



## ***Deal with Someone You Can Trust***

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*The Voice of the  
Motor Industry*

## **SUBMISSION NO. 107**

The Hon. Tony Windsor, MP  
Member for New England  
House of Representatives  
Parliament House,  
Canberra, ACT

7 March 2006

### **Re: Rural Sector Issues**

Dear Sir,

The Farm & Industrial Machinery Association of Australia (FIMDAA) represents the vast majority of all retail agricultural, industrial and outdoor power equipment dealerships throughout Australia collectively employing many thousands of Australians; primarily in rural areas of all States and Territories.

One of our industry's greatest problems both now and in the future-if the problem is not promptly addressed and a solution, or solutions found- is to retain and hire quality employees to work in this industry at rates that the industry can afford and not at inflated rates driven upwards by the laws of supply and demand i.e. high demand (for skilled staff) and low supply!

It has become increasingly challenging for dealers in rural areas to recruit people to manage dealerships or to work in sales, parts or service positions in country dealerships. Anecdotal evidence suggests that some dealerships are forced to pay very high wages (more than \$70,000 pa in some cases) to hire, and then retain skilled mechanical staff.

Whilst existing Government programmes such as the Immigration Outplacement Officer Programme and related measures can assist in providing some relief from these industry skilled staff shortages, much more needs to be done.

Across our membership we estimate there are literally hundreds if not thousands of vacancies for skilled employees ready to be filled right now. It is almost impossible to ascertain exact numbers because many would-be employers simply give up looking for skilled staff after a while but based on anecdotal reports, we are confident a serious problem already exists and that it is steadily getting worse.

That said we have been told only in the last day or so that it is estimated there are several hundred unfilled – which are probably unable to be filled - skilled vacancies in the Tamworth area alone!

As a nation, we need to do far more than we are doing at present to help educate our fellow Australians, and especially our youth, about the many employment possibilities that exist in this nation's rural areas.

Federal Government subsidised vocational education and other job retraining programs should also be considered and supported to train and enable people, and especially the young, to stay and work in our rural areas.

Where the practice still exists, schools should stop covertly-and sometimes overtly- denigrating the social value of apprenticeships and trades as somehow lesser vocations than positions requiring university degrees and the like. This, in our view, is one of the main reasons Australia now faces critical skilled staff shortages.

As well as the abovementioned skilled staff shortages, farm and industrial machinery dealers in this State and almost certainly in other parts of the nation as well, are continually harassed by workplace safety regulators in relation to issues over which they-the dealers-have virtually no control.

Whilst internationally recognised design standards exist for most types of farm and industrial machinery imported into Australia, these, in this State at least, are not recognised by NSW Workcover such that dealers cannot refer to compliance with these recognised international quality benchmarks to escape liability for serious and fatal accidents involving the use of this machinery where the problems alleged to have caused the accident are patently due to design and/or manufacturing issues about which the dealer can do nothing in practical terms.

If a dealer decides to remove what he or she regards as a risk area (eg weld mesh over an auger clearance aperture in the grain bin of a header) they become a manufacturer under the product liability part of the Trade Practices Act and may bear total liability for the results of any accidents which may later be adjudged to have been contributed to by those dealer modifications.

What is clearly needed are Federal laws providing an absolute defense to any farm and industrial equipment dealer where it can be established that every unmodified piece of equipment sold by that dealer (i.e. as it originally came out of the factory) complies with relevant international standards.

Failing that, dealers remain exposed, almost indefinitely for accidents allegedly caused or substantially contributed to by equipment supplied-or on-supplied-by them years previously.

Dealers are, for the greater part, small businesspeople. They simply cannot afford the ruinous costs involved in the kind of protracted, complex OHS litigation routinely mounted against them almost as a matter of course by workplace safety regulators in all States and Territories whenever accidents, and especially fatalities, occur, irrespective of the fact that many of these events are demonstrably due to operator error or negligence and not to any fault with the machine or its installation by the dealer.

Should you have any questions, please contact Barry McCormick, Chairman FIMDAA c/Mr. Greg Duff, Manager, Farm Machinery, Motor Traders Association of New South Wales, Locked Bag 5012 PO, Darlinghurst NSW 2010 or send an e-mail to [greg.duff@mtansw.com.au](mailto:greg.duff@mtansw.com.au).

Sincerely,

Barry McCormick  
Chairman FIMDAA