



FairWear Campaign

PO Box 253, Bankstown 1885
Ph 02 9793 9150 F 02 9793 9106
fairwear@awatw.org.au

15 April 2009

Submission to
Senate Education, Employment and Workplace Relations Committee
Inquiry into the Fair Work (Transitional Provisions and
Consequential Amendments) Bill 2009

Prepared by Amity Lynch

I am writing on behalf of the FairWear campaign to support the submission of the TCFUA to the Inquiry into the *Provisions of the Fair Work (Transitional Provisions and Consequential Amendments) Bill 2009*.

The FairWear campaign is a coalition of churches, community organisations and unions, working to address the gross exploitation of workers who make clothing at home and in sweatshops in our Australian community.

As demonstrated in our submission to this committee during the Inquiry in to the *Fair Work Bill 2008*, exploitative working conditions still prevail in the Australian TCF sector. We acknowledge the amendments made to the Fair Work Bill 2008 in regards to TCF outworkers, but have concerns that some wording in the Transitional Bill allows for the exclusion of the outworker terms of the Award in some cases.

As FairWear has previously demonstrated to this Committee, supply chain transparency is essential to the elimination of exploitative employment practices in the TCF sector. It is imperative that *no* stage and for *no* reason can the outworker provisions of the Award be opted out of.

If the ongoing reality of outworkers in the TCF industries being paid \$4, \$5, \$6 an hour is to be effectively addressed, then the rights of outworkers and the monitoring mechanisms to secure those rights must be universally applied.

We therefore recommend the amendment of Clause 28, to ensure that all outworker terms of the modern TCF Award apply to all workplace agreements.