



United Retail Federation

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MEDIA RELEASE

Fair Work Ombudsman Unable to Explain Confusing and Shambolic IR Laws in Senate Estimates

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Driscoll – “The Ombudsman has confirmed the door is open for business to become lambs to the slaughter under IR process...”

CANBERRA: Tuesday, 1 June 2010

Peak national industry body, the **United Retail Federation**, has responded to the revelation today by the Fair Work Ombudsman in a Senate Estimates hearing, that the Rudd Government’s IR laws were so confusing that even he was unable to explain them. The comments follow a recommendation by the Fair Work Ombudsman to postpone the compliance audit process of the legislation on tens of thousands of small businesses due to the uncertainty, confusion and complexity of the legislation.

Scott Driscoll, National President of the **United Retail Federation**, said he has been stunned to witness during a Senate Estimates hearing in Canberra that the Fair Work Ombudsman, Nicholas Wilson, was unable to explain the current award modernisation process in regards to retrospective prosecution of awards whilst being questioned by Shadow Minister for Workplace Relations, Senator Eric Abetz. Mr Driscoll said it was now clear that the Government had “left the door open for business to become lambs to the slaughter under the process”.

“Business is facing the absolute farcical situation where Julia Gillard has promised no one will be worse off, Fair Work Australia is claiming that the modern award process is making some employees worse off and now the Ombudsman is saying he is just not sure whether he is going to knife businesses for adhering precisely to the modern award process until he is advised further.

“What hope does small business have of understanding these complex IR laws let alone complying fully with them?”

"I am calling for immediate ministerial intervention and a complete moratorium on any prosecutions given that the Ombudsman has confirmed the legislation is so unclear that even he is unable to interpret if, how and when basic prosecutions would or would not occur.

"This industrial relations regime, which has been written, spoken and authorised by the Labor union movement, is one of the biggest dog with fleas ever to stalk small businesses in Australia

"Deputy Prime Minister, Julia Gillard must come out of the shadows to do her job as the Minister for Workplace Relations and leave behind her history as a Labor Union lawyer in the interest of the nation.

"The threat and uncertainty that small business is currently subjected to is creating an environment of fear and trepidation rather than growth and prosperity.

"It's time this Government got serious about the devastating effects of their industrial relations legislation and moves beyond just the headlines and hyperbole," Mr Driscoll said.

For further comment call Scott Driscoll on 0413 831 045.

Editor's Note: Scott Driscoll will be available for comment at Parliament House in Canberra.