

# PER CAPITA BRIEFING NOTE

## The Fair Work Amendment (Supporting Australia's Jobs and Economic Recovery) Bill 2021

Emma Dawson and Shirley Jackson February 2021

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## About Per Capita

Per Capita is an independent public policy think tank, dedicated to fighting inequality in Australia. We work to build a new vision for Australia based on fairness, shared prosperity, community and social justice. Our research is rigorous, evidence-based and long-term in its outlook.

We consider the national challenges of the next decade rather than the next election cycle. We ask original questions and offer fresh solutions, drawing on new thinking in social science, economics and public policy.

## About the authors

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Emma has published reports and articles on a wide range of public policy issues. She is a regular contributor to Guardian Australia and The Australian Financial Review, and various ABC Radio programs. She is an Honorary Fellow in the School of Social and Political Sciences at the University of Melbourne.

Emma is co-author of *Measure for Measure: Gender Equality in Australia*, published in March 2020; and co-editor, with Professor Janet McCalman, of the collection of essays *What happens next? Reconstructing Australia after COVID-19*, published by Melbourne University Press in September 2020.

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His areas of interest and expertise are young workers, employment, labour market policy, industrial relations, and industry policy. Shirley undertook undergraduate and postgraduate studies in history, economics and political economy, and has an unfinished doctorate on young workers.

## Introduction

On 9 December 2020, the Australian Government introduced the *Fair Work Act (Supporting Australia's Jobs and Economic Recovery) Bill* into the Australian Parliament. The Bill is expected to come to a vote in the Senate in early March 2021. According to the Government, its Industrial Relations (IR) 'reforms' are the result of a period of 'consultation' between business leaders and the Australian union movement, and "...will give businesses the confidence to get back to growing and creating jobs, as well as the tools to help employers and employees to work together in a post-COVID Australia".

Sounds good, doesn't it? The problem is that the Bill contains virtually no measures agreed to by the Australian union movement on behalf of workers during those 'consultations' but is rather a big-business wish-list of changes to the Fair Work Act that will further weaken protections for Australian workers and give more power to big employers to hold down wages and increase job insecurity.

The Government claims that 'more flexibility' is needed for employers to create new jobs and get Australians back to work. They say that businesses that were 'hit hard' during the height of the COVID-19 pandemic and economic shut-down need to have our workplace rules relaxed so they can hire more workers and return to profitability.

This isn't true. Big employers in Australia already have far more power to dictate the rights and wages of their workers than at any time in the last century. For years before the COVID-19 pandemic hit, Australian workers had some of the highest rates of insecure and casual work in the developed world and had gone for the better part of a decade without a real wage rise.

The pandemic showed us just how damaging job insecurity is, not only to individual workers and their families, but to society as a whole. Workers in some of the most essential jobs during the health crisis, such as aged care, food services and quarantine security, were those most likely to contract and spread the virus. This was not because they were irresponsible, but because they couldn't afford to stay home from work when they were sick, and often had to work two or three jobs to make ends meet, taking the virus with them between multiple workplaces.

At the same time, many people reliant on casual and part-time work saw their incomes collapse as shifts dried up. Many remain reliant on JobKeeper and the increased rate of JobSeeker to make ends meet. Household consumption, while recovering, remains depressed and spending will almost certainly fall further when thousands of workers find themselves without essential income support after 28 March 2021.

In a recent submission to the Senate Inquiry into the Bill, 23 leading labour law academics condemned the Bill as "a deeply flawed initiative" that "will not just fail to address pressing labour market issues such as wage stagnation, insecurity of work and entrenched inequalities, [but] will exacerbate them".<sup>1</sup>

The fact is, this Bill is a recipe for growing inequality and slowing Australia's economic recovery. It's the opposite of what we need right now. Read on to find out why.

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<sup>1</sup> Stewart et al, Fair Work Amendment (Supporting Australia's Jobs and Economic Recovery) Bill 2020 [Provisions] Submission 56.

## The Bill gives more power to employers in workplace bargaining

### The Bill favours business profits over workers' wages

The Government wants to amend Parts 2-4 of the Fair Work Act (the Act) to make a lack of business growth 'reasonable grounds' for rejecting the demands of workers and their union representatives during workplace bargaining. Not only does this amendment explicitly prioritise profits, rather than revenue, over working conditions, it also further restricts unions' ability to fight for the rights of workers.

Under the Bill, unions would have to show that they are not impeding business growth by bargaining to improve wages and conditions of workers. Growth means the business isn't just continuing to make money at a rate that keeps the incomes of the owner and workers at pace with the cost of living, but that the business is making more money every year than it did the year before, and that its profits are growing faster than its costs.

We are often told that it's important for businesses to grow because this means they can hire more workers and pay people better wages, which then grows the economy. But if an employer is allowed to argue against increasing wages or jobs because it will reduce growth, this means that by definition, the owner of the business wants to keep all the profit from that growth to himself. This would keep wage growth down, reduce the number of new jobs on offer and reduce household consumption, meaning growth in the broader economy would be slowed. All that growth goes only to the owners of the business.

Every dollar that is taken out of a worker's pocket is a dollar they don't spend back into their communities - that doesn't create jobs, it costs jobs.

Effectively, under the Bill, unions could no longer fight for the benefits of business growth, which is almost entirely driven by the productivity of workers, to be shared with them. Growth could be protected entirely for profit, going only to the owners of business and to executive salaries.

### You could be employed under a contract that leaves you worse off than workers on the award wage

Lots of Australian workers are employed under Enterprise Bargaining Agreements (EBAs), particularly union members, rather than on the minimum terms and conditions for specific jobs and industries within the Award system. These EBAs are negotiated between workers and their representatives in the union movement, and employers. Currently, under the Act, the Fair Work Commission (FWC) can only approve an EBA if it ensures that affected workers are "better off overall" than they would be under the Award. The test an EBA must pass to meet this requirement is known as the Better Off Overall Test (the BOOT).

The Government wants to make it easier for employers to get around the BOOT. The Bill expands the definition in the Act of 'exceptional circumstances' to include the impact of COVID-19 beyond a defined 'short-term crisis' and makes it much easier for employers to get the FWC to approve EBAs that leave workers worse off than they would be on the Award. This would mean that a negotiated EBA could have far worse conditions than workers are legally entitled to under the Award for their industry.

Undermining the BOOT in this way is a fundamental attack on the Award wage system that has done so much to protect the minimum pay and conditions of Australian workers compared to, for example, minimum wage workers in the USA.

### The Bill will make it easier for your boss to hire and keep you as a casual

Australians expect that casual workers will be compensated for their irregular hours and lack of leave provisions through a higher hourly rate of pay ('casual loading'). This loading compensates the worker for providing a level of flexibility, in which the boss can add shifts as needed, and the worker can accept or decline shifts according to their other work or family commitments. Casual work has also traditionally been expected to be temporary or short-term in nature, or if longer-term, with irregular hours of work. Yet today, a majority of casual employees have been with their employer for over a year, expect to be with the same employer next year and have predictable, stable hours.<sup>2</sup>

It has become clear over recent years that the definition of casual employment has become inconsistent across different industries and employers. The Government's Bill seeks to address this problem by defining a casual worker as '*a person who has accepted an employment offer on the basis that there is no firm advance commitment to continuing and indefinite work according to an agreed pattern of work*'.

#### Who's a casual? Under the Bill, your boss decides.

While clearly defining casual work is important, the Government's proposal will give employers more power to decide who is hired, and kept, as a casual. Once an employee accepts the employment offer as described in the Bill, their ability to later challenge this definition, if they are indeed working regular hours for months or years, is gone. An individual worker is unlikely to fight this definition when they badly need a job, so the employer has the upper hand in this so-called 'negotiation'.

Under the proposed changes, the only thing this definition does is sign away your right to appeal a wrongful classification of your regular, predictable work as casual. Effectively, if you sign on as a casual, your boss can do whatever they want with you for up to a year.

What is needed is an objective, independent definition of casual employment, which is overseen and enforced by the Fair Work Commission in the interests of workers and employers equally.

#### When does a casual worker become permanent? Under the Bill, it's up to your boss.

The Bill also seeks to enshrine a universal 'casual conversion mechanism' in the National Employment Standards (NES). The proposed change would mean that employers have to make an offer of conversion

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<sup>2</sup> Peetz, D. (2020). What do the data on casuals really mean? Brisbane. Pp 25 – 27.

to any casual employee who has been both employed for a period of 12 months *and* has worked ‘a regular pattern of hours on an ongoing basis in at least the last 6 months of that period’.

Again, sounds good – but the wording of the Bill makes it too easy for employers to avoid making the offer at all. All an employer has to do is claim that they have ‘reasonable grounds’ for not offering a longterm casual worker a permanent role. The Bill doesn’t define what ‘reasonable grounds’ are, so workers have no real way of arguing back against this claim – and remember, under the Bill anything that affects business growth (or really, business profits) could be considered reasonable grounds.

Also, it’s really easy to get around the benchmark of regular hours across a six-month period: your boss could just make sure that your hours are changed from week to week over that six months, so they don’t have to offer you a permanent role.

Under the Bill, it’s also still up to you to track your hours and prove that you have been working regularly if your employer doesn’t offer you a permanent role when they should. To make matters worse there’s nothing in the Bill that requires employers to file documents with the FWC to prove they are offering permanent roles when they should – and there is no penalty contained in the Bill for employers who repeatedly underestimate their need for permanent workers and continually renew casual contracts.

Far from making it easier for casual workers to get permanent jobs when they want one, the Bill could actually encourage employers to offer casual contracts to all new workers, giving them a year of ‘try before you buy’ before offering any permanent jobs at all. After all, once you agree to be a casual, your options for converting to permanent down the track are pretty much gone under this Bill.

### The Bill will reduce your overtime pay if you work part-time

The Government claims that ‘complexity’ in the Award Wage system is preventing some retail and hospitality businesses from offering overtime hours to part time workers, even when they experience unanticipated busy periods. There is little evidence that this is a widespread problem, but the Bill proposes three distinct ‘solutions’ for consideration by the Parliament.

Option 1 is to ‘do nothing’ and so will not be considered here. Option 2, which the Government claims is its preferred approach, is that employers in the hospitality and retail sectors should be able to offer additional hours to part-time workers without paying overtime for any ‘*employees who are engaged for a minimum of 16 hours per week and 3 hours per shift*’. So, if you work in retail or hospitality, and this option passes the Senate, your boss will be able to ask you to work an extra hour at the end of your shift, and she would no longer have to pay you overtime rates as she does under the current system.

The potential loss of income for workers under this provision is significant, across a range of jobs in retail and hospitality, most of which are Award wage, relatively low-paid jobs. For the purposes of illustration, Per Capita has put together some individual case studies that demonstrate the likely impact on take-home pay for different workers if this Bill were to become law. The methodology for calculating the income losses in each case is available in the Appendix.

### Case study 1: Helena

'Helena' is a woman in her 60s who works part-time in a Melbourne retail clothing business. She works her nominal 16 hours every week, and works on average an additional 4 hours of overtime once a month on top of her nominal hours.

If we assume she is paid correctly according to the Award, under the proposed changes in the Bill Helena will lose \$653.40 a year from an annual income of \$18,425.88.<sup>3</sup> For a worker like Helena, that additional \$653.40 is enough to pay for her grandchildren's Christmas presents and the lunch they share after opening them.

### Case study 2: Hanna

'Hanna' is a 22-year-old undergraduate, studying for her law degree at a Victorian university. She's the only one of her friends who isn't working casually, and works part-time at a bar in the inner north. She works her normal 16 hours a week, and on average works 3 hours of overtime a month.

Under the changes in the Bill, she will be losing \$508.56 a year and isn't sure how she'll be able to pay for her textbooks.<sup>4</sup> She's worried she'll have to look for a second job, but is already feeling like she's stretched too thin.

While the problem might not be widespread, the people who *will* be affected by these changes are the kinds of workers who rely on the extra money provided by overtime for key living expenses – there is little 'fat' in the weekly budget of part-time workers on the award wage who take on overtime hours.

## The Bill could eventually wipe out permanent part-time jobs

The final option proposed in the Bill (Option 3) to allow employers to avoid paying overtime to permanent workers is to create a new employment category known as '*flexible part-time*'. As opposed to the first option, which applies only to awards that cover workers in retail and hospitality, this new employment category would be inserted into all modern awards, covering all types of work.

The Bill's description of the proposed category of '*flexible part-time*' mirrors a failed proposal from large employer groups to the FWC in 2018 to create a 'flexible ongoing' employment category, under which they would be allowed to hire employees with pro-rata leave entitlements, like permanent part-time workers, but to roster them on to work only when the business needed their labour, like casual workers. This would reduce wage costs for business and remove the certainty of hours and income for workers that comes with a permanent part- or full-time role.

<sup>3</sup> We assume that Helena is working 3 hours under the "first three hours" over time rate and 1 hour under the "more than three hours" overtime rate, as a retail employee Level 1 under the General Retail Industry Award 2010.

<sup>4</sup> We assume that Hanna is working 2 hours under the "first two hours" over time rate and 1 hour under the "more than two hours" overtime rate, as level 2 food and beverage attendant grade 2 under the Hospitality Industry (General) Award 2010.

As explained in a Per Capita research paper analysing the employer groups' proposal to the FWC to create such a category two years ago,<sup>5</sup> this type of contract has the potential to effectively eradicate permanent employment from certain sectors of the economy and would effectively shift the risk of operating a profit-making enterprise from the owner of that enterprise to the workers who labour within it.

If the Government's preferred method of exempting employers from paying overtime to permanent parttime workers is to restrict their changes to hospitality and retail, it's worth asking why they have included a more drastic option in the Bill.

It would appear that the threat of legislating a new employment category of '*flexible part-time*' may be intended to force the hand of unions and workers to accept the attack on the overtime rates of retail and hospitality workers in order to avoid a new category of insecure work being applied to workers in a far wider range of industry sectors. Effectively, it seems that the Government has drafted these 'options' in the Bill to give greater 'flexibility' to employers, and reduce job security for workers, in the hope that the Senate will opt for the lesser of two evils.

All casualisation of work is essentially a process of shifting business risk from the employer to the employee. An employer who employs workers on a permanent basis must manage the risk associated with fluctuating workloads through business management – sometimes they will be paying wages to workers who aren't fully occupied, but those workers have security of hours and income and are therefore more likely to be loyal to, and work hard for, their boss. By shifting the workforce to '*flexible part-time*' conditions, a large part of this risk is transferred from the business owner to the worker: when the amount of work required to service the business drops, the worker receives reduced hours, and the employer has reduced wage costs, but the relationship of trust between worker and boss will suffer.

Even if an employer could not forcibly move individual workers from permanent to '*flexible part-time*' conditions immediately following the creation of the latter employment category, it would be possible to shift an entire workforce into such roles over time by shifting recruitment to '*flexible part-time*' arrangements, and by ceasing to offer permanent part-time roles on the expiry of current EBAs and offering only '*flexible part-time*' positions under a new EBA.

If this option were to pass the Parliament, overtime rates for workers in a number of industries would be a thing of the past, and job insecurity would be further entrenched across the Australian labour market. Four further case studies illustrate the potential loss of income to workers under such a scenario.

### Case study 3: Barry

'Barry' is a man in his late 50s from regional Queensland, who has dropped from full time to part time as he approaches retirement. He is a third-generation miner, and has worked at the open-cut silver mine where he is employed since he was a teenager. He works 25 hours per week, and get an average of 12 hours a month in overtime, which he uses to put extra money into his superannuation, so that he and his wife of nearly 40 years can retire at 65 like they've planned.

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<sup>5</sup> 'Flexible Ongoing Employment: solving a problem that doesn't exist, Per Capita, 2019.

[https://percapita.org.au/our\\_work/flexible-ongoing-employment-solving-a-problem-that-doesnt-exist/](https://percapita.org.au/our_work/flexible-ongoing-employment-solving-a-problem-that-doesnt-exist/)

Under the new *'flexible part-time'* category, Barry would no longer receive an overtime loading, and would lose \$2,298.24 a year in overtime wages.<sup>6</sup> Not only is Barry losing those wages, he's losing the compound interest he would have been generating on his super that will determine how long it will last in retirement. His hours of work would also become less regular and his income less reliable.

#### Case study 4: Yusef

'Yusef' is a young man from the inner west of Sydney in his mid 20s, who has just finished his electrical apprenticeship. He's recently decided to upskill and has enrolled in a bachelor degree in electrical engineering part time, and has dropped down to 20 hours a week at his construction job while he studies. On average, he picks up 9 hours of overtime a month, so he can save to buy a house for his young family.

Without an overtime loading, Yusef would lose \$1,761.84 a year in wages.<sup>7</sup> For a young family, just starting out, that's pushing their life goals back year after year – especially if Yusef no longer knows how many hours he is guaranteed from week to week.

#### Case study 5: Julie

'Julie' is a single mother in her 40s, who lives in near Launceston in Tasmania with her two teenage children. She migrated to Australia when her children were very young, hoping that she might be able to offer them a better life. Unfortunately, her qualifications weren't recognised and she had to take whatever work she could get. She's been working as a personal care attendant in aged care for almost 15 years, but has only been offered 18 hours a week on her latest contract. She takes what overtime she can get, which on average is only 6 hours a month.

With no overtime rates in the new *'flexible part-time'* employment contract, Julie will be \$1,054.08 a year worse off on an annual salary of \$20,554.56.<sup>8</sup> Worse, she can't be sure week to week how many hours she will be working, and is worried that her eldest daughter will have to start working part time while she's still at school, just so they can pay their bills.

#### Case study 6: Tranh

'Tranh' lives in Elizabeth, South Australia and lost his job at the automotive factory when it closed down a few years ago. He'd worked there for 40 years since he came to Australia as a teenager during the war in his home country, and he was 6 years away from retirement when the closure was announced. He was lucky to find a job through the Transition Centre, and has been working part-time as a tyre fitter for a small commercial automotive repair shop on the other side of Adelaide. He's hoping he can save up enough money to start a small business with his son, so always tells his boss he's happy to work whatever overtime is available. He gets an average of 10 extra hours a month on top of his regular 22-hour week.

<sup>6</sup> We assume that Barry is working 8 hours under the "first two hours" over time rate and 4 hours under the "more than two hours" overtime rate, as an underground mining employee level 3 under the Mining Industry Award 2010.

<sup>7</sup> We assume that Yusef is working 6 hours under the "first two hours" over time rate and 3 hours under the "more than two hours" overtime rate, as an electrical worker grade 5 under the Electrical, Electronic and Communications Contracting Award 2010.

<sup>8</sup> We assume that Julie is working 4 hours under the "first three hours" over time rate and 2 hours under the "more than three hours" overtime rate, as an aged care employee level 2 under the Aged Care Award 2010.

If his next contract shifts him to *'flexible part-time'* employment, Tranh stands to lose at least \$1,837.20 a year from lost overtime wages – possibly more if his shifts are cut back when demand falls.<sup>9</sup> That money could mean the difference between opening the business with his son or not.

As we can see from these case studies, the types of workers who might be affected by these changes are dependent on the jobs they have and can't afford to say no to their employers. If *'flexible part-time'* employment became common practice, workers would have little choice but to accept a *'flexible parttime'* position. Staff employed on a *'flexible part-time'* contract would have lower incomes, no overtime pay, reduced power to negotiate for wage increases, and no idea how many hours they would be working, or what income they would receive, from week to week. This makes it much harder to build a life – to secure a loan to buy a car or a house, to have children and to afford the basics that provide for a family.

## Conclusion

Despite a strong recovery in asset prices and a falling headline unemployment rate towards the end of 2020, the reality is that Australia's economic recovery from the impact of COVID-19 threatens to take the shape of a 'K' rather than a 'V': that is, some people will do very well, having retained their jobs and saved money during the lock-downs last year, while others will fall deeper into insecurity and poverty.

The Government says it is introducing these changes to our employment laws because business needs support so it can employ more workers. The Bill rests on a belief that companies need to cut wages and conditions in order to get Australians back to work. This is not true.

Following the first wave of the pandemic, data released by the Australian Bureau of Statistics (ABS) for the June 2020 quarter showed that company profits had increased by an extraordinary 14.9 per cent, while wages (categorised by the ABS as 'compensation of employees') fell by 2.5 per cent, the biggest quarterly drop on record.<sup>10</sup>

The truth is, COVID-19 has just made worse the decline in the share of national income going to workers that has been happening since the 1970s. Even before the onset the pandemic, the number of Australians who didn't have enough hours of work to make ends meet was at a record high and growing year-on-year. Wages have been stagnant for the better part of a decade and show no sign of recovering to a rate of growth that allows working families to keep pace with the inflation of prices in such essential goods and services as housing, energy, health and education. The share of productivity going to wages rather than profits has fallen below 50 per cent for the first time in more than 60 years.

The sub-title of the Bill to amend the Fair Work Act that is currently before the Parliament is "Supporting Australia's Jobs and Economic Recovery", yet it rests on an assumption that our economic recovery requires a further reduction of the rights and incomes of working people.

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<sup>9</sup> We assume that Tranh is working 5 hours under the "first three hours" over time rate and 5 hours under the "more than three hours" overtime rate, as a vehicle industry RS&R level 2 under the Vehicle Repair, Services and Retail Award 2010.

<sup>10</sup> <https://www.abs.gov.au/statistics/economy/national-accounts/australian-national-accounts-national-income-expenditure-andproduct/jun-2020>

The view that people who have been left without work due to the impact of the pandemic will be desperate enough to accept a job with lower rates of pay and greater insecurity of income than they had before is both wrong and dangerous, threatening not only individual living standards but Australia's broader economic recovery.

This Bill would not only fail to solve the problems it claims to address but would actively entrench job insecurity and low wage growth for millions of working Australians. This will hinder, not help, the recovery.

If the Government is serious about ensuring sustained prosperity and economic security for all Australians, it must re-start the consultation process for industrial relations reform, and prioritise the jobs and living standards of working families. Only through a cooperative approach by Australian business, workers and their union representatives can effective and sustainable changes be made to reverse the decline of job security and wage growth and underpin an economic recovery that will benefit all Australians.

## Appendix: Case study methodology

### Helena

We assume that Helena is working 3 hours under the “first three hours” over time rate and 1 hour under the “more than three hours” overtime rate, as a retail employee Level 1 under the *General Retail Industry Award 2010*.

Currently:

Helena	Retail Employee Level 1	Retail Industry Award 2010				
		Hourly Rate	Monthly Hours	Monthly Pay	Monthly Total	Annual total
Ordinary		\$21.78	64	\$1,393.92		
Overtime	First 3 Hours	\$32.67	3	\$98.01		
	After 3 Hours	\$43.56	1	\$43.56		
<b>TOTAL</b>					<b>\$1,535.49</b>	<b>\$18,425.88</b>

Under Option 2:

Helena	Retail Employee Level 1	Retail Industry Award 2010					
		Hourly Rate	Monthly Hours	Monthly Pay	Monthly Total	Annual total	Annual loss
Ordinary		\$21.78	64	\$1,393.92			
Former Overtime		\$21.78	4	\$87.12			
<b>TOTAL</b>					<b>\$1,481.04</b>	<b>\$17,772.48</b>	<b>\$653.40</b>

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### Barry

We assume that Barry is working 8 hours under the “first two hours” over time rate and 4 hours under the “more than two hours” overtime rate, as an underground mining employee level 3 under the *Mining Industry Award 2010*.

*Current:*

Barry Underground Mining Mining Industry Award 2010 Employee Level 3						
		Hourly Rate	Monthly Hours	Monthly Pay	Monthly Total	Annual total
Ordinary		\$23.94	100	\$2,394.00		
Overtime	First 2 Hours	\$35.91	8	\$287.28		
	After 2 Hours	\$47.88	4	\$191.52		
<b>TOTAL</b>					<b>\$2,872.8</b>	<b>\$34,473.6</b>

*Under Option 3:*

Barry Underground Mining Industry Award 2010 Mining Employee Level 3						
	Hourly Rate	Monthly Hours	Monthly Pay	Monthly Total	Annual total	Annual loss
Ordinary	\$23.94	100	\$2,394.00			
Former Overtime	\$23.94	12	\$287.28			
<b>TOTAL</b>				<b>\$2,681.28</b>	<b>\$32,175.36</b>	<b>\$2,298.24</b>

## PER CAPITA BRIEFING NOTE

### Yusef

We assume that Yusef is working 6 hours under the “first two hours” over time rate and 3 hours under the “more than two hours” overtime rate, as an electrical worker grade 5 under the *Electrical, Electronic and Communications Contracting Award 2010*.

*Current:*

Yusef Electrical Worker Grade 5 Electrical, Electronic and Communications Contracting Award 2010						
		Hourly Rate	Monthly Hours	Monthly Pay	Monthly Total	Annual total
Ordinary		\$24.47	80	\$1,957.60		
Overtime	First 2 Hours	\$36.71	6	\$220.23		
	After 2 Hours	\$48.94	3	\$146.82		
<b>TOTAL</b>					<b>\$2,324.65</b>	<b>\$27,895.80</b>

*Under Option 3:*

Yusef Electrical Worker Grade 5 Electrical, Electronic and Communications Contracting Award 2010						
	Hourly Rate	Monthly Hours	Monthly Pay	Monthly Total	Annual total	Annual loss
Ordinary	\$24.47	80	\$1,957.60			
Former Overtime	\$24.47	9	\$220.23			
<b>TOTAL</b>				<b>\$2,177.83</b>	<b>\$26,133.96</b>	<b>\$1,761.84</b>

## PER CAPITA BRIEFING NOTE

### Hanna

We assume that Hanna is working 2 hours under the "first two hours" over time rate and 1 hour under the "more than two hours" overtime rate, as level 2 food and beverage attendant grade 2 under the *Hospitality Industry (General) Award 2010*.

*Current:*

Hanna Level 2 Food and Beverage Attendant Grade 2 Hospitality Industry (General) Award 2010.						
		Hourly Rate	Monthly Hours	Monthly Pay	Monthly Total	Annual total
Ordinary		\$21.19	64	\$1,356.16		
Overtime	First 2 Hours	\$31.79	2	\$63.57		
	After 2 Hours	\$42.38	1	\$42.38		
<b>TOTAL</b>					<b>\$1,462.11</b>	<b>\$17,545.32</b>

*Under Option 2:*

Hanna Level 2 Food and Beverage Attendant Grade 2 Hospitality Industry (General) Award 2010.						
	Hourly Rate	Monthly Hours	Monthly Pay	Monthly Total	Annual total	Annual loss
Ordinary	\$21.19	64	\$1,356.16			
Former Overtime	\$21.19	3	\$63.57			
<b>TOTAL</b>				<b>\$1,419.73</b>	<b>\$17,036.76</b>	<b>\$508.56</b>

## PER CAPITA BRIEFING NOTE

### Tranh

We assume that Tranh is working 5 hours under the “first three hours” over time rate and 5 hours under the “more than three hours” overtime rate, as a vehicle industry RS&R level 2 under the *Vehicle Repair, Services and Retail Award 2010*.

*Current:*

Tranh		Vehicle Industry RS&R Level 2	Vehicle Repair, Service and Retail Award 2020			
		Hourly Rate	Monthly Hours	Monthly Pay	Monthly Total	Annual total
Ordinary		\$20.41	88	\$1,796.08		
Overtime	First 3 Hours	\$30.62	5	\$153.10		
	After 3 Hours	\$40.82	5	\$204.10		
<b>TOTAL</b>					<b>\$2,153.28</b>	<b>\$25,839.36</b>

*Under Option 3:*

Tranh		Vehicle Industry RS&R Level 2	Vehicle Repair, Service and Retail Award 2020			
	Hourly Rate	Monthly Hours	Monthly Pay	Monthly Total	Annual total	Annual loss
Ordinary	\$20.41	88	\$1,796.08			
Former Overtime	\$20.41	10	\$204.10			
<b>TOTAL</b>				<b>\$2,000.18</b>	<b>\$24,002.16</b>	<b>\$1,837.20</b>

## PER CAPITA BRIEFING NOTE

### Julie

We assume that Julie is working 4 hours under the “first three hours” over time rate and 2 hours under the “more than three hours” overtime rate, as an aged care employee level 2 under the *Aged Care Award 2010*.

*Current:*

Julie		Aged Care employee level 2		Aged Care Award 2010		
		Hourly Rate	Monthly Hours	Monthly Pay	Monthly Total	Annual total
Ordinary		\$21.96	72	\$1,581.12		
Overtime	First 3 Hours	\$32.94	4	\$131.76		
	After 3 Hours	\$43.92	2	\$87.84		
<b>TOTAL</b>					<b>\$1,800.72</b>	<b>\$21,608.64</b>

*Under Option 3:*

Julie		Aged Care employee level 2		Aged Care Award 2010		
	Hourly Rate	Monthly Hours	Monthly Pay	Monthly Total	Annual total	Annual loss
Ordinary	\$21.96	72	\$1,581.12			
Former Overtime	\$21.96	6	\$131.76			
<b>TOTAL</b>				<b>\$1,712.88</b>	<b>\$20,554.56</b>	<b>\$1,054.08</b>