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## **GROCON RIGHT TO REJECT FAIR WORK AUSTRALIA RECOMMENDATION**

“The recommendation of Fair Work Australia to end the Grocon dispute is an indictment of the ‘above the law’ culture of Australian workplace relations.

The recommendation merely confirms how disconnected from the rule of law workplace relations has become,” said John Lloyd, Director, Work Reform and Productivity at the Institute of Public Affairs.

It is unlawful to coerce an employer to employ a particular person.

Orders of a Supreme Court are seen by most Australians as encompassing serious legal obligations.

It seems these important considerations are being disregarded in the Grocon dispute.

The FWA recommendation was for Grocon to adjourn its Court application and not commence any other legal proceedings. What Grocon has been seeking is for the dispute to be conducted in a lawful manner. This surely is a reasonable expectation for all Australian employers.

“Those who take unlawful action and defy court orders must be held accountable for their actions. This is the responsibility for the regulators, irrespective of how and when the dispute is settled.

In the event the dispute ends without those contravening the law being held accountable, then the rule of law in Australian workplace relations will be seriously compromised,” Mr Lloyd said.

John Lloyd was the Australian Building and Construction Commissioner from 2005-10.

### **For media and comment:**

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