



**MINISTER FOR EMPLOYMENT AND WORKPLACE RELATIONS
MINISTER FOR FINANCIAL SERVICES AND SUPERANNUATION**

Our Ref BR13-000999

19 APR 2013

The Hon John Murphy MP
Chair
Standing Committee on Petitions
Parliament House
CANBERRA ACT 2600

Dear Mr Murphy

Thank you for your letter of 14 March 2013 (Ref 753/1200) concerning a petition for risk payments for truck drivers, presented by Mr Bert van Manen MP, Member for Forde.

The Australian Government is committed to improving road safety for truck drivers, their families and all Australian road users. The Government is aware of the economic pressures on truck drivers to meet unfair and unrealistic deadlines, which risk their own lives and the lives of others. In recent years the Government has implemented reforms aimed at improving pay and related conditions for truck drivers and removing economic pressures to work in an unsafe manner. One way in which the Government is achieving this is through the Road Safety Remuneration Tribunal (the Tribunal), which commenced on 1 July 2012.

The Tribunal can make Road Safety Remuneration Orders (Orders) about pay and related conditions for road transport drivers. The Tribunal can also help resolve certain disputes between drivers and their hirers or employers and supply chain participants.

To the extent that it is more beneficial to a driver, an Order overrides a Modern Award, enterprise agreement, order of the Fair Work Commission (FWC) or other transitional instrument made under the *Fair Work Act 2009*.

As well as making an Order on its own initiative, the Tribunal may also make an Order on application by a truck driver, employer or hirer of a truck driver, or a relevant union or industrial association.

As part of its first annual work program, which was issued on 10 December 2012, the Tribunal is currently inquiring into the retail, livestock, bulk grain, and inter and intra-state long distance road transport sectors. A timetable and processes for the conduct of the inquiry is available on the Tribunal's website at www.rsrt.gov.au.

In addition to Orders of the Tribunal, another avenue for seeking improvements in minimum pay and conditions for truck drivers is through Modern Awards. Similar to Orders,

Modern Awards can be varied at any time upon application by parties to the Modern Award, or by the FWC at its own initiative.

The FWC is currently undertaking a review of all Modern Awards (the Modern Awards Review), including the Road Transport (Long Distance Operations) Award 2010 and the Road Transport and Distribution Award 2010. Progress on the Modern Awards Review can be followed via the FWC website at www.fwc.gov.au. Once the Modern Awards Review process has been finalised a second review will commence in 2014, with subsequent reviews occurring every four years.

I trust the information provided is helpful.

Regards

BILL SHORTEN