



10 July 2009

Mr Andrew Homer
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Scrutiny of Acts and Regulations Committee
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Dear Mr Homer

Response to Exceptions and Exemptions to the Equal Opportunity Act 1995 – Options Paper

I refer to the Options Paper in relation to the Inquiry into the exceptions and exemptions in the Equal Opportunity Act 1995 being conducted by the Scrutiny of Acts and Regulations Committee of Parliament.

Australian Industry Group has previously made submissions in relation to the Gardener Review and the Department of Justice's Exceptions Review. We note from the Options Paper (page vii) that the Committee will have regard to previous submissions as though they were submissions made directly to the Committee.

In addition to our submissions made to date, we would seek to emphasise the following points:

Economic conditions and the Fair Work Legislation

Any changes to the Act which would affect the regulatory burden on employers should be approached with particular caution at the present time, due to both the economic uncertainty faced by many businesses and the substantial changes taking place to the workplace relations system. The changes will continue into next year and future years, as employers implement the Federal Government's new workplace relations system, including the new system of modern awards due to commence on 1 January 2010.

In addition, a new system of discrimination law commenced on 1 July 2009, as part of the General Protections provisions of the *Fair Work Act 2009*. The provisions relating to workplace discrimination draw upon the exceptions in State and Territory anti-discrimination legislation¹, but confer new and broad powers on the national inspectorate (the Fair Work Ombudsman). Any changes to the Victorian Act will therefore affect compliance obligations under the Federal legislation.

Ai Group

Ai Group is one of the largest national industry bodies in Australia, representing employers in the manufacturing, construction, automotive, information technology, telecommunications, transport, labour hire and other industries.

Should you have any queries about Ai Group's position, please contact Samantha Edwards, Senior Adviser – Workplace Relations Policy on 02 9466 5421 or myself.

Yours sincerely



Heather Ridout
CHIEF EXECUTIVE

¹ See section 351(2)(a) of the *Fair Work Act*.