

16 February 2012

Committee Secretary
Senate, Education, Employment & Workplace Relations Committees

Dear Committee

Re: Amendments Fair Work Act
Textile, Clothing and Footwear Industry

I, _____ am seen by the Fairwork (Textile, Clothing & Footwear Industry) Bill 2001 and the Fairwork Amendment Bill 2011 to be classified as an outworker by the Parliament of Australia.

I would like to express my concern about the Fair Work Act whereby the only industry affected by the amendment is the Textile Clothing & Footwear Industry.

I am a very capable, professional machinist who is running a successful, flexible, profitable business from my own home which allows me to be with my children and meet my family commitments as well as do the work in my own times and be well paid. I see myself very much as a contractor not an outworker. I feel I have the support and capability to run my own business just as IT specialists, hairdressers, bookkeepers and all tradespeople along with many consultants such as psychologists, accountants, business and educational advisors do. I am feeling there is an issue of discrimination in this particular case as my profession as machinists isolates my role away from all others who are allowed to work from home. I believe the amendments to the Fair Work Act currently under discussion are unbalanced, inconsistent and extremely unfair.

I am currently paid above the award and work for ethical companies and like my current conditions. I do not wish to be an employee. I want to remain an independent contractor just as many other professionals are allowed under the same act. Why is it that only the people working in the Textile Clothing & Footwear Industry are discriminated against? I have serious concerns that these new amendments will harm me greatly. It will restrict my ability to operate as an independent and autonomous business. I will not be able to claim business expenses for my phone, electricity, depreciation of machinery, etc – it's unfair.

I have my own ABN and pay my taxes. I negotiate my own hours and have built professional and ethical relationships with companies I feel happy to work with and for.

If the amendments as suggested by Fair Work Australia in relation to our industry are passed, I would be unemployed and this would then be a further burden on the government as I would have no choice but to apply for assistance through Centrelink.

I ask that you reconsider your proposal and talk to me personally as I can present an entirely different perspective than what has been portrayed both in the Senate Inquiry and the media.

I ask you to answer this question for me – who else in Australia is discriminated against and told they cannot run their own business from their home? Why is the Textile Clothing & Footwear Industry isolated? Why is it that the garment industry which happens to be seasonal and irregular is seen to be so different from all other industries?

I ask that you delay your decision until all sides of the industry are given a fair hearing. Please consider the fact that if this amendment is passed it will have a huge impact on Australian designed and made clothing. I, as a contractor, feel so saddened by the fact that you as the regulatory body feel that off-shore manufacturing in uncontrolled working environments is the better option for this industry.

I wish to remain in the Australian workforce and support Australian designers and the Textile Clothing & Footwear Industry. I do not want restraint placed on me as a machinist who is proud of the work I do and feel most comfortable with my current conditions. I do not wish to be an employee working in a factory. I want to remain working under the conditions I currently work under and not be dictated by unions or factory managers.

The situation as it stands with these new amendments means I will be discriminated against under the Restriction of Trade. My right as a human being is being attacked and I wish my voice to be heard and listened to in regards to this matter.

Yours sincerely