detailed amendments.

15. Strongly supported.

16. Under consideration.

17. Strongly opposed.

18. Strongly opposed.

19. Opposed.

20. Strongly opposed.

21. Strongly supported.

22. Opposed.

23. Opposed.

24. Strongly supported. This should be amended in line with ACCI's written submissions/recommendations.

25. Supported.

26. Opposed.

27. Opposed. Amendments to address greenfield agreement making should be amended in line with ACCI's written submissions/recommendations.

28. Strongly opposed.

29. Opposed. Whilst the problem of greenfield agreement making has been correctly identified by the panel, amendments to address greenfield agreement making should be amended in line with ACCI's

written submissions/recommendations.

30. Opposed. Whilst the problem of greenfield agreement making has been correctly identified by the panel, amendments to address greenfield agreement making should be amended in line with ACCI's

written submissions/recommendations.

31. The first paragraph of the recommendation is strongly supported. The second paragraph of the recommendation is strongly opposed.

32. Opposed.

33. Strongly opposed.

34. Opposed.

35. Support in-principle subject to consideration of detailed amendments.

36. Strongly opposed.

37. Strongly opposed.

38. Supported. Amendments to address transfer of business provisions should be made in line with ACCI's written submissions/recommendations.

39. Opposed.

40. Conditional support for the FW Act to be amended to allow an extension from 14 days to 21 days if the existing exceptional circumstances provisions are removed in line with ACCI's written submission/recommendations.

41. Opposed.

42. Support in-principle subject to consideration of detailed amendments.

43. Support in-principle subject to consideration of detailed amendments.

44. Strongly supported. No requirement to amend FW Act to implement.

45. Support in-principle subject to consideration of detailed amendments.

46. Supported.

47. Strongly supported. Amendments to address general protections' provisions should be made in line with ACCI's written submissions/recommendations.

48. Strongly opposed.

49. Conditional support to amend FW Act to align time limit for lodging a general protections claim relating to a termination of employment with unfair dismissal applications.

50. Relevant to institutional framework and supported in-principle.

51. Relevant to institutional framework and supported in-principle.

52. Supported.

53. Supported.