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9 November 2005

Committee Secretary  
Senate Employment, Workplace Relations and Education Committee  
Department of the Senate  
Parliament House  
Canberra ACT 2600

**BY EMAIL:** [eet.sen@aph.gov.au](mailto:eet.sen@aph.gov.au)

Dear Sir / Madam,

**SUBMISSION TO THE SENATE INQUIRY INTO THE  
WORKPLACE RELATIONS  
AMENDMENT (WORKCHOICES) BILL 2005**

I write to the Committee as a 46 year old retail worker.

I write to the Committee to express my deep concerns regarding the impact that the proposed changes to Australia's industrial relations laws will have on my ability to provide for my family.

I am married, and have three adult sons. My husband is on a disability support pension, and two of my sons live at home. I am the only person employed in my household. This means that apart from my husband's pension, and some minimal centrelink payments, my wages are the main source of income for my family.

I also have a mortgage on the family home which I am paying off.

For the past two years, I have been working for Spotlight, Wollongong, a retail company that sells fabric, crafts and homewares. As a sales assistant, my pay and conditions of employment are set out in my Award, the New South Wales Shop Employees (State) Award .

Since commencing my employment at Spotlight, I have been employed on a permanent part-time basis. Currently, I work an average of 21.65 hours across a four week roster. I have attached a copy of my roster for your reference at the end of my statement.

I had been working an average of 27.4 hours per week, however due to a downturn in business, my hours were reduced. I would dearly like to increase my part-time hours, but at the moment, this does not seem likely.

Importantly, my current and previous rosters have provided that I work on some Thursday evenings, every Saturday and three out of four Sundays. This is important to me, as under my Award, work at these times is paid for at a penalty rate. Work performed on Thursday evenings after 6pm and all day Saturday is paid for at the rate of time and one quarter. Work performed on Sundays is paid for at time and one half.

I rely on these penalties to boost my weekly take home pay.

Under my Award, my hourly rate of pay is \$14.28. When I add in the additional monies I earn for working Thursday evenings, Saturdays and Sundays, my gross weekly take home pay is averaged at \$363.12 per week. I regard this amount of money as the minimum I require to provide for my family, pay my mortgage and cover my household expenses.

In addition to this, it has not been uncommon for Spotlight to offer me overtime. When I work overtime, I am paid time at the rate of time and one half for the first two hours, and double time for all work after that. The Company have to pay me at this rate, as this is what is provided for in my Award.

## My Concerns

The reason I am writing to the Committee is to express my concerns as to how I believe the Federal Government's proposed changes to our national industrial relations laws will reduce my existing pay and working conditions.

I am concerned that under the new laws, Spotlight will be able to employ new co-workers under an Australian Workplace Agreement that will not provide for the same rates of pay and working conditions that are provided for in my Award.

For example, Spotlight will be able to employ a person on an Australian Workplace Agreement that does not contain any penalty rates. My co-worker who is covered by the Australian Workplace Agreement could then be rostered across all of the hours that I currently work that attract a penalty, and I could be re-rostered to work only during the ordinary hours contained in my Award.

If this were to happen, I would lose the benefit of the penalties that I currently receive on Thursday evenings, Saturdays and Sundays.

If I were to lose the benefit of these penalties, under my current roster I would be approximately \$54 worse off per week. With the assistance of my Union, I have provided the calculations for this figure at the end of my statement.

A loss of \$54 per week would have a huge impact on my take home pay. It would be a reduction of almost 15% and would make it extremely difficult for me to cover all of my household expenses and mortgage repayments.

I am also concerned that if the new Industrial Relations laws are introduced, I will no longer have an opportunity to work overtime, as there would be no incentive for Spotlight to offer me overtime when they can employ a new worker on an Australian Workplace Agreement that provides for an annualized system of hours.

If Spotlight can employ new co-workers on rates of pay that are less than those provided for in my Award, there will no longer be an incentive for them to offer me additional part time hours.

As I mentioned earlier in my letter, my part-time hours were recently reduced. I could not afford losing my penalty hours, and not having my ordinary hours increased.

I am also concerned that if Spotlights' competitors employ people on wages that are less than the Award, this will affect Spotlight's ability to maintain my current wages and may eventually jeopardize my own employment.

Finally, I am concerned about the effect that the Australian Fair Pay Commission's decisions will have on my future weekly earnings.

I understand that if all of the Federal Government's National Wage Case submissions to the Australian Industrial Relations Commission were applied in recent years, my weekly pay would have been significantly reduced.

I am not at all confident that the Australian Fair Pay Commission will preserve the real value of my existing weekly pay.

	<b>Rostered Work Times</b>	<b>Total Number of Hours Worked (exclusive of lunch breaks)</b>
<b>Week 1</b>		
Monday	-	
Tuesday	-	
Wednesday	2.30pm to 5.30pm	3
Thursday	-	
Friday	-	
Saturday	9.00am to 5.00pm	7.5
Sunday	10.00am to 4.00pm	5.5
	-	
<b>Week 2</b>	-	
Monday	-	
Tuesday	2.30pm to 5.30pm	3
Wednesday	-	
Thursday	12.30pm to 8.00pm	7
Friday	10.00am to 2.00pm	4
Saturday	9.30am to 2.30pm	5
Sunday	11.00am to 3.00pm	4
<b>Week 3</b>	-	
Monday	2.30pm to 5.30pm	3
Tuesday	2.30pm to 5.30pm	3
Wednesday	-	
Thursday	3.00pm to 7.00pm	4
Friday	-	
Saturday	9.00am to 5.00pm	7.5
Sunday	10.00am to 4.00pm	5.5
<b>Week 4</b>		
Monday	2.30pm to 5.30pm	3
Tuesday	2.30pm to 5.30pm	3
Wednesday	-	
Thursday	9.00am to 4.30pm	7
Friday	10.00am to 2.00pm	4
Saturday	9.00am to 5.00pm	7.5
Sunday	-	

## Calculation of Wages I Receive For Working Hours that Attract a Penalty

### Hours at time and one quarter.

Currently, I work a total of 28 hours on Saturdays and after 6pm on Thursdays, across my 4 week roster period.

My Award provides that these hours are to be paid at the penalty rate of time-and-one-quarter.

As my base hourly rate is \$14.28, the total additional penalty that I receive for working these hours across my 4 week roster period is  $30.5 \times \$14.28 \times .25 = \$108.89$ .

### Hours at time and one half

Currently, I work a total of 15 hours on Sundays across my 4 week roster period.

My Award provides that these hours are to be paid at the penalty rate of time-and-one-half.

As my base hourly rate is \$14.28, the total additional penalty that I receive for working these hours across my 4 week roster period is  $15 \times \$14.28 \times .5 = \$107.10$ .

### Total Penalties Received

The total amount of penalties I receive across my 4 week roster period is  $\$108.89 + \$107.10 = \$215.99$ .

On a weekly basis, this averages out at  $\$215.99 / 4 = \$54.00$ .