

NATIONAL INDEPENDENT RETAILERS ASSOCIATION

Media Release

Contact CEO: Peter Strong M: 0414 961 073

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Workplace Ombudsman bullies small business but proves there is no problem

NIRA notes that two weeks into the new award system the workplace ombudsman has decided to bully small business, the easy target.

Peter Strong, CEO of NIRA, stated today “a lot of time and effort from the Fair Work Ombudsman has recently been put into hairdressing salons and the result is a small number of salons have underpaid staff. It also appears that one third of employers have not managed their time systems and payslips properly, this doesn’t show a problem with hair dressers, it shows the difficulties of dealing with a system designed for big business. It also shows that small business needs a different set of rules.

Mr Strong noted that “small business is one of the best groups of employers in the country. Last year there were 28,000 investigations by the Fair Work Ombudsman. Given that small business employs some 4.6 million Australians then this shows that more than 99% compliance. Is the Fair work ombudsman attempting to make this figure better or worse?

Mr Strong added “the Fair Work Ombudsman did not report on how many people are paid over the award or receive improved conditions of employment. They take an adversarial approach with small business, who in the end are also individuals trying to make a living. The Ombudsman needs to get in touch with modern approaches to working with industry.”

Mr Strong also added “of those 28,000 investigations in 2009 we do not know how many were from small business and how many were from the large end of town, the Ombudsman does not collect that information, so how do they target their education programs? I hope they are not just guessing or basing their activities on demands from the unions or on a few complaints from a small number of people. The outcome from all the time and money spent on the hairdressing industry shows that money could be better spent.”

Mr Strong highlighted that “small business operators have to deal with exactly the same system as the paymaster from Coles or BHP, and keep the same complicated records. This is of course impossible to achieve yet government agencies continue to demand that small business owners achieve the impossible.”

NIRA asks the Deputy Prime Minister and the Minister for Small Business to ensure that the government agencies do not target small business without proper cause and that the approach should be cooperation, education and equity, not bullying and sledge hammers. NIRA also requests that small businesses have a different set of rules more suited to management by individuals rather than by large teams and pay masters.

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Contact:
Peter Strong, CEO: 0414 961 073