



15 October 2010

The Hon. Cameron Dick MP
Attorney-General and Minister for Industrial Relations
GPO Box 149
Brisbane QLD 4001

Dear ~~Attorney-General~~ *Cameron*,

I am writing regarding your recent correspondence on the *Mandatory Code of Practice for Outworkers in the Clothing Industry*.

The Chamber of Commerce and Industry Queensland (CCIQ) applauds the State Government's efforts to eliminate the mistreatment of outworkers in Queensland. The Chamber actively promotes an environment that prevents workers from being bullied, intimidated, or being provided with conditions that are below those prescribed under the relevant Industry award. In order to maintain our outstanding business operating environment, all workers must be entitled to fair pay and decent working conditions.

CCIQ is supportive of all businesses within a particular industry being subject to an equal playing field. Those employers not meeting their responsibilities are doing so at the expense of other businesses and their outworkers. This is not acceptable, and these businesses must be brought into line, be educated and when appropriate, penalised.

However, CCIQ does have some concerns around the amount of paperwork relating to reporting within the mandatory code, particularly for the vast majority of businesses who already do the right thing. It is essential that only those forms that are absolutely necessary are made mandatory and that these forms are short, simple and easy to understand and complete. CCIQ encourages the Department of Justice and Attorney-General (DJAG) to do everything possible before this mandatory Code of Practice is introduced to ensure that any regulatory burden is minimised.

The Chamber would also like to make particular reference to the requirement for retailers to provide the CEO of DJAG and all relevant industrial organisations a completed form summarising all agreements in the six months preceding the 28 February and the 31 August each year. CCIQ stresses the importance of Government acknowledging the time constraints placed on all businesses to fill out forms and report to government on a wide variety of issues. Subsequently, businesses would widely welcome any initiative to reduce, not increase, these types of business constraints.

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In the aim of reducing regulatory burdens and red tape, CCIQ is supportive of the State Government's position to exempt those businesses from the mandatory code that are already signatories or are accredited under the voluntary national *Homeworkers Code of Practice*. This will mean that those businesses who are already complying with the voluntary code, will not be required to change their practices or need to comply with additional red tape that would ultimately achieve the same goals that are already being delivered.

Overall, CCIQ believes the State Government needs to undertake an information and education campaign to increase the understanding and awareness of both the mandatory code and national voluntary code. We look forward to working with the State Government to deliver an equal playing field for all those businesses involved in the supply or retail of clothing products in Queensland.

Yours sincerely,



Nick Behrens
General Manager - Policy



Hon Cameron Dick MP
Member for Greenslopes



Attorney-General
and Minister for Industrial Relations

In reply please quote: J/10/06637, 533478/1

10 NOV 2010

Mr Nick Behrens
General Manager – Policy
Chamber of Commerce and Industry Queensland
Industry House
375 Wickham Terrace
BRISBANE QLD 4000

Dear Mr Behrens *Nick,*

Thank you for your letter dated 15 October 2010 regarding concerns over increased reporting obligations that will occur as a result of the introduction of Queensland's Mandatory Code of Practice for Outworkers in the Clothing Industry (the Code).

I understand the concerns you hold for your members with respect to increased paperwork and would like to assure you that minimising any administrative burden, particularly to those parties already fulfilling existing obligations, was a key issue for consideration by the Queensland Government during the development of the Code. In fact, the Code was drafted with a view to imposing minimal reporting obligations while still ensuring that all parties in the outworker chain are easily identified.

To allay concerns your members may hold in relation to the Code, I would point out that the type of information required to be recorded is consistent with the record keeping requirements of the relevant award or is information the parties would ordinarily include in their clothing supply orders. According to a study carried out by the New South Wales Government in connection with the introduction of the New South Wales Mandatory Code, estimates of the time taken to fill out the relevant forms indicate that the impost will be minimal. For retailers, it was estimated that the information required to be supplied to the Department of Justice and Attorney-General would take an average of one hour every 6 months. For suppliers, the New South Wales study estimated that it would take businesses around 15 minutes to fill in the type of information required per agreement.

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However, as the Code does increase obligations, a draft of the Code was released for public comment in 2008. Submissions were received from various parties representing employers, employees, churches and communities. All parties that made submissions on this matter supported the introduction of the Code.

I also point out that, while the Code is expected to have implications for all parties within the clothing outwork industry, the impact is not likely to be negative for all parties. In fact, in addition to the benefit to outworkers, parties in the contracting chain who could be held liable if an employer does not fulfil his/her obligations should also benefit from the introduction of the Code. In addition, increased transparency should be appealing to employers who abide by existing requirements and are disadvantaged by non-compliant employers who are able to undercut their competitors by avoiding their obligations.

Finally, while it is regretted that parties will be subjected to additional regulation, this measure is considered to be the most appropriate way to provide protection to a highly vulnerable group of employees.

In relation to your request for the State Government to undertake an information and education campaign on the Code, an officer from the Department of Justice and Attorney-General will be in contact with you in the near future to discuss this matter further.

Should you wish to discuss the matter further, please contact Mr Derran Moss, Principal Advisor on 3239 6747.

I trust this information is of assistance.

Yours sincerely



**Hon Cameron Dick
Attorney-General
and Minister for Industrial Relations**