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2020-21 Annual Wage Review

Supplementary / Post Budget Submission Australian Chamber of Commerce and Industry

May 2021

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CONTENTS

1. INTRODUCTION

1. This has been a particularly difficult wage review to approach for the business community, but most likely also for all submitting interests, as well as for the Expert Panel.

2. The ACCI network has to date not nominated a position that we say should arise from this review.

3. This was initially driven by wanting more information on the impact of the completion of the JobKeeper programme, wanting more information on the further course and risks of the coronavirus pandemic, and wanting more information on the strength and sustainability of recovery. We have also been closely watching the global economy as some major economies roll out vaccinations, others have seen a massive uptick in inflection and restrictions, and new variants create new pandemic risks.

4. Recent months have however brought only partial answers to some of these questions, new questions have emerged, and new evidence has underscored ongoing uncertainty and risk.

5. A further problem has emerged which in some ways is a very good problem to have, but in others renders decision making for employers, and more importantly for the Panel, additionally difficult.

6. The problem is inconsistency, Australia's multi speed economy, and multi speed recovery.

7. At issue is reconciling:

   a. The overall strength and speed of recovery clearly underpinned by Australia's concurrent success in both economic decision-making and pandemic control.

   b. Areas of the economy and sub industries within wider industries that continue to experience considerable adversity and remain exposed to the business endangering, job destroying factors that caused such concern in 2020, and that gave rise to the Panel's sensible, staggered approach to raising minimum wages on the last occasion.

8. How do you reach a single position on minimum wages when some parts of the economy are going great guns, macroeconomic indicators are strong, and recovery is rapid, whilst other minimum wage reliant industries (or parts of industries) such as tourism, events, the arts and parts of hospitality are still experiencing restrictions and closures, or are still making up massive ground lost during the pandemic?

9. How should the Panel reach a single decision on minimum wages when JobKeeper has done its work and saved industries and jobs for many, but others remain at risk?

10. What is the Panel to make of an economy that is 'roaring back to life' as the Treasurer said on Budget night, but which also has a multispeed microeconomy at the regional, subregional, industry and sub industry level.

11. This is not easy for the ACCI network and it's not easy for the Expert Panel.

12. There remains considerable vulnerability for both jobs and businesses were any award wage increases to clearly exceed their circumstances and capacities, or were they to be applied prematurely and with less time between increases in the context of a fragile pandemic recovery then is applied as the standard practise of this panel, and under the Fair Work Act in 'ordinary' years (i.e. 12 months between increases). In 2021, this is not as 'simple' as a binary choice between the highest and lowest common denominators, or splitting the difference, both the strengths and the vulnerabilities are too significant to be ignored, or to dictate a simple outcome.

1.1 What the Panel should determine

13. It has been a difficult year to reach a single position to advocate, but in 2021 the approach we commend to the Panel is on balance one of **real wage maintenance**.

14. In the face of such glaring inconsistency between the strong performance of our economy overall, strong jobs recovery and the strength of some sectors and subparts of sectors, weighed against minimum wage reliant businesses and jobs that face massive downturns and risks, **ACCI does not oppose an increase in the Federal Minimum Wage and Award Minimum Rates of up to the rate of inflation measured to the most recent March quarter (1.1%).** This would be on top of the 0.5% superannuation increase from 1 July.

1.2 Clustering and Commencement Dates

15. **<u>Any</u> increase which may be awarded should be subject to continuing the clustering, grouping or staggering** of operative dates (as was provided for in the 2020 decision) based on the adversity facing employers and employees in particular sectors.

16. ACCI addressed the industry clusters and the work of Professor Borland in some detail in our Reply Submission of 23 April 2021.

    a. The sectors most impacted in 2020 continue to be constrained by international border closures and state-based health restrictions in 2021, and are lagging the overall economic recovery.[1]

    b. These sectors in the upper cluster are also some of the most heavily award-reliant industries. Imposing a further wage increase on businesses in these sectors only five months after the previous increase would be an unreasonable impost on businesses that remain under severe financial stress, and risk jobs.[2]

[1] ACCI Reply Submission, 23 April 2021, 17(b)(i)
[2] ACCI Reply Submission, 23 April 2021, 17(b)(ii)

c. The same applies to the central cluster, with Transport Postal and Warehousing (down 6.5%), Education and Training (-3.2%) and several other sectors where employment still remains below its February 2020 level. It is unreasonable to increase wages in these sectors only 8 months after the last increase while these industries are still suffering.[3]

d. Any wage increase should be applied no less than 12 months after the last increase, which for the upper cluster would see the increase being applied from 1 February 2022.[4]

e. The recovery of industry sectors in the upper and central clusters would need to be reassessed in the 2022 Annual Wage Review, to decide whether all industries have recovered enough to realign the commencement date for any future wage increase.[5]

f. Further data and feedback from the economy in 2021 underscores inconsistency of experience and circumstances and strength overall disguising substantial difficulties for many in a multi speed recovery / economy.

17. However, as also indicated in ACCI's previous reply submission:

a. If the Panel were to seek to realign all industry clusters in 2021-22 to a single commencement date (directly contrary to ACCI's recommendation and to the detriment of jobs, businesses and communities) then the commencement date of any increase should be 1 January 2022 for all industry sectors.[6]

b. The Panel for the 2021/22 Annual Wage Review would then need to take into account a 2022 increase being applied only 6 months after the last and moderate any increase accordingly, as well as any other matters constituting exceptional circumstances.[7]

[3] ACCI Reply Submission, 23 April 2021, 17(b)(iii)
[4] ACCI Reply Submission, 23 April 2021, 17(b)(iv)
[5] ACCI Reply Submission, 23 April 2021, 17(b)(v)
[6] ACCI Reply Submission, 23 April 2021, 17(b)(iii)
[7] ACCI Reply Submission, 23 April 2021, 17(c)

2. 2021 BUDGET

2.1 Budget Overview

18. The Federal Budget indicates the economy overall has bounced back strongly from last year's pandemic induced recession and has entered the next phase of the recovery.

19. However, the improving conditions have not been shared evenly across the economy. Jobs have been lost and there are sectors still doing it tough. Heavily affected businesses include those with a focus on international visitors, located in central business districts, and reliant on international students.

20. The pandemic will continue to impact the economy until domestic and international restrictions on the movement of people and goods are removed. The assumptions in the Budget do not have international borders beginning to reopen until mid-2022.

21. The Budget measures clearly recognise that further support is needed to achieve sustainable economic growth, by boosting demand and creating jobs to take up the slack in the labour market.

2.2 Economic Growth Forecasts

22. A rebound in economic activity in the second half of 2020 resulted in the economy contracting by 1.1% in 2020 relative to 2019. This was notably less than the 2½% contraction for calendar 2020 expected in the Mid-Year Economic and Fiscal Outlook. The improvement was primarily driven by higher household and government spending, the labour market returning quicker than expected and elevated commodity prices in 2020-21.

23. This has provided the foundations for economic recovery over the Budget's forecast period.

24. Treasury's forecasts over the forward estimates are for real GDP growth to increase from 1¼% this year to 4¼% in 2021-22. However, this strong economic expansion will not be sustained over the forward estimates, with real GDP growth falling back to 2¼% in 2023-24 then notching up to 2½% in 2024-25.

25. This is of some concern, as it represents a return to the muted levels of GDP growth prior to the pandemic.

2.3 Labour market

26. The unemployment rate is forecast to be 5½% by the end of this financial year, falling to 5% by the end of 2021-22, then to 4½% at the end of 2024-25.

27. While the Budget forecasts for the labour market represent a substantial downward revision from the Mid-Year Economic and Fiscal Outlook forecasts at the end of 2020, the unemployment

projections are still well below the levels considered necessary to drive wages growth and increase inflation to within the Reserve Bank's target range of 2% to 3%.

28. As noted in ACCI's earlier submissions, the RBA has lowered its estimate of the non-accelerating inflation rate of unemployment (NAIRU) to 4%, while recent updates to Treasury modelling indicates that the NAIRU is between 4.5% and 5%.[8]

29. Therefore, with unemployment currently at 5.6% significant labour market tightening is still required to support sustainable wages growth, closer to longer term trend levels. The Budget forecasts do not see this being achieved until after 2022-23.

2.4 Wages and Inflation

30. As a result, the Budget forecasts subdued wages growth and inflation over the next two years.

31. Wage growth as measured by the wage price index is expected to remain at 1¼% this financial year, increasing to 1½% in 2021-22 and 2¼% in 2022-23, before rising to 2¾% by the end of the forecast period in 2024-25. Therefore, any increase in minimum and award minimum wages above 1½% in 2021-22 would be inconsistent with wages growth in the broader economy.

32. The rate of inflation, as measured by the consumer price index, is forecast to jump to 3½% in 2020-21 as factors that contributed to the deflation in 2019-20, including free childcare and the collapse in oil prices, wash out of the numbers. It will then settle back to 1¾% in 2021-22. It will rise to 2¼% in 2022-23, finally reaching the Reserve Bank of Australia's target range of 2 to 3% and stay within the bound over the remainder of the forward estimates, notching up to 2½% in 2023-24 and 2024-25.

2.5 Budget measures

33. It needs to be recognised that we are currently experiencing very artificial conditions that mask not only the chronic underlying weakness in the economy that was present before the pandemic, but also the structural changes that have arisen due to it.

34. Over the last year, there have been unprecedented amounts of fiscal and monetary policy support provided to the economy. The Federal Government has provided around $291 billion dollars in spending and tax relief to support households and businesses. Much of this stimulus is still to filter into the economy through consumption and investment spending.

35. The Budget builds on the October Budget with a focus on creating jobs to reduce slack in the labour market and improving productivity through spending on infrastructure, digital and measures to support businesses investment.

36. In addition to increasing private sector consumption and investment, Government expenditure on goods, services and public investment will continue to play an important role in boosting

[8] Ruberl H, Ball M, Lucas L and Williamson T 2021 *Estimating the NAIRU in Australia.* Commonwealth of Australia. https://treasury.gov.au/publication/p2021-164397

aggregate demand over the next year. New public final demand is forecast to grow by 5% in 2021-22 and a further 1.75% in 2022-23.

37. The extra $15.2 billion of spending on road, rail and freight infrastructure over the next decade will help improve productivity. Budget measures in the areas of personal income tax, superannuation, childcare, aged care, disabilities, mental health, women and skills all help to reduce unemployment, increase participation and reduce underemployment.

38. Consistent with the objective of getting as many people back into work as quickly as possible, the Government has indicated that is not intending to begin Budget repair until the unemployment rate is below 5%. This is not expected to occur until the end of 2022-23 when it is to reach 4.75%.

2.6 What the Panel should conclude following the 2021 Budget

39. Although aggregate employment growth and economic activity have shown solid recovery over the past six months and this is expected to continue over the year ahead, the recovery remains fragile and is not uniform across industry sectors, or within sectors.

40. The 2021-22 Federal Budget extends the fiscal support with a focus on sustainable economic growth as we emerge from the COVID-19 recession. The Government has indicated it will not be turning its attention to Budget repair until the end of 2022-23 when the unemployment rate falls sustainably below 5%.

41. Given the focus of the Budget remains on recovery, it would be counter-productive to impede this growth by an excessive increase in minimum wage and award minimum wages in 2021-22.

42. To do so would work against the Government's efforts to increase economic activity, boost productivity, reduce the slack in the labour market and drive wages growth more broadly across the economy.

2.7 Implications for the ACTU's call for Employer Stimulus

43. The Government's decision to maintain the focus of the Budget on fiscal stimulus to drive economic and jobs growth has clear implications for one of the fundamental arguments of the ACTU, unions and others supporting a substantial real increase in this review. It has been argued that a substantial real wage increase is necessary through the award system to kickstart consumer spending, and that thereby somehow to the advantage of smaller businesses and those most of reliant upon award rates.

44. ACCI has consistently opposed this core ACTU argument in this matter and to the Australian public as economically flawed and highly damaging.

45. However even were such an argument economically sound, were the purported benefits of such an approach able to outweigh the clear negative impacts, and were an increase for just 22.5% of all employment able to drive aggregate demand, the government has through this budget done the work that proponents of such a view sought to transfer to award reliance businesses.

46. The Budget is doing the work the unions would have small businesses assume through this review. This core argument advanced in support of a real wage increase – in addition to its damning fundamental flaws – must fall away as a function of the expenditure in the 2021 Federal Budget.

3. OTHER RECENT MATERIAL / DATA

3.1 New ABS Data on Employment

47. Employment growth has been stronger than initially forecast since the beginning of 2021, with the ABS Labour Force numbers showing employment returning to its pre-COVID level of 13 million, unemployment falling to 5.6% in the March quarter 2021, and underemployment falling to 7.9%.[9]

48. We need to wait until 20 May (the day after the oral hearings) for the next instalment of the ABS Labour Force data to see whether the end of JobKeeper had much of an impact on employment, unemployment and underemployment in April.

49. However, we can see from the Weekly Payroll jobs data, that the end of JobKeeper had a notable impact, with a 1.2% decline in employment over the month 27 March to 24 April.[10]

50. There was a notable decline in employment of younger workers, with the number of 20-29 year-olds employed down 1.9% in the month from 27 March to 24 April and 30-39 year-olds down 1.3%. Older workers were also heavily impacted by the end of JobKeeper, with employment of over 70 year-olds falling 2.9% between 27 March and 24 April.

51. For the industry sectors, the biggest impacts of the end of JobKeeper were in the Accommodation and Food Services (with employment down 3.9% between 27 March and 24 April), Arts and Recreation Service (down 3.9%), Other Services (down 3.7%), Administration and Support Services (down 3.6%), Agriculture (down 5.2%) and Transport postal and warehousing (down 2.2%). These are all sectors that continue to be impacted by restrictions and were the most JobKeeper reliant in March 2021.

52. The multi-speed recovery is of increasing concern.

53. The recovery of payroll jobs continues to lag in Accommodation and Food Services (down 10.3% relative to the beginning of the COVID-crisis on 14 March 2020), Information Media and Telecommunications (-6.7%), Transport Postal and Warehousing (-6.8%), Education and Training (-1.7%) and Arts and Recreation (-1.5%).

54. In contrast, there has been very strong growth in employment in Public Administration and Safety (up 10.3% relative to 14 March 2020), Financial and Insurance Services (+7.7%), Healthcare and Social Assistance (+4.9%) and Electricity, Gas, Water and Waste Services (+3.2%).

55. As noted above, this multi-speed recovery has implications for the level of any increase the Panel determines in this year's Annual Wage Review and for continuing the staggering of when any increase should take effect.

[9] ABS 6202.001 Labour Force Australia, March 2021, 15/04/2021. https://www.abs.gov.au/statistics/labour/employment-and-unemployment/labour-force-australia/latest-release
[10] ABS 6160.055.001 Weekly Payroll Jobs and Wages – Week ending 24 April 2021. 11/05/2021. https://www.abs.gov.au/statistics/labour/earnings-and-work-hours/weekly-payroll-jobs-and-wages-australia/latest-release

4. REPLY SUBMISSIONS

56. The panel received a number of submissions in reply and answers to questions on notice in late April.

57. To assist the panel's consideration we wish to respond briefly to a very small number of matters raised in this material, noting that:

    a. The timetable does not direct a further exchange of replies, but we wish to assist the panel's consideration of some of the matters raised.

    b. Matters that are not addressed from the reply submissions and answers to questions on notice are in no way conceded, nor is their relevance or the weight to be accorded to them in the Panel's considerations

4.1 ACTU's - Reply Submission & Response to QON

58. The ACTU's submission points to data from the ABS *Household Financial Resources* survey as evidence that households came under increasing financial stress as a direct result of the COVID-19 recession. ACCI does not dispute that many households faced increased hardship in 2020. However, we do question the ACTU's conclusion that the higher rates of financial stress in 2020 *illustrate the ongoing need for minimum and award increases.* We note that this data does not distinguish between employee households and other household types. With unemployment rising from 5.1% in February 2020 to 6.9% in September 2020, the circumstances that led to the increased levels of financial stress are more likely to be related to the loss of work or reduced hours. An increase in the level of minimum wages and awards would do little to assist these households.

59. The ACTU argue that there is no evidence in the data and forecasts presented in the *Statistical Report* of negative employment impacts of minimum wages increase during a recession or downturn. Yet it would be hard to see how this would be apparent in the available data. The unprecedented levels of Government support, particularly JobKeeper and JobSeeker, mask the true state of the economy and the labour market. Also, with the staggering of the wage increases, the effects on sectors experiencing the worst impact of the downturn would at best only just begin to emerge in the most recent data. From the ABS Weekly Payroll and Wages data discussed above it could be argued that the combined effect of the increase in minimum and award minimum wages in February 2021 and the end of JobKeeper in March 2021 has contributed to the decline in employment in Accommodation and Food Services and Arts and Recreation Services sectors.

60. We agree with the ACTU that the survival of businesses already teetering on the edge of insolvency is likely to be influenced by many other factors, not just an increase in the minimum wage. However, it would seem unconscionable to add to the burden already being faced by these businesses by an excessive increase in their operating costs, thus impeding their ability to trade out of their situation. Many of these businesses will have been constrained by border

closures and state-based health restrictions and as these begin to be lifted they will be focused on getting back to normal trading conditions as soon as possible.

4.2 ACCER - Response to QON

61. The unevenness and inconsistency of experience which led the Panel to stagger increases for 2020-21 is acknowledged by the ACCER.[11]

62. However ACCI cannot agree with (and the Panel should decline to accept) the ACCER contention that the unevenness which gave rise to staggering has declined to such an extent that there should be no staggered implementation dates in 2021/22.

63. Crisis and negative impacts have not disappeared, some have changed in scope and nature, as Professor Borland's updated research and widespread experience across the economy indicates. The ACCER submission seems to ignore for example the ongoing plight of travel agents, tourist reliant industries, arts and creation, and parts of the hospitality industry still subject to restrictions.

64. ACCER also seems a little blithe regarding recovery within business, particularly small businesses. Many restaurants in Victoria for example still recovering after a year of losses, and their experience is not of business as usual as the ACCER would have the Panel accept.

Profit, Business Size, and Capacity to Pay

65. ACCI must take issue with the following from ACCER (paragraph 9), and contest the attempts to divide which are implicit in it:

> *The reality is that a majority of those on the minimum wage are employed by major corporations, who can not only afford this increase, but also generated a profit, during the pandemic, largely due to the COVID-19 government supplements. In September 2020 the Australia Bureau of Statistics released the gross domestic product data for the June 2020 quarter which showed company profits jumped by 14.9% in the quarter, with wage and salaries expenses for employees falling by 2.5%, making it the first time in Australia's history that profits increased during a recession.*

66. This review is not limited to raising a single minimum rate, decisions in these reviews apply to the NMW, <u>and</u> to thousands more award rates higher than the NMW.

67. ACCI is concerned at the claim that the majority of award reliant employment is by "major corporations". That does not gel with the extent of award wage reliant employment in small restaurants, pubs, shops, cleaners etc. The firm feedback of members to ACCI is that smaller businesses paying award rates did it hardest in 2020, suffered most grievously during lockdowns and restrictions and had least financial resources to remain solvent. JobKeeper was vital to retaining jobs and businesses, but it did create unique situations which, were they valid, would not be material after the completion of JobKeeper.

[11] ACCER, Response to Questions on Notice, para 5, p.3

68. Also the material ACCER rely on make it clear that the phenomena they cite for a massive increase in 2021, in fact would have no longer been in play after 2020. Callam Pickering (Indeed Hiring Lab, ex RBA) is reported to have said:

> *…the large shift in the income share between labour and profit in the June quarter should only be temporary.*
>
> *"It should unwind over the coming quarters,"*[12]

69. Saul Eslake in the same article describes what the ACCER would have the panel seize on as no more than a "statistical artefact".

Confidence

70. ACCER then claims that "*To ensure stability, growth and therefore recovery in the economy, consumer confidence is required. To ensure this, minimum wage earners need to know their earnings will cover their costs of living*"[13]:

    a. This an argument for real minimum wage maintenance (1.1%) only, not for the 4% sought by ACCER .

    b. ACCI's 2021 position outlined above would maintain purchasing power.

    c. This is underscored by the ANZ-Roy Morgan survey of consumer confidence, and the most recent data from 9 May 2021.[14] Commenting on the most recent confidence data ANZ Head of Economics, David Plank indicated:

    > *The most notable thing from the latest survey is that the proportion of respondents expecting 'bad times' in 'current economic conditions' dropped to just 12%, its lowest level in over forty years. This sharp improvement came about despite the 1% fall in overall consumer confidence and points to positive sentiment about the near-term outlook being very widespread…*

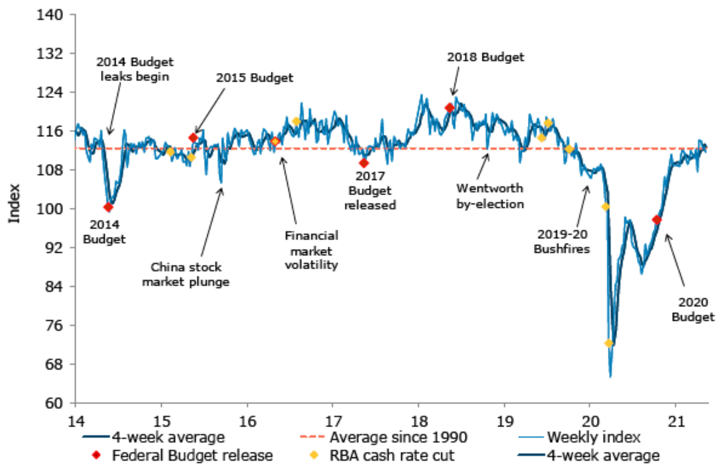
    d. The ANZ-Roy Morgan survey also points to volatility in consumer confidence in 2021 being impacted on primarily by COVID outbreaks and restrictions, not minimum wages.

    e. ACCER also claims that "*Any delay to the increase in the NMW, relative to industry, would only threaten the strength of the economy by weakening confidence and reducing spending, resulting in additional hardship on minimum wage earners*".[15]

    f. There is a further fundamental, in fact fatal flaw to this argument from ACCER. The Panel awarded a staggered increase in 2020, and staggering occurred through to 1 February from the Group 3 awards.

[12] https://www.abc.net.au/news/2020-09-03/australia-recession-how-wages-have-slumped-while-profits-jumped/12623176
[13] ACCER, Response to Questions on Notice, para 5, p.3
[14] http://www.roymorgan.com/findings/8695-anz-roy-morgan-consumer-confidence-may-11-202105100704
[15] ACCER, Response to Questions on Notice, para 5, p.3

g. Yet confidence recovered amazingly across the period of staggered increases in minimum award wages 1 July 2020 to 1 February 2021, and the following from ANZ-Roy Morgan shows:



Source: ANZ-Roy Morgan, ANZ Research

h. Thus, it cannot be argued that a substantial real increase in minimum and award rates, from a single operative date, is required for consumer confidence. It seems clear from the confidence data that infection control and avoiding further lockdowns will significantly influence consumer confidence.

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