

**THE PRODUCTIVITY COMMISSION INQUIRY INTO
THE DISABILITY DISCRIMINATION ACT 1992**

VACC

**Victorian Automobile Chamber of Commerce Level 7, 464 St
Kilda Road Melbourne Vic, 3004**

Telephone 9829 1111, Facsimile 9866 1168

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29 March, 2004

Ms Helen Owens
Commissioner
Productivity Commission
Locked Bag 2
Collins Street East
MELBOURNE VIC 8003

Dear Commissioner

Endorsement of submissions of the Australian Chamber of Commerce and Industry (ACCI)

The submissions of ACCI are endorsed by the Victorian Automobile Chamber of Commerce (VACC). VACC agrees with ACCI that the draft report of the inquiry into the Disability Discrimination Act 1992 does not show that *"employer discrimination is to blame for low participation rates, higher unemployment rates and lower average wage rates experienced by people with disabilities."*

Further, VACC supports ACCI's opposition to an increased regulatory and compliance burden, including measures to reduce the onus of proof from complainants or to impose "positive duties" on employers in respect of the employment of people with disabilities.

VACC would like to make some additional points focusing specifically on the retail vehicle industry in Victoria.

VACC

The Victorian Automobile Chamber of Commerce (VACC) is a federally registered employer organisation, representing approximately 5,000 employers in the retail motor industry primarily across Victorian and Tasmania. Membership of the organisation includes motor vehicle dealers, farm machinery dealers, service stations, smash repair, motor cycles establishments, automotive and specialist repairers, commercial vehicle and component manufacture, tyre outlets, engine reconditioners and associate retail motor industry services such as towing and distribution.

¹ ACCI Submission on the Draft Report of the Inquiry into *The Disability Discrimination Act 1992* dated 21 January 2004

More than 80% of VACC members have 10 or less employees. In Victoria approximately 80% of employees employed by members are covered by a federal award, whilst the remainder are covered by Schedule 1A of the Workplace Relations Act. In Tasmania of the 270 or so members, 80% are covered by a federal award while the remainder have state award coverage.

According to the Australian Business Register there are approximately 16,500 businesses involved in the Retail Motor Industry in Victoria who employ about 78,550 employees. The majority of these employers are small businesses.

Additional Points

The VACC submits that further legislation will not be effective in minimising discrimination generally, nor will it serve to inform the community about the realities of dealing with discrimination in the community.

Extra regulation will not be the answer to discrimination in society at any level. The VACC believes strongly that there is a need to encourage diversity in the workplace and guard against discrimination in any form. For this to happen there needs to be a system in place that makes it easier for the employer to offer employment to those with disabilities - not more difficult. Our members do not have the resources to deal with extra regulatory burden in the workplace.

Any extra regulatory burden is a heavy impost on the Retail Motor Industry which operates on one of the lowest profit margins of service industries - just 1.9% (ABS 2000-2001). The recent Redundancy decision on top of the national wage case and the anticipated increases to WorkCover premiums will add pressure to businesses already operating under unfavourable profitability levels. For those in drought-affected areas, the struggle gets worse.

Education is a more appropriate vehicle to ensure the participation and inclusion of people with a disability both in the community and, ultimately, in small business. As a society, our demographics are changing and we need to come to terms with that fact. The government has a responsibility to educate and guide small business owners through funded education and training. Only through education and training programs will change in society and, ultimately, the workplace be effected.

Any queries should be directed to the undersigned. If you require additional information you can contact me on (03) 9829 1136 or alternatively by fax on (03) 9866 1168.

Yours sincerely

Leyla Yilmaz
Manager Industrial and Employee Relations
Victorian Automobile Chamber of
Commerce Level 7, 464 St Kilda Road,
Melbourne 3004

Tel (03) 9829 1111
Fax (03) 9866 1168
Email lyilmaz@vacc.motor.net.au