

22nd June 2017

Attention: Graeme Maddern
Department of Economic Development, Jobs, Transport and Resources
Government of Victoria

BY EMAIL: smallbiz.review@ecodev.vic.gov.au

Dear Mr Maddern

Re: Submission regarding Small Business Regulation Review (Retail Sector) Draft Action Statement

We refer to the Small Business Regulatory Review and Draft Action Statement released on 26 May 2017.

We note that on 30 September 2016, MGA provided a submission to the Victorian Government regarding the review and has engaged in numerous follow up meetings and discussions in the hope of reducing red tape for our small business member retailers.

MGA commends the Victorian Government for its efforts thus far in red tape reform and believes that the four key reform areas of access to information, approval processes, food safety and retail leases are pertinent and significant areas of concern to small business retailers. MGA wishes to submit that MGA members within the grocery industry operate on “paper thin margins” and cannot absorb the ongoing risk of additional costs to do business.

However, there are also many other pressing red tape concerns for many of our members which were highlighted in our previous submission which we urge the Victorian Government to include in its proposed reform. These issues include, but are not limited to:

a) Work health and Safety (excluding food safety)

Victoria is one of two states who have not adopted the model work health and safety laws. Our members have reported confusion as to the current laws, especially given the inconsistency between Victorian work health and safety laws and the rest of Australia. This confusion causes additional time burdens on our members who must seek assistance to ensure compliance. Furthermore, safety officers often see matters differently when inspecting the same workplace and as a result there is significant inconsistency with arbitrary decisions and enforcement.

b) Workplace policies and training (excluding food safety)

In order to feel adequately protected, an employer needs to have a policy, safe work instructions and provide training on every facet of the business, from how to operate a cash register to workplace

bullying to clocking on for work. Without this mass of paperwork and repetitive training, which needs to be constantly reinforced with staff for protection, a business is in constant fear of litigation.

c) Tobacco

The myriad of rules and regulations regarding the display and advertisement of tobacco products creates confusion, extra burden, red tape and costs for small businesses. MGA submits that Local Council policies and practices are also inconsistent and draconian, often embarking upon “entrapment” programs “to catch out” unsuspecting retailers. Staff tobacco training is costly to manage and owing to the opening hours nature of the business and the quantum of staff turnover is frequent.

d) Additional Public Holidays such as AFL & Easter Sunday

These additional public holidays which have been declared in recent years are not only extremely expensive for our members in terms of penalty rates and cost of business but also create extra administrative work for our members in consulting with staff about optional work on public holidays, altering rosters and processing penalty rates.

In view of the above, MGA suggests that the “food safety” reform area be substituted for “workplace safety” so that the issues of general health and safety, policies and training may be incorporated into the reform goals, as well as having further consideration for tobacco, public holidays and other issues of concern set out in our submission.

MGA sincerely thanks the Victorian Government for the opportunity to make submissions regarding Small Business Regulation Review for the retail sector and we would be pleased to explain our position further should the Victorian Government require additional information.

Yours sincerely,



Jos de Bruin

CEO

MGA Independent Retailers