



# LETTER TO THE EDITOR

## HIGH COURT RULING IS GOOD FOR BUSINESS

As published in the *The Age* on Friday, 17 November 2006.

By Peter Anderson, Workplace Policy Director, Australian Chamber of Commerce and Industry

---

John Stone, co-founder of the conservative Samuel Griffiths Society, criticises business leaders applauding the High Court decision validating WorkChoices, and claims that “it will serve them right” when a Labor government uses the decision to impose its national industrial relations agenda (*The Age*, 15/11). I was one of those business leaders. And while I do believe a national industrial relations system is essential for a national economy, there is a big difference between supporting a national industrial relations system, and supporting this or that content.

Mr Stone’s analysis would be right only if state industrial laws can legally be a haven for business from hostile federal laws. Unfortunately they can’t - because our constitution says (and always has) that federal IR laws override inconsistent state IR laws. That point was proved in the early 1990s when Jeff Kennett’s Victorian IR system proved no haven from Paul Keating’s federal IR system.

The High Court decision and WorkChoices apply federal IR law to all companies. This is much more sensible than the previous system in which federal IR laws applied to those employers who were randomly selected by trade union officials for national coverage. That gave enormous institutional power to trade unions - a power that has now sensibly been removed, and is unlikely to ever be restored.

Peter Anderson  
Director Workplace Policy  
Australian Chamber of Commerce and Industry