



SDA BEGINS MASSIVE DEFENCE OF PENALTY RATES AND OVERTIME

The Shop Distributive and Allied Employees' (SDA) Union has lodged its submissions in reply to twelve employer applications which seek to remove or reduce more than twenty-five penalty and overtime entitlements for retail, fast food and hairdressing employees, as part of the two year review of Modern Awards.

National Secretary Joe de Bruyn said today that this was just the first step for the SDA in defending and extending award entitlements for workers in yet another avenue of attack by employers on the modern awards.

"Since award modernisation began in 2008, we've had wave after wave of attempts by employers to erode the wages and conditions for retail and fast food workers. Now, in this first stage of the Award Review alone, we are defending more than twenty-five attempts to reduce or remove evening and weekend penalties, and overtime, for thousands of workers in the retail, fast food and hairdressing industries,' Mr de Bruyn said.

On Saturdays, fast food, retail and hairdressing workers will lose \$4 per hour if employer attempts to remove penalties are successful. In real terms, this would mean a fast food worker's wage would be cut from \$164.33 to \$131.47 for an 8 hour shift.

On Sundays, retail, fast food and hairdressing workers will lose \$8 per hour if employers are successful in reducing penalties. In real terms, this would mean a retail worker's wages for a 6 hour Sunday shift would be slashed from \$192.82 to \$144.61.

"Employers want to get rid of evening penalties, get rid of Saturday penalties and reduce Sunday penalties, all in the name of these times not being important anymore." Mr de Bruyn said.

Mr de Bruyn said that employer groups have for too long pushed the misconception that modern awards don't reflect the modern retail or fast food industries.

"The reality is that we have modern awards that allow for extended hours of trading, often at equivalent or lower costs than before award modernisation. We know this, the employers know this, but they continue to blur the facts and say that penalties for evening and weekend work are out-dated." Mr de Bruyn said.

"They say that people want to work evenings and weekends. They say people would still work evenings and weekends if the penalties were lower. But who have they asked? Certainly not their employees who usually only choose to work these unsociable hours if they are adequately compensated for them."

Mr de Bruyn said academic findings and recent polls make clear that the majority of Australians believe that penalty rates for evening and weekend work are fair, reasonable and relevant.

"Australians know that their evenings and weekends are important. And what Australian workers know is proven by academic research which shows that working evenings and weekends continues to be unsociable, continues to impact upon people's ability to take part in family and social occasions, and should be compensated accordingly." Mr de Bruyn said.

“So we’ve upped the ante and asked a number of experts about the impact of working late nights and weekends, about the importance of weekends and about the critical role that penalties play in maintaining the safety net for those who work these unsociable hours.” Mr de Bruyn said.

Mr de Bruyn said the SDA had commissioned four independent experts to examine the impact of working late nights and weekends. The research findings prove:

- There are adverse effects of working evenings, Saturdays and Sundays on employees, their families and the wider community
- Weekend and evening work continues to have an effect on people’s time with significant others, and can therefore still be regarded as unsociable
- Lower paid workers are both less likely to have control over the hours they work or to choose to work evenings, Saturdays and Sundays voluntarily
- More time is spent on the weekends in rest, recreation, family, social and community activities than during the week

Mr de Bruyn said while penalty rates were the first issue to be addressed by the Full Bench, employers are also seeking to erode more and more workers’ entitlements in the next stages of the review, with minimum shift length, regular rosters for part timers and travel allowances among the targeted entitlements. Other attacks on entitlements proposed by employer groups include:

- Reduction in casual loading from 25% to 23%, for retail, fast food and hairdressing workers
- Reduction of the base rate for retail and fast food workers, to 90% and 78% respectively
- Taking away rest breaks for workers doing 4 hour shifts
- Split shifts for full time workers
- Introduction of piece rates for fast food drivers

“As we prepare to defend penalty rates and overtime, we’re also preparing our defence of these other fundamental entitlements for workers.’ Mr de Bruyn said.

The SDA is the largest union in Australia, representing over 212,000 employees nationally. The majority of its members are young people and women working in the retail, fast food, warehouse, drug and cosmetic manufacturing and distribution, hairdressing, pharmacies and modelling industries.

A press conference to discuss the SDA’s defence of penalty rates in Fair Work Australia will be held on Wednesday 10th October at 11:00am.

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