

7th of December 2017

Mr Mark Ritter SC
Ministerial Review
State Industrial Relations System

By Email: irreviewsecretariat@dmirs.wa.gov.au

RE: Submission to WA Ministerial Review of the State industrial relations system.

The Australian Lottery and Newsagents' Association (ALNA) is the peak national industry body representing News, Distribution & Lottery Agents who along with affiliated state lottery associations, represent these small businesses in almost every rural town, regional centre, urban and metropolitan shopping centre in Australia.

There are over 600 News, Distribution & Lottery Agents in Western Australia and 4000+ across Australia. They are an important and trusted part of our communities and approximately 2.5 million Australians shop at their local agency every day. Our members therefore make a significant contribution to the economy, employing over 3000 people in Western Australia and over 20,000 people nationally.

Combined they generate an estimated annual turnover of \$6 Billion. Agencies have commercial relationships with over 25,000 other businesses, further demonstrating their valuable contribution. We are one of the largest independent retail channels in our community.

Nearly all our members are small or micro businesses employing fewer than 20 staff, the majority of whom employ five or less staff. 2.4 million Customers visit them in Australia every day.

ALNA is committed to assisting and protecting the interests of our members in Western Australia and around Australia, in order to ensure that they continue to make a positive and sustainable contribution to our community, as they have done for generations.

While the majority of our member businesses in Western Australia are now covered by the national industrial relations system, a proportion of our members employees remain covered by the State industrial relations system.

We therefore appreciate the McGowan Government's announcement of this review into Western Australia's Industrial Relations system and we value this important opportunity to make a submission to the Ministerial Review of the State industrial relations system.

Our aim is to highlight opportunities to make changes that will make it easier for our members to comply and in turn to protect the rights of those we employ. We have tried to address our comments on the review towards specific items in the terms of reference for the review that impact our members the most and that make it more difficult for them. Numbers below refer to each of the terms of reference.

- 5(b) if statutory minimum conditions are updated by the WAIRC without the need for legislative change, does this afford the community (including employers) a genuine opportunity to participate in the debate around changes, and how will the WA government ensure that decisions by the WAIRC don't drift apart from community standards.
- 6(b) current retail WA awards definitely do ***not*** reflect contemporary workplaces and industry.
- 6(c) awards are not written in plain English or easy to use.
 - o They are not organised logically, and it is difficult to locate all relevant conditions for some groups, e.g. penalties are distributed throughout the award.
 - o Identifying true minimum conditions for part time employees or casuals is very difficult.
 - o Retail awards – differences between small shops and special shops and other shops are difficult to identify for members, this creates potential inadvertent non-compliance issues for members.
 - o Retail awards – different weekly rates of pay for various ordinary hours situations eg. (Monday to Friday, Monday to 1pm Saturday, Monday to after 1pm Saturday) – makes provision of advice on wage rates to members

- complex, which in turn is difficult for members to interpret, and likely leads to a higher rate of non-compliance.
- o Members need awards that are clear and as far as possible unambiguous, to assist with compliance.
 - o WA awards tend to be written in complex language, with an advanced sentence structure, making it more difficult for members for whom English is not their primary language to understand.
- 6(d) WAIRC’s communication is deficient, and not sufficiently widely disseminated.
 - 6(d) WAIRC’s practice of not providing new official wage rates until they are due to commence makes it difficult for associations to provide timely advice to members, e.g. FWC provides information about updated wage rates by mid-June which means that associations have an opportunity to provide members with new wage rate information in good time for the commencement of the new rates – in WA we’re always scrambling and it’s not necessary.

ALNA appreciates this opportunity provided by the McGowan Government to offer our feedback to this review and to outline some of the challenges the current Western Australian Industrial Relations system creates for us and our members to navigate.

We hope the review will lead to reforms that make it easier for us to assist our Western Australian members and for them to more easily understand their obligations and to be able to readily ensure their employees are looked after.

Kindest regards,



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Australian Newsagents’ Federation T/as Australian Lottery and Newsagents Association

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