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

RE: SUBMISSION TO THE SENATE EMPLOYMENT WORKPLACE RELATIONS AND EDUCATION COMMITTEE INQUIRY INTO WORKPLACE RELATIONS AMENDMENT (WORK CHOICES) BILL 2005

Dear Mr Carter

It is with pleasure that I make this submission on behalf of the Police Federation of Australia (PFA). It is our intent to outline the position of the PFA and its constituent Branches in respect to the current IR proposals, our concerns about aspects of the proposals that we believe will impact on Police and to give you an understanding of the various IR systems under which police work around the country. Please note that this submission should be read in conjunction with the submission of the Australian Federal Police Association (AFPA) a Branch of the PFA.

The PFA is a federally registered union under the Workplace Relations Act and has coverage of all state, territory and federal police officers, almost 50,000 in total and police unions across Australia have 99% membership, perhaps the highest of any work group.

There are a number of key elements of the proposed IR system that we believe could have a significant impact for police.

They include -

- A possible unitary system of IR;
- The issue of 'Employee Status' for Australia's police;
- The use of Australian Workplace Agreements (AWAs) in policing; and
- Rights of entry to the workplace;

Before outlining those issues and our concerns in more detail, the following is a short summary of how the various police jurisdictions across Australia operate in an industrial sense. It will give the committee an understanding of the very complex arrangements across the country.

QUEENSLAND –

Whilst Queensland Police operate in an industrial sense under the Industrial Relations Act 1999 and the Queensland Industrial Relations Commission, like all police jurisdictions, not all matters are dealt with in the Industrial Relations Commission.

The Police Service Administration Act 1990 (PSAA) establishes the office of the Commissioner and vests in it a wide range of responsibilities including:

- selection of persons as officers and police recruits;
- determination of levels of salaries or wages and allowances;
- promotion or demotion of officers;
- discipline of members of the service.

However the Act also provides that "in discharging the prescribed responsibility the Commissioner:

- is to comply with all relevant awards or industrial agreements, determinations and rules made by an industrial authority".

A "Review of Decisions" within the Act provides for the appointment of a Commissioner for Police Service Reviews.

The Misconduct Tribunals Act provides for the establishment of the Tribunal and jurisdiction to hear an appeal against a reviewable decision ("misconduct") and decide charges of "official misconduct".

Therefore, reviews of breaches of discipline go before the Commissioner for Police Service Reviews whereas appeals against misconduct decisions are heard in the Misconduct Tribunal and matters of official misconduct go straight to the Official Misconduct Tribunal.

All industrial issues go to the Queensland IR Commission.

NEW SOUTH WALES –

The Police Association of NSW currently applies to the NSW Industrial Relations Commission in the cases of:

- Salary claims
- Disputes re individuals and branches
- OH&S prosecutions
- Unfair dismissals
- Discipline

Matters that are not heard and determined in the NSW IRC include transfers, promotions and workers compensation. These matters are dealt with in the Government & Related Employees Appeals Tribunal (GREAT).

NSW Police are also subject to the processes of the Police Integrity Commission for more serious allegations of misconduct.

In the case of Unfair Dismissals & Discipline these are referred to the IRC under the Police Act & not the IR Act. It is a specific regime for Police established following the Wood Royal Commission & it is doubtful if it would or could be referred to the Federal IR commission. OH&S Prosecutions are not proposed to be handed over to the federal system.

AUSTRALIAN FEDERAL POLICE –

Note that the Australian Federal Police Association (AFPA) Branch of the PFA has attached an AFP specific submission and the following is only a brief synopsis of the current industrial arrangements in that jurisdiction.

The Australian Federal Police operates solely within the Federal Industrial jurisdiction under the provisions of the Workplace Relations Act 1996. Employee industrial rights are established through the Workplace Relations Act and the AFP Commissioner is respondent to this environment for the exercise of his employment powers.

For the purposes of the application of the WR Act, the AFP Act precludes such application in respect to the Commissioners Command Powers and AFP offshore deployments. These matters are normally addressed through Commissioners Determination making powers.

This process is a major issue of concern for the PFA, as its failure to protect individual rights has been brought into question by issues stemming out of the International Deployment Group (IDG).

The Workplace Relations Act, being mindful of the Office of Constable, deems AFP employees to be employees for the purposes of the general application of the ACT. (The issue of the 'employee' status of police will de detailed later in this submission). In some respects, AFP employees fall between the cracks of the AFP Act and the Workplace Relations Act with sometimes confused application

Industrially, AFP employees currently work under Certified Agreements negotiated collectively. The disputes mechanism of the agreements has utilized the establishment of a conciliation and arbitration empowered "Board of Reference" for the settlement of disputes and to oversight application of the agreements.

VICTORIA –

In 1996 the State of Victoria referred its power over industrial relations within the State to the Commonwealth. The complications in the Victorian system will be detailed later in this submission.

TASMANIA

Tasmanian police have 2 jurisdictions covering industrial and disciplinary matters; they are respectively:

- The Tasmanian Industrial Commission established by the Industrial Relations Act 1984; and

- The Police Review Board established by the Police Service Act 2003.

The Industrial Relations Act confers on the TIC a range of powers including:

1. Settle industrial disputes relating to an "industrial matter"

2. Make or vary awards with provisions that relate to an "industrial matter"

3. Register industrial agreements

4. Approve enterprise agreements

5. Conduct private arbitrations

Currently the police award relates only from Constables to Inspectors & the ranks of Commander to Commissioner are specifically excluded from the Act in relation to an “industrial matter”.

The Police Service Act confers on the Police Review Board the power to review determinations relating to:

1. Termination or demotion of a police officer other than for the ranks of Commissioner, Deputy Commissioner and Assistant Commissioner

2. A reduction of remuneration resulting from disciplinary matters or inability to perform duties

3. A withholding of remuneration resulting from suspension

4. A fine imposed for disciplinary reasons

5. The payment of costs for damage/loss of equipment

6. Promotion appeals

SOUTH AUSTRALIA

The SA *Fair Work Act 1994* applies to police officers and provides for enterprise bargaining, dispute resolution, award making and interpretation, and monetary claims. Police are employed under the *Police Act 1998*.

Salary and working conditions for police are prescribed in the Police Officers Award and the SA Police Enterprise Agreement 2004. Disputes regarding salary and general working conditions require the grievance and dispute avoidance procedures contained in the EA to be followed. If the dispute cannot be resolved any party may refer the matter to the Industrial Relations Commission of SA.

The conduct of police officers is governed by the Police Act. It provides the Commissioner with power to terminate a person’s appointment for breaching the Code of Conduct. The Police (Complaints and Disciplinary Proceedings Act) 1985 provides an appeal to the Administrative and Disciplinary Division of the District Court against termination of appointment on the grounds of discipline. There is no unfair dismissal proceeding available to a police cadet.

A police officer dismissed on grounds of mental or physical incapacity, unsatisfactory performance, or during their probation period has a review to the Police Review Tribunal (Magistrates Court) established under the Police Act. A further appeal from a decision of the Tribunal may be made to the Administrative and Disciplinary Division of the District Court.

In relation to promotional reviews, members may make an appeal to the Police Review Tribunal.

In relation to transfer, the Commissioner may transfer any member from their current position to another position under the Police Act. A member aggrieved by a transfer can appeal to the Commissioner, who is required to abide by the relevant section of the Act dealing with natural justice. If a member is transferred and believes that he or she is being punished for particular conduct then they may appeal to Police Review Tribunal for a review of the decision.

NORTHERN TERRITORY –

The Northern Territory has established a unique industrial mechanism to regulate the terms and conditions for NT Police.

The mechanism for dispute resolution is directly provided for in the Police Administration Act as opposed to the system being subordinate to external industrial legislation. The Act provides:

> *There shall be a Police Arbitral Tribunal that shall have jurisdiction to hear and determine all matters relating to the remuneration and terms and conditions of service of members of the Police Force other than the Commissioner, a Deputy Commissioner, an Assistant Commissioner or a member of the rank of Commander.*

The Tribunal is a discrete body operating for the sole purpose of regulating Police industrial relations and is not subordinate to Commonwealth industrial legislation which applies through the Territory.

The Tribunal is not restrained by direction of a full bench or governed by externally set principles or legislative restrictions. While the Police Arbitral Tribunal operates without jurisdictional oversight, decisions of the Tribunal may be appealed on matters of law to the Supreme Court.

The Act provides that the Tribunal will comprise of three members, each being appointed by the NT Government on the basis of an Oath of Office. Both the Commissioner of Police and the Police Association are invited to nominate persons for appointment. However, the Chairperson is appointed subject to the person being either a member of the AIRC or has suitable qualifications and industrial experience. Each member of the Tribunal is appointed for three-year duration.

WESTERN AUSTRALIA –

Persons are appointed as officers and constables of the Police Force under Part 1 and as aboriginal aides under Part III A of the Police Act 1892. Since 1927 awards and agreements between the Commissioner of Police (COP) and WA Police Union (WAPU) have been registered in the WA Industrial Relations Commission (WAIRC) which is established under Part II of the Industrial Relations Act 1979.

In various times action has been taken by the COP and the WAPU in the WAIRC to resolve industrial disputation and before the Industrial Magistrates Court (IMC) established under Part III of the Act to enforce awards, agreements and orders to the WAIRC.

On occasions action was taken under the general provisions of the Act before an Industrial Relations Commissioner and on others before a constituent authority called the Public Service Arbitrator.

The WAPU has always been an industrial organisation of employees registered under Division 4 of Part II of the Industrial Relations Act. However, from time to time the issue of jurisdiction i.e. whether police are employees has been raised in WAIRC but the issue was never settled until November 2000 when the Industrial Relations Amendment Act No. 58 of 2000 resolved the issue by an amendment which indicated that the WAPU is taken to be, and to have always been, an organisation of employees.

Since the coming into operation of the amendment the Act applies to and in respect of a police officer, special constable and aboriginal aides and has effect accordingly as if they are Government Officers with access to Public Service Arbitrator and the COP were the employer.

The Public Service Arbitrator has jurisdiction to enquire into and deal with, or to refer to the Commission in Court Session or the Full Bench an industrial matter (as defined) to which it has jurisdiction, except any matter relating to or arising from a transfer, reduction in rank or salary, suspension from duty, removal, discharge or dismissal under the Police Act. With the exception of transfer there is provision under the Police Act to appeal on these matters.

KEY CONCERNS:

I believe the foregoing indicates that police operate in a range of commission and tribunal style arrangements that makes dealing with police industrial, command & control & disciplinary issues very complex. Police officers are also subject to an extremely high level of scrutiny by an array of oversight bodies, such as Ombudsmen, integrity and corruption commissions, and Parliamentary Inquiries.

Over a long period of time, the state systems & police forces have evolved to take those complexities into account, our major concern therefore is, if the Government is successful in manouvering the proposed changes through both the House of Representatives and the Senate, and any High Court challenge finds that such changes are constitutionally valid; a question will arise as to the fate of the existing State regimes.

The "rump" jurisdiction left in the States will only consist of a small number of employees plus most of the states public service. This we believe will leave those Governments in the position of having to maintain a somewhat expensive system of industrial regulation for a relatively small number of employees. State Governments therefore may elect to refer their power over industrial matters to the Commonwealth.

Unitary system:

Why does a unitary system of industrial relations in the current or proposed system concern police?

In 1996 when the State of Victoria referred its power over industrial relations within the State to the Commonwealth [Commonwealth Powers (Industrial Relations) Act 1996 (Vict)], Part XV was inserted in the Workplace Relations Act 1996. In practical terms this allowed the Victoria Police Branch of the PFA to use the dispute settling/award making powers of the AIRC in respect to Victorian Police without the need for an underpinning interstate industrial dispute. Similarly the power to enter agreements was not constrained to 'constitutional' corporations.

However in the case of Victoria Police matters pertaining to the number, identity, a number as aspects of appointment, probation, promotion, transfer from place to place or position to position, physical or mental fitness, uniform, equipment, discipline or termination of employment were not referred matters.

The extensive list of non referred matters creates major difficulties in operating in the Federal jurisdiction under the referred powers. While the boundaries of the restrictions have never been fully explored, a significant

number of matters that have traditionally been the subject of agreement in Victoria are arguably excluded from the jurisdiction. For example, transfers, and more particularly reimbursement of expenses on transfer, may be excluded.

Other matters of concern relate to agreement-making provisions, as well as dispute settlement procedures.

However, the state government has a long standing election commitment that it will introduce a Police Career Services Commission containing two (2) specific divisions –

- Industrial Relations Division which will exercise original jurisdiction in determining industrial disputes & exercising other powers such as the approval of certified agreements
- Review/Appeals Division which will deal with promotions/transfer appeals, disciplinary appeals & industrial relations appeals

Negotiations over this tribunal are ongoing & following recent public commitments from the Victorian Police Minister, we are hopeful that the PCSC legislation will be agreed to in the near future.

Due to a range of issues, policing in an industrial sense is unique, particularly in relation to police officers' Oath of Office and the various command powers in policing. It is therefore obvious that the respective Governments and Police Commissioners will not allow the full referral of powers to the Commonwealth. All matters pertaining to Command & Control functions are likely to be retained in the states in some manner therefore, creating significant confusion, as is the current case in Victoria.

The PFA and the Police Association (Victoria) are seeking commitments from the Commonwealth Government to an agreement to return the referred industrial powers (relative to members of the Force) to the State of Victoria to allow the 'Police Career Services Commission' to be established and to achieve its desired goals, as well as an agreement to not accept the referral of industrial powers to the Commonwealth by other States or the Northern Territory (relative to members of Police Forces) should they seek to do so.

We are also desirous that the Commonwealth Government commit to a process of consultation on the development of a Police Specific Tribunal to deal with all Industrial & Command & Control matters relevant to the Australian Federal Police.

We are currently seeking legal advice as to how such an outcome may be achieved.

It is clearly the view of the PFA that the proposed Bill as presented is not appropriate for Australia's police jurisdictions. We argue that it would not be accepted as a viable industrial framework by police organizations and oversight bodies for a range of reasons as will be outlined below.

Protected Industrial Action:

Whilst we note that the legislation will have provision for "Ministerial declarations terminating bargaining periods" under Division 7 of the Act, we have been advised that that provision has been included in the Act specifically as a result of industrial action in the power industry and not with general reference to emergency services workers. We therefore have grave concerns over how effective the outcome of such "Declarations" will be for police. Police officers, due to our Oath of Office, could be prejudiced in our capacity to fully participate in enterprise bargaining, particularly as we are an essential emergency service.

To achieve a desired outcome, enterprise bargaining clearly envisages that negotiations may develop into more than a discussion around claims or a debate on wages policy, but may eventually test the resolve of parties around the principles of supply and demand. To not have the legal ability to fully extract the potential of a bargaining position is to enter into the exercise without the necessary tools to effectively participate. Whilst there is a perception that police unions possess significant industrial strength, they are unable to engage in industrial action in the same way as other members of the workforce. We are concerned that following the Government's changes, police will be left in a less favourable industrial position.

In 2003 the Queensland Police Union sought a judicial clarification as to the right of police to take industrial action in support of their bargaining position.

Faced with an uncertainty of outcome and a view that police should not be free to strike, the Government proposed introducing legislation to prevent police from taking certain types of industrial action. Clearly, the Government considered the effect of this would prevent police from taking industrial action thus limiting their ability to fully participate in collective bargaining. As such, this solicited consideration of the likely impact of these restrictions, as they affect the rights and obligations flowing from ILO conventions.

In New Zealand (in 2001) the Government attempted to introduce a new clause, (identified as *Clause fa*), into the Police Act. This required any arbitrator to specifically consider "the Commissioner's ability to fund any resulting Police expenditure as determined by Vote Police appropriation".

Legal advice received at the time by the New Zealand Police Association from their constitutional legal advisor Sir Geoffrey Palmer said:

> *"tying of the Commissioner's ability to pay to the Vote suggests that the Government will be able to ensure there is never any money for an increase by keeping the Vote screwed down. This comes close to being an abuse of legislative power in circumstances where those subject to the law have no right to strike".*

This matter has been resolved for sworn police, as they do not have the right to strike or take any real form of industrial action (called "Final Offer Arbitration"). This means that in the event of the parties not reaching a negotiated outcome, the Association or the department's final offer can be accepted by an arbitrator.

In respect to a Workplace Determination we note that the Full Bench must have regard to "the employer's capacity to pay". This has a potential to place Australian police in the same difficulties as those experienced in New Zealand.

Without dwelling on the Queensland or New Zealand position (as both eventually achieved negotiated outcomes to their wage deals), the reasoning behind this legal approach based on ILO conventions, we argue, remains relevant to police industrial relations.

The ILO in 1998 adopted a Declaration on Fundamental Principles and Rights at Work.

We argue that the 1998 Declaration, as well as Conventions 87 (Freedom of Association) and 98 (Rights to Organise and Bargain Collectively) provide the basis for contemporary enterprise bargaining. However, both of these Conventions permit member states to decide the extent to which these guarantees apply to the police and other forms of essential services.

The Freedom of Association Committee of the ILO dealt with the restriction on police and others from being able to take industrial action in support of collective bargaining. In its digest of decisions of 1996 the Committee noted that the right to strike could be restricted or prohibited but where that occurred, the limitation must be accompanied by certain compensatory guarantees. In particular, the Committee went on to identify the role of an impartial tribunal in dispute resolution referring to conciliation and arbitration processes.

Clearly, it is envisaged that the provision of an independent arbitration tribunal must have the unfettered power to make determinations on merit to ensure that the collective position of police is not adversely affected by removing their ability to maximise their negotiations through the deployment of industrial action. In other words, the Arbitral component must not place

police in a less favourable position than might be reasonably achieved in enterprise bargaining.

Simply by constructing a situation at law to effectively restrict police from full participation in enterprise bargaining, or providing police with access to an industrial tribunal restricted to dealing only with certain allowable matters, or restricted in the use of its powers during the bargaining period), may very well fail to satisfy these ILO provisions.

It is highly likely that in respect to Protected Industrial Action the Workplace Relations Act in its current form would fail to satisfy the International Labour Organisation obligations as they apply to police - let alone the Work Choices Bill provisions.

Employee Status of Police:

Similarly, the occupation of a police officer is different to other occupations, including other public sector workers. It is an established rule of common law that members of the police force, like the defence force, are not 'employees'. In 1955 (in *Attorney-General (NSW) v Perpetual Trustee Co Ltd*), the Privy Council found that the relationship of master and servant does not exist between the Crown and its police officers, but that police constables are independent office holders exercising 'original authority' in the execution of their duties. Australian Courts have had little hesitation in applying or reaffirming this rule.

This argument is expanded in the attached paper published in the Melbourne University Law Review, "Employment Status of Police in Australia", by Joseph Carabetta. See specifically 'The Current Position and its Origins – Introduction (pp 4 – 5; and pp 8 – 17).

It is our submission that any attempt to apply the Work Choices Bill to Police Officers will bring into question a range of legal issues in relation to the "employee status" of Police.

AWAs:

The PFA is totally opposed to the use of AWAs in policing. In a disciplined service in which members are subject to a defined command structure, but also a service in which the Oath of Office is a central feature governing the discharge of duty by Police Officers, the use of AWAs is inappropriate. Whilst

many argue the merits of individual agreements, we have concerns about how they could be introduced in an industry that operates on a clearly defined rank structure with specified duty types. We understand that AWAs are clearly not envisaged for our Defence Forces; we therefore question why they would be appropriate for police.

We understand that it is an offence to disclose if another person is on an AWA, if they have not given permission for such disclosure to take place. If that were to apply to police we suspect that any oversight body involved in policing would have serious concerns as to such a process having the potential to foster corruption.

We could not imagine Police Commissioners or Governments allowing police of a designated rank to be empowered to negotiate with their subordinate staff, producing agreements concerning that individual's conditions of employment that may be more, or less, favourable than their colleagues. The secrecy provisions contained in the legislation could be inappropriately used in the hands of someone with questionable integrity. Junior officers could feel compelled to comply with inappropriate orders and directions of senior officers to ensure satisfactory conditions are contained in their AWA.

It could also be that a Constable, inclined to exercise his or her powers in a way consistent with the inappropriate prejudices of their superior, will be able to negotiate a better AWA than their colleagues.

The productivity component of AWAs for police could also be problematic. The Wood Royal Commission into the NSW Police raised a range of concerns relating to potential corruption issues arising from the concept of results-orientated style policing. That is setting targets for police to achieve, which we fear could be contained in AWAs. Paragraph 6.20 of Volume 1 of the Final Report refers to organization factors that emerged as contributing towards corruption. One of these was –

> *"an unrealistic management strategy which was arrest rate driven, but not matched with sufficient resources leading to various forms of process corruption"*

Chapter 2, Policing and Corruption, discusses factors that may demonstrate how the job of policing is in itself corrupting. Justice Wood remarks that each of the factors is very real and the opportunity for police to engage in corrupt behaviour can be enhanced by a number of issues; in particular;

> *"police are regularly confronted with law and order campaigns calling for an aggressive and result-orientated style of policing that does not cater for due process, and favours both rough justice and the fabrication of evidence."*

Wood, at Chapter 2.33, describes process corruption as –

"Process corruption in one of the most obvious, pervasive and challenging forms of police corruption, which:

- *Has its roots in community and political demands for law and order;*
- *Is seen by many police to be in a quite different league from the forms of corruption which attracts personal gain;*
- *Is subject to the confusion which exists over the definition of 'good policing'; and is compounded by ambiguities within the legal and regulatory environment in which police work, and by senior police and members of the judiciary apparently condoning it."*

Whilst the type of "Process Corruption" that emerged in the Wood Royal Commission related to Criminal Investigation areas, Justice Wood concluded that a results-orientated style of policing encouraged, and was indeed a factor, of process corruption.

We are concerned that the productivity of police might be measured by, for example, the number of arrests or the number of infringement notices issued, or in respect to the latest counter-terrorism powers granted police, by the number of stops & searches. All these measures are the types of issues that Justice Wood was referring to in his report that had a potential to lead to corrupt practices.

We believe that the community would be outraged if they felt that such issues were contained in police AWAs.

Police are also the front line of Australia's domestic fight against terrorism and the issue of civil unrest. In those types of policing operations, like military operations, Commanders need to be able to understand, at short notice, the general industrial rights and entitlements of officers under their command. The current situation in policing, like the military, has various ranks and duty types remunerated at similar levels, with common terms and conditions of employment on a jurisdiction by jurisdiction basis.

A situation where a Commander of a major incident was confronted with officers on different terms and conditions of employment by virtue of their AWAs would be result in operational confusion, disarray, and possible failure.

If such a situation arose and the operation had issues where life and property were at risk, the blame would clearly be sent home to the police department and the Government that implemented such a process.

We therefore suggest that the Government should seriously consider these issues before allowing AWAs to be introduced into mainstream policing.

Right of Entry:

Another of our concerns relates to the issue of right of entry of trade union officials to workplaces. The legislation constrains union officials from entering workplaces to talk to members.

In policing, many of the officials employed by Police Unions in Australia are themselves police officers, on some form of leave from their police jurisdiction. How the issue of workplace entry would be addressed in an environment where only one employer operates in each jurisdiction and many of the union officials are in fact employees of that jurisdiction, is something that would need to be considered. It would be farcical to prevent an officer, who also works as a part-time union official, from entering his or her normal place of work whilst on union business.

Conclusion:

All State, Territory and Federal police associations and unions, through the PFA, want to ensure that any changes proposed by the Government do not adversely impact on our members' industrial rights.

It also needs to be considered that if these industrial changes result in civil disorder through community and other protests, it will be Australia's police who will be in the front line. And these same officers may well be subject to similar legislative impacts as the citizens they have been brought in to quell.

Police officers play important roles in the aftermath of major industrial disputation, when communities often find their social fabric disintegrating. There have been many examples of situations where major disputes have seen towns divided along lines of union and non-union labour. This creates tension in all aspects of daily life. When these disputes are finally settled, often it is the police that play a major role in re building the "community". Police therefore play an important impartial role in the policing of such industrial disputes. Their impartiality is vital in ensuring that the community

will place in them the trust to help the rebuilding phase. The valuable community networks that police have been able to develop in those situations provide a basis for that rebuilding.

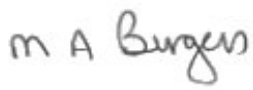
This could prove to be an important contribution in coming months as the new federal industrial relations changes come into affect. This type of conflict between union and non-union labour could become common place, leaving police in a very difficult position.

It would be a perverse and undesirable situation if police were confronted with such protests when they themselves were being adversely affected by the same legislation.

We are conscious that such changes could have the unintended consequence of impacting on our ability to continue to provide a professional policing service to our communities and thus inadvertently undermine the community's safety.

The Federal Government has been eager to claim success in its national security programs. Much of this success has been achieved on the back of the efforts of Australian Police.

We implore the Government not to look at police through the same prism that it applies to workers generally. Police do not argue that they are better than other workers. We do argue that we are different, and have different needs, as our submission shows.



Mark Burgess
Chief Executive Officer