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Red-faced minister forces abattoir to reinstate workers

Author: Brad Norington, Elizabeth Gosch, Additional reporting: Cath Hart
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THE Howard Government has forced a NSW abattoir to abandon the sacking of 29 employees, in a move to halt an embarrassing test case of its new workplace laws.

Workplace Relations Minister Kevin Andrews announced yesterday that the owner of Cowra Abattoirs had withdrawn termination notices issued to 29 people last week.

Withdrawal of the sackings follows controversy over Cowra Abattoirs' plan to rehire 20 of the dismissed workers on much lower rates of pay.

The issue was becoming a political headache for the Government as unions claimed its new dismissal laws allowed employers to sack without recourse and drive down wages.

Mr Andrews said Cowra Abattoirs had decided to revoke the dismissals after intervention by the beefed-up Office of Workplace Services.

As a result, he said, the question of whether or not the company had breached its legal obligations to employees was "not a matter that now needs to go to any tribunal or court".

The minister said the OWS's involvement had demolished claims by Opposition Leader Kim Beazley and the unions there were no protections for employees under the new laws introduced last week.

But **ACTU** secretary **Greg Combet** last night hailed the result as a victory for the union movement's campaign for the Cowra workers and against the Government's workplace reforms.

Mr Combet said any attempt by Mr Andrews to claim credit was absurd, and no worker could be satisfied with the government assurances they were protected. "Until Kevin Andrews can say no one can be sacked and offered their jobs back for lower pay and conditions, and until he changes the law to guarantee this cannot occur again, he has no credit at all," he said.

The **ACTU** leader said he expected a repeat of the Cowra sackings at other

workplaces. ``It is contemplated by the law, and deliberately so. The only reason the Government became involved in this case is because it's in a panic."

Meatworker Rodney Veney, whose sole income is used to look after his wife, daughter and disabled teenage son, was pleased by the development.

``At least it's moving now -- you have to be a little bit more pleased with that," he said.

``At least they're talking."

But Mr Veney was still waiting for the outcome of a meeting at 8.30am today between bosses and the union.

``There's no guarantee until it's all over," he said.

Ron Knight, one of the sacked workers, said a lot of unanswered questions remained. He was not confident the company would still not seek to move against the meatworkers using other methods.

Under the new work laws, firms with fewer than 100 workers are exempt from unfair dismissal claims, allowing them to sack staff for no reason.

Companies above the 100 threshold are still subject to unfair dismissal laws -- but other provisions contained in the Howard laws give any firm the power to dismiss for ``operational reasons" if they include economic, technological or structural issues.

Cowra Abattoirs, owned by businessman David Mulligan, used ``operational reasons" as the basis to dismiss 29 of its 180 employees last week.

Under company plans to reduce staff numbers, separate beef and pig slaughtering rooms with 29 workers were to be merged into one room with 20.

But instead of making nine workers redundant, Mr Mulligan chose to sack

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all 29 workers affected and then invite them to reapply for 20 positions with a \$180 pay cut.

Mr Mulligan declined to comment yesterday, but Mr Andrews warned that under the new laws, employers must not take discriminatory action against workers covered by awards or agreements.

The minister indicated that employers who tried to sack workers and rehire them on lower rates faced prosecution under discrimination provisions in the Federal Court, with injunctive relief including fines.

Mr Andrews tried to deflect questions that he had personally intervened, saying that Cowra Abattoirs had responded after being made aware of its legal obligations by an OWS inspector. A spokesman for the minister said that no direct contact with Cowra Abattoirs had taken place. But the spokesman said he had referred the issue to OWS chief Nick Wilson on Friday following media inquiries.

`` Unions don't like the OWS doing their job," he said.

Mr Combet said it was clear the OWS had acted only at the behest of the Government.

`` Only this morning the OWS inspector was saying it would take a while and he was only at the beginning of his investigation," he said.

NSW Premier Morris Iemma said that the new workplace laws had prompted 3600 phone calls to a new state-based Award Equity Line in just one week.

Mr Iemma said callers had complained about being sacked without notice and without reason. They had also inquired about employment contracts that cut conditions, he said.

In Brisbane yesterday, a council worker employed by a labour hire firm said she was sacked via an SMS message on her mobile phone. Jennifer Gillian was employed as a casual five days a week by Workpac to collect green waste for Brisbane City Council.

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