

This supplementary submission is further to my original submission in relation to the Committee's "Inquiry into the Fair Work Bill 2008". I am writing it in relation to the "RIGHTS" that the Bill, if passed and given Royal Assent, will take away from me as an employee or contractor.

This supplementary submission is to cover what I understand of the Bill's contents are in relation to a Union's "right of entry" into a workplace. As I read it, this provision of the Bill would contravene all the existing laws relating to "trespass" in that as long as a Union's representative has a "permit" from some Government approved or designated "authority", then whether the official has the permission of the property owner or not, they can simply impose their presence on the site onto the property owner even if the employees support their employer and want nothing to do with the Union. This would be a blatant overriding of common decency and good manners for one thing. For another, I don't believe that laws should be written which put people "above the law". I recall being told as a child by my late grandfather that he had refused to allow a person who I believe was a representative of the Storeman and Packers Union from entering his warehouse to "talk" to his staff - all two of them. My grandfather treated his staff better than any Unionised factory floor and his staff had indicated to him that they didn't want to join a union and sought his assistance in keeping this the case. He asked the "person" by what authority he was on the premises and told him that he didn't remove himself he would call the Police and have him charged with trespass. My hat still goes off to my late grandfather for his stand on principle and his belief of and support for his employees.

Finally, to rephrase a point made in my original submission with respect to meal breaks, I don't "WANT" the right but rather I "EXPECT" the right to determine, on a day to day basis whether I work from 08:00 to 16:00 or 08:00 to 12:00 and then 12:30 to 16:30, for example or any similar rearrangement of these hours. As long as I put in either an 8:00/day (if contracting) or 7:21/day (if an employee) or similar daily average over a set period (week, fortnight, month, etc) and I am working in an office environment where OH&S, in my view, are less significant considerations, I expect to be able to determine the structure of my own working hours to fit in with my preferred work-life balance. I do not see being dictated to by some IR regulation as being a **fair** working environment as seems to be the basic premise of the "Fair Work Bill".

Whilst to this day I still support the previous WorkChoices arrangements, I believed before the last elections and still believe that the previous legislation could have done with some minor amendments, the main one being to do with duress and as the proposed "Fair Work Bill" stands it seems to me that it is imposing its own form of duress but this time on the employer. The employee should have the right to come to an individual agreement with his/her employer and perhaps whilst keeping common law contracts, the parties should be able to insert clauses that permit day-to-day variations to the restrictive, supposedly "safety net" clauses by truly MUTUAL VERBAL AGREEMENT. Such variations would only last for the day on which they were arranged to operate and might be restricted to a certain number per pre-defined period (see above), but they shouldn't be outlawed out of hand.

Again, I hope reason, logic and commonsense finally prevails in the debate on this Bill and hope that the Opposition is able to get some sensible and reasonable amendments agreed to and included in the Bill. Otherwise I believe the Opposition should OPPOSE this Bill outright.

Thank you.

Regards,

Paul Myers