

Volume 21

Number 1

October 2010

# THE ECONOMIC AND LABOUR RELATIONS REVIEW

Centre For Applied Economic Research Industrial Relations Research Centre



ISSN 1035-3046

### Aims

Economic and Labour Relations Review is produced jointly by the Centre for Applied Economic Research and the Industrial Relations Research Centre at The University of New South Wales. The primary focus of *ELRR* is on contemporary issues, developments and policymaking in the fields of economics and labour relations.

All opinions expressed in *Economic and Labour Relations Review* are those of the authors and do not necessarily reflect the views or policies of the Centres. The Centres are not responsible for the accuracy of the data and information included in this publication, nor do they accept any consequences of their use. Any queries arising from the contents of this publication should be directed to the authors concerned

### **Executive Editors**

Professor Michael Ouinlan, UNSW Associate Professor Anne Junor, UNSW Associate Professor Peter Kriesler, UNSW Associate Professor Hazel Bateman, UNSW

### **Editorial Committee**

Professor Paul Dalziel, Lincoln (NZ) Professor Bob Gregory, ANU Dr Ian Hampson, UNSW Emeritus Professor Geoff Harcourt, UNSW Emeritus Professor P.N. (Raia) Janunkar, UWS. UNSW, IZA Associate Professor Michael Johnson, UNSW Professor Bill Mitchell, Newcastle Dr Alan Morris, UNSW Dr Ann Nevile, ANU Emeritus Professor John Nevile, UNSW Professor John Quiggin, UQ Professor Joellen Riley, Sydney Professor Peter Saunders, UNSW Associate Professor Peter Sheldon, UNSW Professor Lucy Taksa, Macquarie

### **Guest Editors**

Professor George Lafferty, UWS Dr Alison Barnes, Macquarie

### **Annual Subscriptions**

Personal subscriptions \$A55 \$A80 Institutional subscriptions International airmail subscriptions \$A20 extra Single copies \$A30

Cheques or money orders should be made out to:

**Economic and Labour Relations Review, UNSW** 

### **Postal Address**

Economic and Labour Relations Review Industrial Relations Research Centre The University of New South Wales Sydney NSW 2052 AUSTRALIA

### E-mail

## **Review Editors**

Professor Garry Barrett, Sydney Dr David Morgan, UNSW

### **International Advisory Board**

Associate Professor Siobhan Austen, Curtin Professor Chris Baldry, Stirling Professor Peter Fairbrother, RMIT Dr Mary Gatta, Rutgers, NJ Professor Roy Green, UTS Professor Edmund Heery, Cardiff Professor Marc Lavoie, Ottawa Professor John Lodewijks, UWS Professor Jaehoon Rhee, Yeungnam (Korea) Professor Giulio Sapelli, Milan Professor Leah Vosko, York (Toronto) Professor Charles Woolfson, Linköping (Sweden)

### **Contributions and Subscriptions** Co-ordinator

Amanda Baird

### **Editorial Co-ordinator**

Jason Antony

irrc@unsw.edu.au ISSN 1035-3046

## The Economic and Labour Relations Review

Volume 21 Number 1

October 2010

### **Contents**

Symposium: Assessing the Fair Work Act	
The Fair Work Act: As Good as It Gets?  Alison Barnes and George Lafferty	1
'It's a Discrimination Law Julia, But Not As We Know It': Part 3-1 of the <i>Fair Work Act</i>	
Simon Rice and Cameron Roles	13
Protected Industrial Action and Voluntary Collective Bargaining Under the <i>Fair Work Act 2009</i>	
Shae McCrystal	<i>37</i>
Good Faith and the <i>Fair Work Act</i> : Its Potential, in Light of the New Zealand Experience	
Shaunnagh Dorsett and George Lafferty	53
Will the Fair Work Act Bring Improvements for Migrant Women Workers?	
Angela Zhang	69
Mini-Symposium: The Labour-as-Commodity Debate	
Labour as a (Fictitious) Commodity: Polanyi and the Capitalist 'Market Economy'	
Joy Paton	77
Labour, Commodities and the Labour Market: A Heterodox Perspective	
Graham White	89

Articles	
Seeds of Destruction: The Decline and Fall of the US Car Industry	
Craig Freedman and Alexander Blair	105
Call for Papers	
Call for Papers Minimum Labour Standards and Their Enforcement	