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## Low-paid workers the winners as Fair Work Commission rejects business bid to scrap penalty rates

Australian workers' right to be paid a decent wage for working unsociable hours has been reinforced with the Fair Work Commission today comprehensively rejecting an employer push to scrap penalty rates.

ACTU President Ged Kearney said the decision in the retail, fast food and hairdressing sectors was a major win for low-paid workers who depended on penalty rates to compensate them for being required to work weekends or at night.

The full bench of the Fair Work Commission rejected twelve applications from employer groups which sought to remove or reduce more than twenty-five penalty and overtime entitlements for many of Australia's lowest paid workers.

"This is a victory for workers in these industries and a strong demonstration that penalty rates remain a key part of Australia's industrial relations system," Ms Kearney said.

"Employers have tried to demonise penalty rates, but the Fair Work Commission has found today that they did not have the evidence to back up their campaign."

"Employers didn't substantiate their claims that people would still work evenings and weekends if the penalties were lower. They could not back up their argument that modern awards don't reflect the modern retail or fast food industries."

"Working late nights or week-ends is still a sacrifice for workers, particularly those with families and penalty rates must remain to reflect this. Removing penalty rates would effectively be a pay cut for 500,000 low-paid workers."

"With millions of Australian workers in insecure forms of work, penalty rates are more important than ever for casual and low-paid workers struggling to pay the bills."

"The union movement will continue to fight this push by employers to get rid of penalty rates because it will take money from the pockets of some of Australia's lowest-paid workers".

The Fair Work Commission noted in its decision that a high proportion of workers in retail, food and accommodation were low paid and they had a high reliance on their pay being set by awards.

Ms Kearney said the decision came on top of last week's announcement by Prime Minister Julia Gillard to provide additional protection for penalty rates in the Fair Work Act.

"This additional protection is important because of the unrelenting attempts by employer groups to strip Awards of penalty rates. The Commission was right to point out that many of the claims employers made to support getting rid of penalty rates were completely without evidence.

"It is now up to Tony Abbott to tell us where he stands on this issue, and whether he will vote to protect penalty rates into the future."

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