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Fair Work Act a Handbrake on Jobs

The Government's *Fair Work Act* is impairing the job creation ability of the residential building sector, says the Housing Industry Association (HIA), in a submission to the review of the Act.

"Small businesses make up 85 per cent of the residential building industry, and are the engine room of job creation," said HIA industrial relations spokesman David Humphrey.

"Yet they have been done no favours by this Act. Our economy and employment prospects are suffering as a result."

"It is time the debate shifted away from an ideological perception of 'boss vs. worker' or 'Workchoices vs. Fair Work', to building a system that encourages employers to hire more staff and gives flexibility for individuals to negotiate arrangements that best suits their needs."

HIA has identified six keys changes to the Act to help return confidence to the industry, improve productivity and promote employment:

- Modification of award safety net to reflect simple, flexible and fair minimum standards;
- Provision of reasonable exemptions to small business from unfair dismissal claims;
- Removal of loopholes in bargaining laws that enable unions to restrict the use of contractors by business;
- Strengthening protections for small businesses against pattern bargaining;
- Limit payments made under industry specific redundancy schemes to cases of genuine redundancy only; and
- Restore individual agreements between employers and employees, subject to a no-disadvantage test.

"The overwhelming message we are getting from builders is that the risks to a business of hiring new staff 'is just not worth' the potential costs and additional red tape".

[Follow this link to the HIA submission...](#)

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