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ATT: Senate Employment, Workplace Relations and Education Committee
Department of the Senate
Parliament House
CANBERRA 2600 AUSTRALIA

INQUIRY INTO THE WORKPLACE RELATIONS AMENDMENT (WORK CHOICES) BILL 2005

Thank you for your inquiry into the Workplace Relations Amendment (Work Choices) Bill 2005.

The proposed workplace relations changes risk undermining the cohesion afforded Australian society by a world recognised conciliation and arbitration system, that has been supported by the presumptions founded in the *Harvester* judgment and affirmed many times over in the ability of working people to contribute to the economy while supporting their family.

As a barrister, I am well aware of the power of bargaining. I am not confident that working people will be able to secure and maintain fair working conditions in the face of an employer having the capacity to hire and fire, whether fair or not. While such a scenario may fairly be argued an uncommon situation, the employer unwilling to drive down their employee's working conditions will be at a competitive disadvantage, putting further pressure on their enterprise.

Further, the constitutional constraints of the law being founded on the corporations power has the potential to bring extraordinary complexity to the jurisdiction, making its administration expensive, difficult and uncertain for those involved.

Australian business could more usefully gain support from the Parliament in areas of industry development and further investment in education and training.

Australia could remain both competitive and socially cohesive by increasing its investment in workplace education and elaborately manufactured goods, by developing a stronger tradition of high quality manufacturing, services provisions and by developing a strategy to command higher returns through a longer run view of returns trade in our natural resources and 'clean and green' agricultural produce.

It is hard to avoid the conclusion that these measures are more squarely aimed at lowering unit wage costs, rather than focus on higher value and higher returns from value adding to the production and sale of the business' output.

Australia does have a choice on how it conducts its work. Focussing on the input costs of those having less power in the negotiation of Australian Workplace Agreements may result in a bargain of sorts, but is likely to serve Australia and its citizens a poorer deal than they deserve.

I give permission for this submission to be made public by the Committee and am willing to make a submission in person if the opportunity arises.

Yours sincerely,

David Risstrom

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Barrister-at-Law