

Submission

to

Senate Employment, Workplace Relations and Education
References Committee

Inquiry into Workplace Agreements

Submission no: 56

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Submitter: Mr Ian Baldock
Executive Director

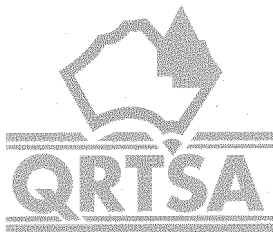
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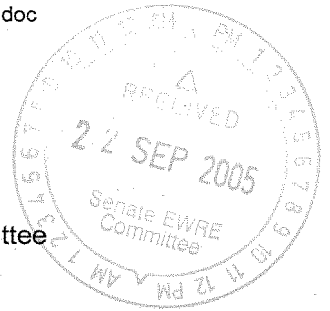


Queensland Retail Traders & Shopkeepers Association
Industrial Organization of Employers

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20 September 2005

John Carter
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Senate Employment, Workplace Relations and Education Committee
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Dear Sir,

Re: Request for Submissions to the Senate Inquiry into Industrial Agreements

We're taking you at your word in regards to just putting together a brief submission which is as follows.

The Queensland Retail Traders and Shopkeepers Association (QRTSA) represents close to 2,800 members throughout Queensland and northern New South Wales. Our best estimate is that approximately 24,000 employees have employment within members' stores. Employers have not been included for our Corporate Members. Even though we have published information on AWA's and certified agreements etc in both our monthly magazine the *Australian Retailer* and in our monthly email bulletin which goes to approximately 50% of members, the take up rate remains very low (i.e. approximately 6 AWA's, no QWA's and five each certified agreements State and Federal).

As the majority of our members are independent operators they have very limited human resources infrastructure and prefer the prescriptive nature of the award system. Part of the reason for this could be the relatively high staff turnover compared to other industry sectors, plus the high degree of casualisation of the industry. The nature of the relatively low educational qualifications of a substantial proportion of independent operators, the growing incidence of employers who have been born overseas and the large proportion of non-incorporated entities within our membership, we believe are also some of the reasons for the very low take up rate of employment agreements.

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Many members have told us they would be very reluctant to sit down and negotiate employment terms and conditions with staff, especially each individual staff member. They feel it will also add to their overall Government compliance burden.

Most members who have discussed this issue with us have advised they are in favour of the change to the unfair dismissal laws, but we would advise that also whilst we favour this proposal we do have some concerns. In essence the unfair dismissal system operates, even on the claim side, without a great deal of drama. These days, both unions and employees are not stupid. We have a concern that whilst the unfair dismissal situation may be improved both unions and employees may instead turn to anti-discrimination legislation in order to gain satisfaction, financial or otherwise, against their employer.

For the full proposed changes to be successful, we also believe there needs to be consideration given to streamlining, further simplifying and reducing the cost of incorporation. If this was done, it would of itself lead to more members incorporating their business entity and therefore being able to take advantage of the full range of proposed industrial relations changes.

Regards,

IAN F BALDOCK,
EXECUTIVE DIRECTOR