



The Hon Kevin Andrews MP

**Minister for Employment and Workplace Relations
Minister Assisting the Prime Minister for the Public Service**

Mr Bill Shorten
National Secretary
The Australian Workers' Union
685 Spencer Street
WEST MELBOURNE VIC 3003

14 MAR 2004

Dear Mr Shorten

I refer to your letter of 1 April 2004 to Senator the Hon Christopher Ellison MP, Minister for Justice and Customs, regarding Esso Australia. Senator Ellison has referred your letter to me and asked that I respond to you directly.

I acknowledge your concern about the potential effect this roster change may have on the work and family balance for some of these workers. Balancing work and family is a priority area for the Government, and it supports and encourages increased flexibility at the workplace level to accommodate this. However, the Government also recognises the potential cost impacts to employers by implementing these flexibilities, and the need to defray those costs through mutually beneficial workplace agreements.

It is not the Government's policy to intervene in bargaining that occurs between employers and employees. One of the principal objects of the *Workplace Relations Act 1996* is "ensuring that the primary responsibility for determining matters directly affecting the relationship between employers and employees rests with the employer and employees at the workplace or enterprise level".

I understand that the change to rostering arrangements is being proposed by contracting companies engaged by Esso as part of ongoing negotiations over a new certified agreement. As such, these issues are a matter for the negotiation between the parties directly involved. Esso will not be negotiating roster changes with its direct employees until the expiry of their certified agreement at the end of 2005.

Thank you for bringing your concerns to the Government's attention.

Yours sincerely


KEVIN ANDREWS

Parliament House Canberra ACT 2600 Telephone (02) 6277 7320 Facsimile (02) 6273 4115

cc: Phoules