



The festive season

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1/3 Page Editorial
with Picture 200 words

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The strength of independent supermarkets is their special relationship with their local communities. These relationships must continue to be nurtured and strengthened during these more difficult times.

Changes and amendments to Tobacco Legislation in NSW, ACT and Victoria have kept MGA very busy this year. MGA has been engaging with Government Health Ministers and Departments in all three states and is currently busy ensuring independent supermarket needs are fully understood by each government, and that these stores should not be disadvantaged. Removal of tobacco from display and introducing licenses to sell tobacco are the two key changes in these states that could affect MGA members. New ACT Tobacco Laws, incorporating both measures, will be effective from 1st January 2010. NSW Government has passed the "Protect Children from Tobacco" Bill in the Lower House and it will soon be introduced into the Upper House. The Victorian Government called for submissions in October from industry associations and stakeholders in response to a discussion paper seeking to address the sale of tobacco products. We will keep members posted on any developments.

Master Grocers Australia welcomed members to an Industry Breakfast held in Kooyong, Victoria on Tuesday 18th November 2008.

The Federal Shadow Cabinet Minister for Small Business, Mr. Steven Ciobo M.P was welcomed by the President of MGA, Rod Allen and the CEO of MGA, Jos de Bruin. Mr. Ciobo gave



Fred Harrison and Mark Laidlaw at the Melbourne Industry Breakfast

the keynote speech, where he discussed the role of small business in the Australian economy.

He addressed a number of issues facing small businesses at the present time. These issues included compliance problems associated with "red tape," dealing with proposed new industrial laws and the importance of small business in a competitive market. Mr. Ciobo said that small business relied on consumer confidence and that people in small business who were prepared to take risks, are the lifeblood of the nation.

Mr. Ciobo also launched the MGA Retail Security booklet at the Breakfast. The booklet which is independent supermarket specific was greeted enthusiastically by members. It is designed to assist retailers to deal with problems associated with increasing retail shrinkage in the current economic climate. We are confident that MGA members will find it a vital resource and guide in their businesses.

Members travelled to this breakfast industry event from all over Victoria and it was an invaluable opportunity for them to interact and network with industry colleagues and staff from MGA. Further industry functions are being planned for 2009 and MGA looks forward to welcoming members to these future events.

Following the breakfast meeting, the majority of members stayed for the MGA AGM. Three crucial resolutions to amend the MGA constitution were voted upon and unanimously passed by an historical number of retailers attending the AGM. The three resolutions were:

- A change to the Eligibility Rules allowing MGA to widen its scope of members.
- Changes and amendments to the Rules of the Constitution, including allowing independent directors to be appointed to the MGA Board

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Full Page Editorial with
Picture
700 words

Beijing Olympic Medallist

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The swimming champion presented to FoodWorks support staff and their families, displayed his medals and Olympic swimming costume, and chatted with attendees over lunch at the Melbourne FoodWorks support office in Glen Iris on Friday, 26 September.

Mr Murphy won Bronze in the 4 x 200m Freestyle at this year's Beijing Olympics where he came up against the legendary American powerhouse, Michael Phelps, who collected one of his eight Olympic medals for that Games. Mr Murphy also won Bronze in the 4 x 100m Freestyle (heat swim) at the Beijing Olympics. This was his second Olympic games, having also won a medal in Athens in 2004.

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400 words

Mr Murphy detailed his extensive, gruelling training schedule leading up to the Olympic Games and provided some swimming motivational tips to attendees.

"While the ultimate goal is the Olympics, it's only every four years, so you really benefit from competing in all of the regular major and even local swimming meets including upcoming trials for the World and State Championships, and various overseas competitions. Training does take up a fair bit of your life but you do it because you love the sport," he said. The Olympic swimmer highlighted the importance of having goals to aim for, providing minor and major objectives to target, and about taking responsibility for yourself.

"It's very important to have goals to strive for and I walked away from the Beijing Olympics having achieved a number of my goals, which is an incredible feeling. If I was to swim badly it's not my coach's fault or my mum or dad. I control what I eat and drink and ultimately how I swim. In an individual sport like swimming, you do have responsibilities, not only to yourself but to everyone else in the Australian swim team," he said.

With over 70 FoodWorks support staff based at the Melbourne office, providing support services to more than 700 supermarkets, food and convenience stores nationally,

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Victorian Retail Planning Policy Review –

Over the past 12 months MGA has been very involved with the Victorian Government Review of Retail Planning Policy and the 2030 vision for sustainable retail development. In early October, the Retail Policy Review Discussion Paper was released for public comment. On the 30th October the MGA committee of retailers and industry stakeholders met with Halvard Dalheim, Director State Strategy, Department of Planning and Community, to have the draft document formally presented and discussed prior to MGA making a final submission to Government.

In summary, the overall impression we are gleaning from the Victorian Retail Review Discussion Paper is that MGA and independent supermarkets have thus far, been very successful in managing the outcomes we require.

Melbourne 2030 is a long term plan to manage the growth and change of the metropolitan area. The Retail Policy Review has identified that there will be significant demand for additional retail floor space across metropolitan Melbourne. The principles and outcomes of the review will also influence regional areas in Victoria.

Overall, it is estimated that there will be a need for approximately 40 per cent more retail space than we currently have. Planning for the network of 120 'Principal Activity Centres' and 'Major Activity Centres' will help cater for the anticipated growth.

The review has considered all aspects of the statutory framework that support retail policy, including land use definitions, zoning controls, and related provisions applying



MGA retail policy review committee: Halvard Dalheim, State Planning and Strategy Director, Grant Muller, Dominic De Cesare, Nick Cook, George Altman, Simon Thompson, Chris Bourke, Nathan Ryan and Karl Loh

to retailing in planning schemes. While supermarkets are rarely mentioned in the discussion paper, it is clear that much of the document applies to this sector and is particularly friendly to the independent sector in a number of ways. The discussion document particularly addresses important considerations such as nurturing community values, sustainability, walk ability and the need to reduce red tape and bureaucracy (including rezoning) for any new retail development 2000 square metres or less. This is a very good outcome for independent supermarkets.

The report underlines the importance of retailing to the Victorian economy as it provides 12% of employment (265,000 jobs) and \$57.5 billion of turnover.

Should you wish to view the discussion paper and make any comments please access the MGA website as per the following web address www.mga.asn.au. Your comments are greatly valued and will be quoted in MGA's final Victorian Retail Review Discussion Paper response submission in February 2009.

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With Picture 400 words

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New WA Government to Review IR System.

Mr. Troy Buswell, WA Minister for commerce has announced a major review of the State's IR system. In particular he will be looking closely at the state's unfair dismissal laws in the Industrial Relations Act. He will also review the state agreement making provisions in the current state legislation which he said were of "almost no practical application" in view of the federal laws.

Mr. Buswell said that the review was needed because the State IR system was not suited to contemporary society and that small businesses needed to be carefully considered in the making of any changes.

The State's Industrial Relations Commission role would also need to be reviewed as its work load had been substantially reduced since the introduction of WorkChoices.

Mr. Buswell confirmed that he had spoken to Ms. Julia Gillard in relation to the future of IR in WA and he had told her that it was highly unlikely that WA would refer any of its industrial relations powers to Canberra. However, the WA Government was going to wait and see what "Fair Work Australia" would system were likely to be incorporated into the State system.

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Who is a True Casual Employee?

It is not unusual in the retail industry for an employee to be a "casual" for a long period of time. Employees have been known to work as casuals for 20 years or more. Very often the employee enjoys the additional money that casual status provides and they like the freedom of not being tied down by a set roster. Conversely, some casual employees ask the employer if they can transfer from casual to permanent status, as this provides greater security.

For employers it is important to understand the employment relationship with a casual employee. If a casual employee works for a long period of time the employer will not always find it easy to end the relationship. The Workplace Relations Act states that a casual employee cannot make a claim for unfair dismissal unless the employee was employed on a "regular and systematic basis for a period of at least twelve months." This means that once the employment period lasts beyond twelve months it establishes a more permanent relationship. For example, if a retailer gives a casual employee a roster for work on 3 days a week for over a year and then decides that the casual is no longer needed and can be terminated because he or she is a "casual" then the employee would be able to make a claim for unfair dismissal.

It is important for employers to be aware that just because an employee holds casual status that it is no protection against an unfair dismissal claim. It should also be noted that a casual employee in most States will also be entitled to long service leave.

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600 words

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