



OFFICE OF SENATOR RICKY MUIR
Australian Motoring Enthusiast Party Senator for Victoria

MEDIA STATEMENT

RSRT – Muir to call for Senate committee examination

Senator Ricky Muir, Senator for Victoria from the Australian Motoring Enthusiast Party, has updated his position on the Road Safety Remuneration Tribunal, in light of extraordinary media commentary and claims relating to this issue over the past week.

“As a representative of the only political party which has a focus on road safety, many might be wondering why it has taken me so long to express my views on this topic. As with any issue, I have taken the time to consider both sides of the argument. It might have been much easier to jump on the populist bandwagon; however, as most are already aware, I seek to consider all issues fully on their merits before reaching any decision,” Senator Muir said.

“I issued a statement on this last week with the heading, “Truck safety and pay rates – what’s the real story?” A lot has been said in the past week, yet I still don’t believe we have the real story,” he continued.

“There are many in the heavy transport sector who have been calling for a better deal for family-based small business operators. They advocate for owner-drivers to get better terms and conditions within the industry, on par with their hourly rate colleagues. There are those in the industry, however, who represent the small to medium fleet owners, who would rather see the independent umpire abolished so that they can continue rate-cutting.”

“Owner-drivers were making it clear that the safe rates system needs to apply to everyone. After all, a safe rate should be a safe rate. There appears to be some confusion about who the Order should apply to and under what circumstances. I have seen legal interpretations from more than one source that the intent of the Order is to be broad; it is not meant to create two different pay rates within the same market. However, there is uncertainty due no doubt to some of the definitions, especially around the term ‘independent contractor’. I understand that Fair Work Australia is providing advice based on one interpretation of the Order, whereas at least one legal opinion would suggest that a different interpretation should be applied.”

“This is something that the Road Safety Remuneration Tribunal (RSRT) should clear up promptly with a ruling to remove this uncertainty.”

“Given that Fair Work appears to not be ready, the fact that the industry is not ready, and the amount of industry uncertainty and public concern around this Order, I will be supporting legislation to delay its date of effect. This will hopefully provide the time necessary for all parties to address the issues and concerns raised, especially the situation that allows for owner-drivers to be priced out

of the various road transport markets. I would encourage all those who have issues with the Order to continue to provide submissions to have it varied. This includes those in farming and rural communities who it seems are particularly impacted.”

“There are also those who would like to see the RSRT abolished. They had this intent prior to the implementation of the 2016 Order. These parties would argue that there are no credible links between road safety and remuneration. On this point, both the Australian Motoring Enthusiast Party and I strongly disagree, which is why we want to see all the claims examined. As I said last week, the road safety aspect of all of this must not be overlooked.”

“The literature review from the University of New South Wales, presented to last year’s Australasian Road Safety Conference, reported that there are many research findings of a relationship between driver payment methods and levels, and safety outcomes. I am happy to be proven wrong by those who would argue that there is no link between remuneration and safety and I want to give them that opportunity. However, the road safety experts I have heard in the media in the past few days support the views that I hold.”

“Any repeal of a statutory body should not be as the result of a knee-jerk reaction, or populist politics; rather it should be examined in a thorough and proper process. This would help ensure that we don’t see a repeat of the ‘tit for tat’ politics such as what we are being subjected to with the ABCC. My concern here is that if the RSRT is abolished without due process, owner-drivers will never again have the opportunity to have their concerns regarding safe rates heard due to the toxic nature of the political debate.”

“I am calling for the Road Safety Remuneration Repeal Bill 2016 to be forwarded to the Rural and Regional Affairs and Transport Legislation Committee. This will provide all interested parties the opportunity to put their views forward on their experiences with the RSRT since its inception. It will provide a chance for those who have suggested that the RSRT should be reformed rather than repealed to put those views on the public record as well. It is evident that the RSRT, in its current form, has lost the confidence of the members of the transport industry that it is supposed to support. Those who would argue for or against the link between remuneration and safety and those who see remuneration as a part of the road safety strategy can all put their arguments on the record and have them scrutinised by the parliamentary committee.”

“I call on my Senate colleagues from the crossbench, the ALP and the Greens to support the due process of the parliament and to back my call for a short inquiry into the matter. This is the right way to go about parliamentary business and that’s what I hope to see over the next fortnight on this subject. This inquiry would report before the Budget. Should the case be made to abolish the RSRT, it will be done based on factual debate, rather than opportunistic politics with the aim of securing votes at an early election,” Senator Muir concluded.

-ENDS-

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Sale, Victoria

Media enquiries

All enquiries should be directed to Shaun Lennard in the Office of Senator Ricky Muir on 0439 444 786 or shaun.lennard@aph.gov.au