



**THE HON JULIA GILLARD MP
DEPUTY PRIME MINISTER**

Parliament House
Canberra ACT 2600

Mr Daming He
by email: upholding.peoples.rights@hotmail.com

Dear Mr He

Thank you for your email of 9 January 2008 concerning your petition in relation to Ms Hilda Zhang's application for unlawful dismissal.

I am advised that the Office of the Attorney-General informed you by letter dated 9 January 2008 that the High Court dismissed your wife's special leave application in 2006 and that no further question of intervention arises in relation to the matter. As a result, the Government can take no further action with respect to Ms Zhang's application for unlawful dismissal.

In addition, Senator Marshall has advised me that your petition was presented in the Senate on 11 September 2007. Petitions presented in the Senate are brought to the notice of the appropriate legislative and general purpose standing committee. The committee will decide whether any further action will be taken in relation to the petition.

In respect of your proposal to make changes to the unlawful dismissal provisions in the *Workplace Relations Act 1996*, the Government is adopting the following approach to amending the current statutory framework. Early this year, I propose to introduce transitional amendments to the Act which are designed to begin the process of phasing out the previous Government's Work Choices laws. The proposed amendments will prevent the making of new Australian Workplace Agreements, establish a new no-disadvantage test for all workplace agreements, and enable the process of award modernisation to commence. The transitional legislation will not include any amendments to the unlawful dismissal laws.

These transitional arrangements will be followed by the introduction of more substantial workplace relations legislation into the Parliament this year to ensure the Government's new fair, flexible and productive system can be fully operational by January 2010. Members of the public will have the opportunity to comment on the proposed legislation and the Government would welcome your input at that time. Details on how to participate in this workplace relations process will be released in the coming months.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Julia Gillard', written over a horizontal line.

Julia Gillard
Minister for Employment and Workplace Relations