

This submission is 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.

I have worked as both a Public Servant (Defence, 1984-1998) and as a contractor (1998-2000 and 2006-2007) and was not impressed with the so called "RIGHTS" that as someone who was only a member of the CPSU for about three years found this time to be a waste of good money as no one was prepared to assist me in the reason for which I, against better judgment, decided to join. As an aside, I will never again consider joining a Union due to the bad memories of the short period during which I was a member.

When I am in the workplace, I don't want or need certain "RIGHTS" - I "EXPECT" certain "RIGHTS" which I believe, from my understanding of the Bill will be made inaccessible to me and I propose to list these "EXPECTED RIGHTS" in the following points:

- I "EXPECT" to have the RIGHT to do a fair days work for a fair days pay no more no less (nothing controversial here, I hope);
- I "EXPECT" to have the RIGHT to make day-to-day arrangements as to whether I will take a meal break or not (that is, whether I wish to work through my meal break so that I can leave work earlier, by an equivalent period of time - that is, 30 minutes) for family or personal reasons with my supervisor, manager, or employer and to have such arrangements strictly between myself and my supervisor, etc (this should not be a controversial "RIGHT" but some may consider it to be so). Such day-to-day arrangements;
- I "EXPECT" to have the RIGHT to have confidential negotiations, if appropriate, with respect to my general working arrangements, such as initial pay rate, frequency and method of calculation of pay rises, other variations to a "majority" negotiated agreement that may be more mutually beneficial to both myself and my employer;
- I "EXPECT" to have the RIGHT to come to a mutually agreeable superannuation arrangement with respect to regular payments into "my" superannuation fund (I have my own SMSF);
- I "EXPECT" to have the RIGHT to be able to either negotiate on my own behalf or appoint someone OF MY OWN CHOOSING (be it a lawyer, relative or even my manager or employer, etc), to act under my instruction to, if necessary, producing a unique individual agreement in line with MY RIGHTS;
- I "EXPECT" to have the RIGHT to not to be a member of a Union and the RIGHT not to have to pay for that RIGHT via the imposition of a "negotiation fee" payable to a Union for negotiating an agreement which I don't want;
- When I am a contractor, I "EXPECT" to have the RIGHT to know what is in the contract between "the client" organisation and the "employment agent" that got me the position - not just the abridged agreement which I as the contractor have had to sign.

The above is not an exhaustive list of the RIGHTS which I believe that I have but they are the more significant and, to me at least, most important.

The last time I looked, Australia was still a democracy and as far as I am concerned any Bill which gives rights to "the collective" at the expense of the individual is NOT democratic. The now dead WorkChoices gave me RIGHTS which I had never had previously. WorkChoices empowered me to draft my own agreement either from scratch or using the draft that was available on the WorkChoices website and to either do the negotiations myself. The new Bill disempowers me and like minded employees in favour of so-called "professional" negotiators who, as far as I am concerned, only have their own interests at heart.

I have been known in the past to (unintentionally and happily) work through my lunch break only to have to take a late lunch when this was brought to the attention of my supervisor. This should not have been necessary but rather I should have been offered either time off in lieu (ie able to leave work earlier than usual) or be able to credit the time to my "flexitime" account for future use.

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