

Online submission					
First name	Chris		Surname	Clarke	
Age	41-50	Gender	Male	State	Queensland
Occupation (if available)		Submission on behalf of a friend			
Text of submission		<p>I wish to present two examples of the impact of casual employment – one a personal one involving a close friend. The second is in private Education – an industry you may be surprised to find is riddled with insecure employment.</p> <p>My friend Jeff (not his real name) is 42 and works as a security guard for a large security firm that covers many of Melbourne's pubs and gambling machine venues. Jeff gets paid \$20 per hour and often works till 5am with no penalty rates. Jeff often works 50 hour weeks in the busy season and not enough - around 30 hours a week in quieter times. Half of Jeff's hours are "off the books" cash in hand and not recorded for the purposes of Superannuation or Long Service Leave - this is common practice in the industry - it took Jeff a couple of years to get on the books – even as a casual employee.</p> <p>Jeff has had one holiday of one weeks duration in 5 years – he cannot afford time off or to say "no" to work. Jeff has no savings and uses his credit card to cover any expenses when he is sick as he has no sick leave. Then he takes time to pay it off - with more time working this Christmas his hope is to pay off the card after Christmas - but he cannot afford to go away, save for a flat and his only asset is his car.</p> <p>Jeff is classed as a casual but in reality he is not - but he gets none of the benefits of an ongoing employee. Jeff won't join a union as he's asked other guys about it and he believes he'll just not be asked back the next week if he brings the union in or tries to get a pay increase himself.</p> <p>The cash in hand is not legal - but it suits both the employees (the 20% up front) and the employer (no 9% super, no payroll tax) in the short term – so the scam continues. There is no audit of these companies or an inspectorate that chases down such tax evasion. There is no body that checks whether companies are employing people as casuals when they are not casual - the definition of casual under the Fair Work Act needs to be tightened. There is no body such as existed with the arbitration inspectorate to ensure Awards are abided by and the rates in modern Awards are appallingly low. The exploitation of casual staff effectively means that the Fair Work Act standards in the NES for annual leave, sick pay, redundancy, carers's leave and flexible working hours are nonsense because employers just get around</p>			

them. When a man who only has one dependent and who works hard and long hours cannot afford to have a week off once a year to be with his family the system stinks.

My other example is the appalling state of affairs in colleges set up to teach courses to overseas students - more than 140 of them in Victoria.

There has been a lot of publicity about the abuse of students – many courses are of course a sham arrangement to get points towards a permanent residency VISA. There are also practices of employing them at under Award wages in college offices and related businesses - and no inspectorate to ensure they don't. Less commonly known is the extent of casual employment of teachers and the impact this has.

As an organiser with the Independent Education Union I routinely find that every employee at a college is classed as a casual employee. One side effect of this is where a teacher raises professional concerns – such as being forced to pass students who have in fact failed – they are just not invited back next week. There is no requirement for these Teachers in private TAFE and English Language Colleges to be registered Teachers - but they do need some minimum qualifications. Again this is not properly enforced - but if a teacher complains that other teachers are not qualified - see you later - gradually you get less hours – or you are just not employed next semester.

We find turnover rates of 50% of teachers per year – badly affecting the quality of teaching. The people running these colleges are not required to know anything about education - in fact most are accountants, businessmen or lawyers who have found a way to make money. The negative impact they have on the broader industry - genuine educational institutions such as TAFE colleges and Universities is not considered. So they employ staff at the minimum cost and minimum security to out compete publicly funded bodies and at the same time imperil the reputation of one of our most important industries. They often require teachers to teach way beyond the maximum weekly teaching hours in the modern award (25 hours) - but again with casual teachers - they dare not complain.

There is no requirement to even employ the "principal" or director of studies in an ongoing position.

As there is no enforcement of the payment of the 9% employer superannuation contribution - at the first sign of any financial difficulty these colleges just stop paying it. The government's GEERS program that assists employees obtaining their lost entitlements in the case of insolvency provides no protection for lost employer superannuation.

The lack of proper regulation of the private for profit education sector is damaging our international reputation. The lack of any capacity to inspect or enforce awards and the lack of any way to ensure the timely payment of employer superannuation further allows poor employers to ignore the law and put employees last. The lack of proper rules regarding what job is and is

	<p>not genuine casual employment not only impacts badly on the job security and entitlements of employees but also adds to the poor quality of education and Australia's reputation in this sector.</p> <p>It adds to the capacity of unscrupulous employers to exploit students and to avoid the minimal regulations that exist.</p>
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This submission was received online at the Inquiry's web site:

<http://securejobs.org.au/independent-inquiry-into-insecure-work-in-australia/>

Certain information, including full contact details, have been withheld to respect the privacy of the submitter. Further details about the publication of submissions and a privacy statement are available at the website.