

BELCONNEN EMPLOYMENT SOLUTIONS TASKFORCE (BEST)

49 Barnard Circuit
Florey, ACT, 2515
26th March 2000.

Thank you for the opportunity to attend the Round Table Discussion of the Inquiry into Issues Specific to Mature -Age Employment as an observer and for the invitation to comment on the proposal for a Employer Code of Conduct For Retrenching Workers.

BEST supports the concept of an Employer Code of Conduct for Retrenching Workers with a supplementary set of Guidelines for Employees Facing Retrenchment.

We are aware of the impact of retrenchment on Mature-Age workers and the wide range of circumstances in which workers have learned about their impending retrenchment and of their treatment in the retrenchment process. The Round Table Discussion brought out relevant facts, most of which have been previously brought out mature-age unemployed people at meetings of BEST and REAMT (Re-Employ Active Mature People), with which we have a close relationship.

We believe that the Code Of Conduct should be based on "best practice" in Australia and Overseas. We think that it could be in the form of a checklist, partly based on self-regulation but with some form of mechanism for reporting breaches to an official body with the power to issue warnings for major breaches and for repeated minor breaches and, where remedial action is not forthcoming after several warnings and a consultation process, to initiate action for appropriate fines or sanctions.

We think that the Code of Conduct should be flexible enough to cater for businesses of different sizes without adding unnecessarily to the regulations affecting business operations. However, we think that an important part of the Code of Conduct should be a clear listing of the existing regulations and legal obligations in respect of age discrimination, unfair dismissal and so on , with a clear statement about the importance of observing such regulations and an indication that such legal obligations will be more rigorously enforced in future.

With think that the Code Of Conduct should be in the form of a multimedia kit and have a strong educative role to encourage employers of all sizes to adopt the "best practice" form of retrenchment procedure appropriate for their employees and their form and size of business.

These kits should include a complementary section. Guidelines for Workers Facing Retrenchment, and there should be a mechanism whereby the employer can obtain and distribute copies to all employees likely to be affected by the retrenchment process, including those remaining after a downsizing process. These Guidelines should include information and advice re accessing appropriate counselling and taking appropriate action to deal with the retrenchment trauma at work, at home and in the community.

There were many good ideas raised at the Round Table Forum that we would support. If your Committee goes ahead with this idea and wants comments on a draft, BEST would be happy to provide comment. Thank you and your Committee for their good work on this very important issue.

Yours sincerely

Bevil Purnell (BEST representative)