

## **Fair Work Amendment (Repeal of 4 Yearly Reviews and Other Measures) Bill 2017**

**Answer to a question taken on notice by Mr Peter Strong of COSBOA, at a public hearing in Canberra, 12 April 2017, p. 11 Proof Hansard**

*Senator CAMERON: Could go to page 9 of the submission from the department. Could you, on notice, give me your view as to whether this act should apply to situations like what happened with, I think it is deputy president Watson, who attended the HR Nicholls Society and participated in an organisation that was biased in terms of their view? Would that breach this act?*

The Council of Small Business believes that Fair Work Commissioners should be held more accountable for their actions and behaviours. The case mentioned by the Senator would need a ruling to be made in a formal legal manner. It seems that commissioners come from either the left of politics or the right and that isn't something that can be changed. The commissioners rule on law not their political persuasion but without due diligence and proper transparency questions will be unfairly raised about whether a commissioner was unduly influenced either directly or subconsciously.

Our concern is that many of the commissioners do not understand the impact on small business people of their decisions. A small business is often treated as a small version of a big business that has access to resources and expertise which of course is not true. There is also no consideration of the impact on a business owner's welfare and family life of decisions that place undue and unfair demands on them as individuals. We believe that there should be a designated commissioner whose only role is to review decisions for their positive and negative impact on business people.

An underpinning belief from our membership is that if you make business difficult for the individuals who own and run the business then we also make the lives of employees more difficult. If we also make business complicated it will inhibit employment.