
Productivity Commission Inquiry into the Workplace Relations Framework

Comments from employers and employees in Australian workplaces

Included are comments received between 1 August 2015 and 24 November 2015, for which the submitter gave their approval for use of their comments by the Commission. Some comments have been edited to remove information which the Commission considered could enable identification of the submitter.

Comment 92 *Employee, Queensland*

I receive penalty rates. I am very concerned that your Draft Report says penalty rates should be cut. Many ordinary workers like me rely heavily on penalty rates to make ends meet, eg. to pay the rent, mortgages, petrol to fill the car, sending our kids to school, visits to the doctor. Penalty rates compensate me for the sacrifices I make giving up time with my family and friends. It is unfair to expect me to work unsociable hours for ordinary rates of pay. I also believe cutting penalty rates is not good for our community because it means less money spent in the local shops, which leads to fewer jobs and lower living standards. Please reconsider your recommendations to the Federal Government about penalty rates.

Comment 93 *Employee, Victoria*

As a university student, I worked in retail. As I was supposed to be prioritising my studies over work, I needed my penalty rates in order to be able to make ends meet. My roster was Thursday night, Friday night, Saturday and Sunday. My family lives in the country, I was studying in Melbourne. With penalty rates, I was able to support myself independently. I gave up much of my social life to do so, but the net result was that I was able to complete my degree, was able to support myself (rather than having the taxpayer support me), and emerge better equipped for 'adult life' by virtue of that - obtaining a degree, living and supporting myself independently, of being a participant in the workforce during that time.

Comment 94 *Employee, Victoria*

The proposed No Job No Pay policy means that I will have no choice but to drop out of the workforce in order to look after my children.

disadvantage that brings. I note your charter makes claims of a society and fairness. I speak as a nurse who worked 25 years of shiftwork. A poor draft report PC.

Comment 100 *Employee, Victoria*

Given the state that neo-liberalisation has left this nation's economy in, without penalty rates would be even more people that would go without basics. That's not good enough for a place where the political elites spruik the notion of it being a lucky country, without penalty rates I wouldn't be able to feed my family properly.

Comment 101 *Employee, New South Wales*

7/11 executives have been underpaying and exploiting workers and buying mansions and private jets with the proceeds of this exploitation, while the workers are forced to dumpster dive for food to survive. Based on this, what makes you think that the money "saved" on paying penalty rates is going to create more jobs? I don't see Domino's hiring more drivers when they charge the public a surcharge, but currently don't pay penalty rates to drivers, I don't see the 1 in 6 hospitality workers who don't receive penalty rates being offered more hours or more co-workers to assist with productivity. The Productivity Commission needs to look at the business models that "crying poor" business owners are using and assess whether they're really sustainable, rather than forcing the lowest paid workers to lose out on essential income that will also be removed from the local economy. Do we really want to make welfare more attractive over hard work for low income earners to save the middle class business owners from having to work harder?

Comment 102 *Employee, Victoria*

If I lose penalty rates on Sunday, it will not be worth me working. I only get 15 hours average per week. It will severely affect my lifestyle (if you call under \$30,000 annually a lifestyle). We have already had our Sunday hours cut by our employer, it is difficult to survive.

Comment 103 *Employee, New South Wales*

I do active night shifts as a Disability Support Worker. The welfare of the 4 residents I support is directly dependent on my own welfare and recognition. Good wages and penalty rights are instrumental in maintaining high standards of care.

Comment 104

Undisclosed, Queensland

The price of labour (i.e. the minimum wage) needs to be adjusted downwards to reduce or preferably eliminate unemployment. Any gap between the minimum wage and an acceptable minimum income for workers needs to be made up by an adjustment to income tax and the resulting PAYE payments, so that the after tax income of an employee on less than the acceptable minimum income is made up to that which he or she would have received had they been paid the acceptable minimum income. There may well be a fiscal benefit from adopting this strategy. In any case, the social, economic, community, personal and other benefits of full employment will more than offset any net fiscal cost associated with this strategy. Note that the administrative cost of implementing this strategy would be minimal, as it utilises existing structures.

Comment 105

Employee, Victoria

PLEASE do not cut penalty rates and freeze the minimum wage. I work evenings and weekends as part of my roster in a mental health residential unit, and rely on the associated wages to bring up my children. Thank you.

Comment 106

Employee, Victoria

Cutting/freezing wages, stopping penalty rates, interfering with safety and workers' rights to speak out, making temporary work the norm is nothing new in its concept or is it in the interest of Australia's future or its people. Get out of your crusade/agenda and come up with some real ideas.

Comment 107

Employee, New South Wales

Slashing weekend penalty rate will result in people refusing to work. I for one will be the first person to refuse, in fact I am already doing it. It's time business owners and the government realise not everyone wants to work weekends and taking a pay cut would reinforce many workers not to turn up on weekends and will lead to quitting their jobs as they fall into debt. As a former taxi driver, the main reason why I quit was because of the low wages and constantly being made work weekends and not being able to socialise with my friends and family. I know many people who do work weekends and even they said taking a pay cut would result in them reduce their weekend work and quitting. Many are single mums who rely upon the weekend penalty rates just to put their children through school and cloth them, are you going to take that away from them? Also a lot of young male workers, especially single like me, will not put up with it for long. We are sick of doing these long hours for nothing and being in debt when the employer sacks you at the end of the year like what happened under the Howard era. Wages should not be touched and nor should penalty rates. If anything it should be the owners paying more wages to keep their existing work force and cutting out their luxury of golfing on their profits and

gambling like at the Central Coast leagues or at the horse races which many business owners on the Central Coast have been doing for last 6 years.

Comment 108 Employee, Queensland

I work in the airline industry and I receive penalty rates. I am very concerned that your Draft Report says penalty rates should be cut. Many ordinary workers like me rely heavily on penalty rates to make ends meet, eg. to pay the rent, mortgages, petrol to fill the car, sending our kids to school, visits to the doctor. If penalty rates are removed, I would lose up to \$20 000. This would make a big impact on me. Penalty rates compensate me for the sacrifices I make giving up time with my family and friends. It is unfair to expect me to work unsociable hours for ordinary rates of pay. I also believe cutting penalty rates is not good for our community because it means less money spent in the local shops, which leads to fewer jobs and lower living standards. Please reconsider your recommendations to the Federal Government about penalty rates, otherwise ordinary people like me will be much worse off.

Comment 109 Undisclosed

I just wanted to make a point that the PC report appears to suggest that the existing framework remains appropriate with some degree of tweaking rather than restructuring.

It appears to me that what has been missed in these considerations is the differential wherein the industrial framework does not facilitate the policy framework of the Australian Government (both the previous ALP and existing Coalition). In the case of the NDIS (subject to separate PC report) and Aged Care (subject to a separate and inconsistent report to the one on disability services) and in particular CDC, the existing framework does not facilitate the flexibility required within these policy frameworks.

Already those providers who are part of the industrial framework are disadvantaged by those who operate beyond it. In the context of the same changes in the taxi industry brought about by Uber, disability and aged care sectors are already experiencing similar impacts, at times prompted by other Government agencies.

As an example, as an aged care provider involved in the in-home care service delivery under CDC, a Government funded agency approached us as in their role of advocate, we were approached only last week and advised that because our service was \$X per hour on a Sunday, and they had identified an alternative provider at \$X-, we should therefore broker our services to that customer on Sunday to the alternative provider.

The alternative provider does not operate under the industrial framework and uses "contractors", wherein such a definition should be picked up under the framework. However it simply falls below the radar in effect. In spite of this the advocacy group,

funded by Government , is actually promoting providers who are not part of the industrial framework.

The PC report indicates that the existing framework does not inhibit the delivery of services by providers on many fronts, and I would like to propose that the reality is indeed quite different. The above is but one example. Another is the reflection of the penalty rates on Saturday and Sunday. The report appears to indicate that only hospitality should be considered differently. Aged care (and indeed many other industries) are 24/7 operations. The fact that we pay people double their base rate for a Sunday no longer should be considered as "normal". People elect to work such days to reduce the required number of days of work to achieve a desired weekly income.

To that extent unless it is addressed in the final report, this does appear to be an area that has not been brought to the attention of the PC in this process. Accepting clearly that the PC can only consider what is brought before them, I am concerned that the report does not appear to address what is already happening and will be further exacerbated over the short term (over the next two years in particular).

Comment 110 Employee, New South Wales

Could the higher pay in the public service (found only for women in comparable positions in the private sector) be attributed to the public service having a lower rate of gender pay gap? Suggesting that women public servants are not paid more per say than those in the private sector, they're just paid more fairly and equally to their male colleagues and count parts in the private sector.

Comment 111 Employer/business owner, Victoria

Penalising Employers That Must Produce fresh food 7 days a week

There has been little acknowledgment by the Commission in its draft report of the word "penalty" in the concept of penalty rates particularly when it comes to industries that have NO CHOICE but to operate on weekends. Penalty rates penalise employers and so discourage them to operate on weekends as labour costs are higher. The other side of the coin is that penalty rates compensate employees for working on days that they would prefer not to work. The Commission has outlined these two sides to penalty rates. However penalty rates presuppose that the employer can avoid the penalty. That is not always the case. Two examples of fresh food producing employers that do not have a choice whether to be penalised or not are: dairy farmers and bakers. Why should these critical suppliers of fresh food and beverage be penalised for operating on days that they must operate on if people are to have fresh milk and bread? If an employer can choose not to operate on weekends and still operate a profitable business and meet demand for its services and products then penalty rates are effective in achieving the balance between giving people a weekend and businesses operating profitably. Fresh bread wholesale bakeries must bake

bread 7 days a week, in the same way a dairy farmer must milk every day. Packaged baked products with a shelf life can be baked Monday to Friday. The penalty can be avoided. Costs are kept down by only baking non-fresh products Monday to Friday. This is not possible for bread. Penalty rates in industries beyond the HERRC industries that must operate 7 days should be lower. In these industries, if employees do not want to work on the weekend, the market will operate and weekend rates will rise. Employees who do not wish to work on weekends will leave and go to other industries where they do not need to work on weekends. Many employers cannot pass on penalty rates in higher prices. Dairy farmers have set market prices and bakers operate in very competitive markets. Most supermarkets now sell bread baked in Europe hygienically sealed in plastic bags to last for a month or bake bread from frozen dough from Europe. The competition is fierce and the penalty ultimately penalises the employer unfairly or the consumer if it can be passed on.

Comment 112 Employer/business owner, Victoria

Differences between awards — unfair and historic anomalies

In para 12.5 the Commission Draft Report states when discussing variations between awards: “There is not always an obvious rationale for the persistence of these variations”. □ As the Commission states, employers can use avenues to exit awards when it comes to lack of flexibility or when award provisions simply do not suit a particular business. However some conditions cannot be changed see below examples e.g. junior rates. The award modernisation process has not addressed inequity between awards for employers. These differences can have dramatic ramifications for prices charged in industries covered by awards. One example of these differences can be seen when comparing the fast food industry and the food manufacturing industry. The two relevant Awards are the Food Beverage and Tobacco Manufacturing Award (“the Food Manufacturing Award”) and the Fast Food Industry Award (“the Fast Food Award”). Food manufacturing which is done on a wholesale basis covers businesses which range from Nestle and Goodman Fielder to small artisan and gourmet wholesale food manufacturers that do not retail. Conditions in the Food Manufacturing Award and the previous awards have been negotiated over decades between unions and the larger manufacturers of mass produced food, beverages (e.g. Coca-Cola) and the multi-national tobacco companies. Similarly the Fast Food Award covers McDonalds, KFC and small independent fast food outlets. There are massive differences in the terms and conditions under these awards which give fast food a competitive advantage over good food! Examples are: Junior rates, classifications, penalty rates for certain hours of work, shiftwork, etc The Commission must recommend a detailed investigation by Fair Work to remove all unfair anomalies across awards that disadvantage employers for no rational reason.

New Category of Employee/Employment Type

All employers need flexibility in employment of staff to cover permanent employees that are on annual leave, sick leave, for seasonal fluctuations, periods of increased demand, when apprentices are at training. Normally casuals are used for this purpose. The main problem with casuals from the employee side is that they do not have all the benefits and security that permanent employees. From the employer side employees with set hours do not allow the flexibility needed to respond to markets, issues that arise, employee absenteeism. The employment types of Full-time and part-time permanent and casual were invented decades ago. It is time for a change to suit both employers and employees. This change is to create a new employment category, the “Permanent Casual” or “Flexible Permanent”. This employee:

1. Is considered a permanent weekly employee
2. Is rostered to work in advance or called in on short notice to cover absenteeism
3. Probation period applies
4. They have unfair dismissal rights
5. Hours can vary like a casual
6. At the end of each pay cycle annual leave and leave loading is paid out based on the hours that have been worked
7. Sick leave is available where the employee is rostered on
8. Redundancy is available based on years worked and average hours
9. Long service leave is available
10. Notice of termination is available
11. Any work done on a public holiday is paid at 250% in the same way as a part-timer is paid if their set day falls on a public holiday and they are required to work
12. Overtime applies after 38 hours the casual loading is not needed and the employee feels more secure and permanent but the employer has the variation in hours that are needed to run any business.

Draft Recommendation 14.1 is restricted to only certain industries. This is not appropriate and manifestly unjust. It fails to recognise that the wholesale bread baking industry that supplies these 7 day HERRC businesses/industries are also 7 days by necessity. The hospitality, entertainment, retail, restaurants and cafe industries that operate on weekends are supplied by businesses that produce daily fresh bread in particular wholesale bakeries that are not retailers and therefore do not come under the General Retailers Award - but under the Food Beverage and Tobacco Manufacturing Award. Wholesale bakeries that

supply retailers on Saturday and Sunday must bake on Saturday and Sunday. Some bread, “white sliced” in plastic bags that contain preservatives and emulsifiers so the bread can have a use by date, does not need to be baked on the weekend. Such bread can be baked on week days as it last for many days. Real bread is baked fresh daily and is demanded fresh daily. All the food stores and cafes that now open 7 days demand fresh bread 7 days. Many years ago when there were fewer retail food stores open on Sundays wholesale bakeries did not bake for Sunday as Sunday penalty rates were prohibitive and the demand was not great enough to outweigh the penalty rate. However when more stores were opening on Sunday, bakeries that did not bake on Sunday could not be a supplier. Stores insisted on daily fresh bread 7 days a week.

Wholesale bakeries employ a wide range of employees in the areas of food processing, packaging, logistics and administration:

- Students from local high schools who want work after school, on weekends and in school holidays
- Women with young children who want to work of an evening or on weekends casually so that their husbands can look after the children and they don't have to pay for childcare
- Young unmarried men that leave school early or after VCE looking for an apprenticeship and/or full-time work that does not require tertiary study
- University students who work when not attending university who are happy to work any day of the week and work in uni holidays
- University students that cannot find work in their preferred area of work
- Older people including “empty nesters” that have had other careers and are happy to work any day of the week as they have no parental responsibilities
- Disabled young people
- Office and managerial staff

As can be seen from the above many employees want to work on weekends or do not mind working on some weekend days. To pay university students, school students and other employees who actually want to work on the weekends and often can only work on weekends, double time on Sunday does not make sense. That extra penalty amount could be used to increase the wages of other employees or employ more people. Though employers are often demonised by unions, most employers would not pocket this as profit. Furthermore, the Saturday/Sunday difference is now completely redundant. In the many regions, Saturday is the day of sport and this is more the day staff want off, not Sunday. Sport is not played on Sunday and very few people attend church on a Sunday. Families catch up for dinner during the week, the Sunday lunch is a thing of the past. Some parents are happy to work on weekends because their spouse can look after the children and there is no need to pay for childcare which often cuts into a parent's wage to a great extent. This is an important point. Therefore my experience is completely in accordance with the findings of the Commission regarding Sunday penalty rates. If penalty rates on Sunday

were reduced to Saturday rates, 7 day wholesale bakeries would bake more on Sunday and therefore employment would increase.

Comment 115 Employee, New South Wales

Unfortunately here in Australia there is no respect for refugee workers, my company treat me like slave, I have no right to complain, no one listens to me. They suspended me without any reason. I tried to take them to FWC, but 2 times they refused to attend the meeting, no lawyer will accept my case. I have language problem and the company takes advantage of that. I am absolutely a slave without any protection, they also give my family a hard time like MAFIA. They accused me as a murderer, exactly like Iran. I am going mad very soon because of injustice.

Comment 116 Employee, ACT

I realize I am quite late in sending a comment but here it is for what it is worth. Employers have tons of money to fight employees. Employees don't have that sort of money. After spending \$43,000 in legal costs and when I have evidence that my employer (large employer in Canberra) breached a number of clauses in the EA as well as brought in a sham change management process to remove me from my job when written evidence existing I was doing the job - all due to bullying - I was not able to defend myself while on the job as I tried to say nothing and hoped matters would be dealt with properly and then when it went to the Federal Court after heaps of money already spent the matter was tossed to the FWC as by then it was a dismissal but when it was directed by the FC to the FWC I was already 1 day out of the 21 day time limit and the FWC knocked that back - THERE HAVE TO BE EXCEPTIONS TO THE 21 DAY RULE WHEN A FEDERAL COURT DIRECTS MATTERS TO THE FWC BECAUSE MATTERS WERE ALREADY ON FOOT IN THE FC.

Comment 117 Employee, Queensland

My comment is in support of my daughter who works as a casual for a major retailer. She works 10 to 30 hours a week and relies on rental assistance to survive. So reducing or getting rid of penalty rates affects a lot of people who rely on this money to pay the bills There needs to be more focus on these people achieving a permanent job as in the future how will they able to get a home loan without a permanent job? I understand that this is not in this federal governments agenda but for the future and with some fairness cutting penalty rates is not the answer.

Comment 118 Employee, Victoria

Penalty rates are compensation for missing family time, relaxation time. An airline works around the clock 24/7. Penalty rates are to compensate for what we miss out on.

Comment 119

Employee, New South Wales

I work in the Disability sector and I receive penalty rates. I am very concerned that your Draft Report says penalty rates should be cut. Many ordinary workers like me rely heavily on penalty rates to make ends meet, eg. to pay the rent, petrol to fill the car (which I have to use at work), and visits to the doctor for several health concerns. The NDIS is already affecting my working conditions due to many factors such as the scheme not being in line with the Award, casualisation of the workforce and more responsibilities being placed on staff with little regard for worker safety, quality service or personalised outcomes for service users. If penalty rates are removed, I would lose up to 25% of my fortnightly wage. This would make a big impact on me. Penalty rates compensate me for the sacrifices I make giving up time with my family and friends. It is unfair to expect me to work unsociable hours for ordinary rates of pay. I also believe cutting penalty rates is not good for our community because it means less money spent in the local shops, which leads to fewer jobs and lower living standards. Please reconsider your recommendations to the Federal Government about penalty rates, otherwise ordinary people like me will be much worse off. Also if penalty rates aren't that big of a deal, why don't State and Federal parliaments start sitting on a Sunday?

Comment 120

Employee, Queensland

My roster has me working 7 days straight with 2 days off, I sometimes work till 11pm at night, it is not fair that you want to cut penalty rates.. It would be slave labour & large companies would definitely benefit with hard working people like myself being treated like slaves. I work a majority of weekends where I don't get to spend time with my husband & kids, we sacrifice that time because of my penalty rates helps us to survive. Do not cut penalty rates!!!

Comment 121

Employee, Queensland

Organisations continue bullying and intimidation of self-represented employees by stacking hearing with organisation students, formally dressed, organised and part of the organisation hearing team. Even when removed at start of hearing due to employee stating they feel intimidated they bring them again at summary as a means to unsettle employee who has successfully cross examined organisation witnesses making sufficient points but was unable to continue to abuse strategies by organisation legal team.

Comment 122

Employee, ACT

Remove the word Fair from FWC as it is misleading and alludes to justice. It should be just called the work commission.

Comment 123 Employee, Queensland

If No Job No Pay and Play proposed policy comes into effect I will not return to work. Many others I know will do this too. If no care is provided for our children and we are being unfairly discriminated against, then there is no other choice. Immunisation rates will not go up but unemployment will. To implement this would be a government fail.

Comment 124 Employer/business owner

If this government cares for small business like it says it does then the best way to help us is to leave us alone, set a minimum wage of \$10 for youth and \$15 dollars for adults and let us negotiate with the workers, perhaps add a commission to spur them on and make them part of the business. Get rid of penalty rates as all they are doing is making the owners having to work and big businesses do not put much staff on on those days so as a consumer you can't get any help and less workers are being employed. It is very frustrating dealing with payhikes that you give on our behalf when sales are down and we are struggling. I am tired of working weekends and am looking at closing because I have to be open, I have no choice as I am in a shopping centre. I feel so bullied by a system that seems to punish small business and rewards dole bludgers. It makes no sense.

Comment 125 Employee, Victoria

Put simply I need my penalty rates to survive. I am a single woman and having working weekends for years I have foregone many a family and friends get together. Please do not remove or lower these rates - we earn them.

Comment 126 Employee, Victoria

I work in retail, just last Sunday was Father's Day, how many have I missed? Double time sort of makes up for it, but if I could afford it I would rather have the day off. I am semi-retired, but enjoy working a couple of days a week, saves the government \$200 a fortnight for both of us, but if you reduce that penalty rate, I WILL NOT work Sat/Sunday, I would rather see my great grand children grow up, let's face it \$19 an hour award is not sufficient to be able to sell appliances to the public, I am expected to know everything about every brand, and every type of appliance, for \$19, no thanks I can get that at Woolies filling shelves, far less stressful, and as a member of the public you are already complaining you can't get served when it's the weekend, no extra staff will replace my 40 years knowledge!

Comment 127 Employee, Victoria

I am concerned with the greater vulnerability of regional skilled workers and regional work/holiday visa holders (457). As already outlined in this draft, the concerns with lack of

employer regulation, is accentuated in regional areas due to isolation and lack of cultural awareness from both the worker and employer can lead to frequent breakdown in relationships. Furthermore the lack of employment opportunity for the skilled worker to find other similar work in the same region is difficult if the work relationship ends. This exposes the skilled worker to a risk of debt and homelessness if the issue is not supported financially and emotionally. 457 workers are at risk in jobs with very high physical risk and incredibly high injury rates. This has been my first-hand experience as a regional settlement worker.

Comment 128 *Employee, Victoria*

I am a mum of three who has recently gone back to work casually within the hospitality industry. I am concerned about the talk of removal of penalty rates that will make it unproductive for me to work at all with the affordability of childcare for three outweighing minimum wage which is what most hospitality workers work for. On top of this the proposed no job no pay and no job no play will also mean I will be forced out of work. This proposed policy will be detrimental to the economy and productivity. The government appears to be proposing many changes to make it harder and harder for people, especially parents of young kids to stay in or return to work. I feel as though I might as well give up on the idea of working and start making a life at home with my babies. I just hope this doesn't affect my chances to return to work in another 5 years or so when all my kids are older and hopefully at school, due to my inability to stay in touch and keep my work skills current. I hope the long term effects on the economy are considered with all policies put forward, without forgetting about us middle-lower class/average Australians. Many thanks for considering my thoughts!

Comment 129 *Employee, Victoria*

I have worked both as a full-time office professional (for a three-month period) and in hospitality/retail (currently). I find the current penalty rates for weekends to be very generous, almost too generous, for those working in certain industries such as Hospitality and Retail. I think the penalty rates are far too generous. For example, I accepted going part-time rather than work casual, even though I was earning more at a casual rate. I don't like to be greedy for work that is, or should be, considered 'menial work'. Not everyone likes to be greedy, people need to learn to live more 'thrifty' and not all this 'expectation' of employees to be able to afford luxuries, hence they demand higher wages/penalty rates/etc. As I said, not everyone likes to be greedy. Learn to live and work without demanding so much money to spend during your leisure time. Be thankful for the job you have, people demand too higher wages in this country and it seems young people 'expect' too much these days. I've always been different from my generation with that mindset, thank God. I'm happy to work for less, I don't mind at all, because I would rather have a job than 'demand' such a high wage and be replaced by someone cheaper. Why can't everyone be like me and live within their means and not be so greedy with penalty rates for example? I

support the recommendations in the Workplace Relations Framework Draft Report regarding weekend penalty rates.

Comment 130 Employee, Victoria

I believe today that industry (more particularly manufacturing warehousing and logistics I cannot speak outside of this realm) has become over casualised and has a negative impact on individuals families and the Australian economy. Allow me to begin with the day to day life that an industry casual faces. (1) They generally do not have a steady income your hours frequently fluctuate from day to day. This is sometimes determined by industry needs. (2) Their employment is not stable - If they don't have the personality that their Team Leader or supervisor like or the supervisor/team leader has a friend or relative seeking work, they can easily be replaced, the reason given to the Employment Agency "We are experiencing a downturn and he/she is not required" (3) They are afraid to report injuries, harassment ,discrimination etc - Whilst they are told they are protected under the law against recrimination the fact is all that happens is 2 or 3 months later they get laid off. The official line is " We are experiencing a downturn and he/she is not required" - Another reason for not reporting injuries is that nobody will employ someone who was recently been injured so you can't get a job. (4) Casual wages in this sector are being forced down as different agencies compete for business by offering companies labour at rates cheaper than what they are paying presently. These activities above are well known I know of a company where the afternoon shift supervisor would sack one or two casuals per week and have their replacement in the next working day. This was a regular event with him. Now the Australian economy. The Government talks about how the INTEREST RATE REDUCTIONS ARE MEANT TO ENCOURAGE SPENDING BUT THIS IS NOT HAPPENING because when you are employed as an industry casual and you don't have any JOB SECURITY you are not going to spend even if the rate gets to ZERO because you don't know when you will be out of work and so it's having an adverse effect on our economy especially at a retail level. Industry casualisation needs to be reduced and capped at a ratio of permanent employees below 100%. Agencies cannot be permitted to continually go around undercutting other agencies. There needs to be an enterprise agreement set up with companies who employ through agencies that offer real protection for casuals. There needs to be better checks and balances in place when a company says they don't need that person because they are suffering a downturn especially if they are hiring the next week.

Comment 131 Employee, Queensland

The local government modern award has taken 5 sick days and 1 week annual leave away. I work in a remote community and the nearest large town is Cairns (5 hours drive) working for small local council paying only the bare essential (NES) won't attract or retain any skilled employees - it's only the 5 weeks leave and 15 days sick that make it worthwhile. If you don't reinstate pre modern award conditions you will see only contractors in remote

communities with no mentoring training or long term employment opportunities for locals.

Comment 132 Employee, Western Australia

For many years (40) now, I have known, as do most of the people I associate with, after talking to many small business owners (I was one myself and I worked the weekends because my business could not support other workers. Nothing to do with Penalty Rates.), that the major factor contributing to the viability of their business, is the cost/s associated with rental/leasing agreements (Greedy landlords?). Next, comes the demand for their product and their location and so on. With these factors in mind, Penalty Rates, comes in a lot further down the list. So, from my own experience, and in the decades gone by, how do you justify recommending Sunday Penalty Rates be reduced from double time to time and a half? How do you justify the financial impact on all those families (millions?) who stand to lose considerable take home income? Please don't suggest to me it will reduce youth unemployment significantly. One does not need to be an economist to know that, for the vast majority of employers, this will be no more than a "pocket lining" exercise. I will be following the youth unemployment figures VERY closely should your report/submission be accepted by Fair Work Australia. I thank you for your time and sincerely hope you will be unsuccessful in your attempt to reduce Penalty Rates.

Comment 133 Employer/business owner, New South Wales

What a relief for Australia you are going to look at wages and IR in Australia.

5 years ago my wife employed 20-30 people, today we have 5-3 of these 5 are family members we can trust.

We will not employ staff in Australia now and are looking at the USA and Asia.

2 years ago we had a wrongful dismissal claim brought against us. It cost us our health and a small fortune to defend. This Fair Work Commission is unfair on all business' and owners. They don't understand business and see all businesses as guilty actually by default... it's always the poor employee. Clean that lot out would be a good start... it was a case of a grubby / unemployed loser husband upset that his wife was made redundant. He had played the Fair Work system many times before. Knew he could just keep making unfounded complaints at no cost with the aim of being paid thousands to go away. This type of thing is now rampant here in Australia. Most employers small business just won't now employ people as it's an enormous risk to them. My wife and I have always followed the law and had done nothing wrong. Following this I will not ever employ anyone in this country and have since closed the business.

In general Australians are now very lazy, are not flexible, are not productive, do not understand business and the revenue/income side of the equation. This is why small business look at employing non Australians / 457s.

Australia now internationally regarded as a joke and the place of the long weekend or "use up all your sick pay to go drinking / surfing" the number of times I've been told – you know it's just like annual leave. The minimum wage is not \$16.50/hr – add in super/sick pay/annual leave and the cost to business is well over \$20/hour. They want everything and are actually in most cases very unskilled and unreliable.

I have worked in 20 countries around the world and have never seen anything close to the current unworkable IR system in Australia.

And everyone scratches their head and wonders why unemployment/youth unemployment is so high?? And why business confidence is so low. Most small business owners I know want to get the hell out of this place...

Good luck and try and sort it out...

Comment 134 Employee, Victoria

Taking away public holiday pay and time and a half Sunday penalty rates would make a vast majority of employees decide not to work on these days. It would put employers in a tough spot where no one wants to work due to a severe lack of remuneration.

Comment 135 Employer/business owner, New South Wales

Penalty rates are a right, not privilege. Do reconsider their importance in maintaining a fair and inclusive society. It's you and I who benefit from those giving up their family and personal time.

Comment 136 Employee, New South Wales

I receive penalty rates for overtime and public holidays. I am very concerned that your Draft Report says penalty rates should be cut. Many ordinary workers like me rely heavily on penalty rates to make ends meet, eg. to pay the rent, mortgages, petrol to fill the car, sending our kids to school, visits to the doctor. If penalty rates are removed, I would lose up to 20% or \$12,500 per year. This would make a big impact on me. Penalty rates compensate me for the sacrifices I make giving up time with my family and friends. It is unfair to expect me to work unsociable hours for ordinary rates of pay. I also believe cutting penalty rates is not good for our community because it means less money spent in the local shops, which leads to fewer jobs and lower living standards. Please reconsider your recommendations to the Federal Government about penalty rates, otherwise ordinary people like me will be much worse off.

Comment 137 *Employee, Western Australia*

As a construction workers I am annoyed that the government want to cut people's take home pay and conditions. It's always low to middle income earners that get attacked. If penalty rates are cut people will not work nights and weekends. The Abbott government will be voted out at the next election.

Comment 138 *Undisclosed, Victoria*

I will be unable to return to work as it will not be worth my while financially, due to the proposed loss of penalty rates, increased casualisation, and the no job no pay/play proposed policies (this will affect my ability to access childcare/kinder for my children).

Comment 139 *Employee, New South Wales*

Keep penalty rates. Cutting penalty rates will have a detrimental effect on low-paid workers who rely on penalty rates to make ends meet. Penalty rates preserve our right to a weekend off, or extra reward for working weekends.

Comment 140 *Employee, Victoria*

Starting to think you actually want me to resign from the workforce ... with no penalty rates, no job security with increased casualisation, and no access to childcare thanks to the discriminatory no job no pay/play proposed legislation working simply isn't worth it for this mother of 3 due to return to work after "double dipping" maternity leave. I want to work, but I would be at a significant disadvantage returning to work. Looks like there will be a renewed surge in the numbers of stay at home mothers with proposed policies like these! Not a bad thing for the children of this country but not so great for the economy.

Comment 141 *Employer/business owner, New South Wales*

My husband and I own and run a small hotel in the snowy mountains. Penalty rates are stifling small business. Depending on the season we have 10 staff and would employ 3 more if wages lower. Less penalty rates = more staff employed = better service for guests in the hospitality industry. We feel wages were set up for a five day week but now expectations require a seven day one which is not affordable. Drive thru regional areas and note on Sundays and Public Holidays just how many small businesses are closed early....just cannot afford penalty rates.

Comment 142

Undisclosed, Victoria

Many thoughtful ideas in your Framework - love the idea of trading public holidays for a different day. Here's my idea: scrap Sunday penalties, but acknowledge workers who work BOTH weekend days with extra penalties for the second day. If you only work Sunday, same penalty as Saturday - at least you get one weekend day off. Makes rostering more flexible.