

Submission from Sandra L Bradley in response to the proposed **Inquiry: Fair Work Amendment (Small Business-Penalty Rates Exemption) Bill 2012**

To Whom It May Concern:

Thank you for the opportunity to comment on this amendment. I am making this submission at the behest of Senator Nick Xenophon whom I contacted to register my displeasure at this proposed amendment.

I am a dual citizen of this country and have spent half of my life in the country of my birth (USA) and the other half in Australia. In the USA, I worked full-time, part-time and casual jobs all at the same time to earn enough money to pay my weekly rent, student education bills, utilities, food and transport expenses. I rarely had anything left over for socialisation unless taking on additional work on the weekends. The reason I worked so many jobs just to make ends meet was because of the low wages earned at all levels of my employment. My full-time job as a research technician (Bachelor of Biology degree) equated to \$12/ hour with approximately ten days per year for sick leave and public holidays. Annual leave was 1 week per year. These were the conditions of my employment in my full-time job in 1989 the year that I migrated to Australia. When I migrated, I worked in the same position in this country for \$20/hr with approximately ten days per year for sick leave and another ten days of public holidays. I had four weeks annual leave in my new job in Australia. Needless to say, I thought I was in worker nirvana. In addition to the improvements in pay and benefits, I also entered Australia at the time of the Accord agreements when lower level white-collar technicians such as myself actually had a framework of employment conditions that we could depend upon as the years progressed. The only down side to my employment both in the US and Australia was that it was largely supported by grants. This meant that it was rare for me to actually get the total amount of employment benefits accorded to those in full-time, permanent employment as grants were generally funded on a 3-year basis.

The casual employment I worked in the USA paid minimum wages in 1989 of approximately \$3.50/hr. Some of the jobs I worked I was able to make more money through tips. When I migrated to Australia and took on casual employment after the grant money for my full-time employment ran out, I made a minimum of \$15/hr. I think

you can begin to understand the difference in the ability to work and live a reasonable life between these two wages. Lest you think the wages reflected cost differentials between the two countries, though the value of each country's dollar varied, the cost differentials on a percentage basis were minimal. I still paid approximately 30% of my wages in tax and the cost of goods was proportionately the same.

Today, the difference between a person such as myself working in the USA and Australia is huge even though the wages have moderately increased over time. My niece recently graduated from a prestigious university in the United States with a Bachelor of Biology degree. Instead of accumulating \$15,000 of student debt, her debt was \$80,000 for the same degree. She is now working at a job where she is being paid \$9/hr – a little over the minimum wage of approximately \$7/hr. Thirty-three years on from my own graduation in the US, the conditions of employment for new graduates have basically not changed and the struggle to survive is the same.

How does this apply to the amended proposal? Though Mr Xenophon is I am sure doing his best to try and create more employment for young people with this bill by lessening the requirement for penalty rates to generate more jobs, what this amendment will do is set a precedent for the payment of penalty rates to the majority of the Australian population who are now working casually. In particular, this amendment will affect women (who make up roughly 50% of the casual workforce) and the healthcare industry (where 90% of the workforce is women).

I am an educator in a South Australian University in a School of Nursing and Midwifery. The majority of my students are between 25-60 years old. Many of them are supporting families. They are doing the Bachelor of Nursing degree to become a Registered Nurse where there is better pay and conditions and they can use their skills to the utmost. Unfortunately, they are required to undertake approximately 6 months clinical placement (if doing the 3-year course) over 3 years which is unpaid. They are doing clinical placement (full-time shifts) at the same time as study and on top of that they have to do casual work (because of their Uni schedules) to earn an income which the clinical placement doesn't pay. In order to earn their income, they often work weekends and nights. Weekends and nights incur penalty rates in most industries. Most of my students say they work between 20-30 hours per week, some more even though they

are registered as full-time students. We already struggle to get these students (who are paying thousands of dollars for this course) to put their studies ahead of their work commitments – but, alas, it is a losing battle and who can blame them?

This amendment will be severely disadvantageous to people like my students who are seeking to improve their lot in life and working bloody hard to do so. It will also open the door to those in the healthcare industry to put even greater pressure on wage earnings of aged care assistants (the majority of whom are or were once students) who mostly work at night and on weekends in one of the most demanding and hardest jobs in the world – looking after frail and vulnerable elderly people. Once this door is open, it will not take long for the magnifying glass to look at the entire healthcare industry penalty rate conditions. And if you challenge that – I will be the first to tell you that you will have a mass exodus of nurses out of the healthcare system and you can give up your job to look after your parent at home.

This amendment is not about small business providing jobs to people. It is about diminishing the standards of employment of people who enter into contracts and employment expecting to be paid fairly and treated as an equal for their labour. To be quite honest, if you can't run a business under the conditions required, then shut your business down and allow someone else to trade who is able to conduct business properly with respect for their employees and the conditions in which they are employed.

Thank you for the opportunity to have my say on this amendment and I especially want to thank Senator Xenophon for encouraging me to write this submission.

Yours sincerely,  
Sandra L Bradley