

Fair Work Act 2009
FAIR WORK COMMISSION

s. 156 - 4 yearly review of modern awards

AM2017/40

**4 YEARLY REVIEW OF MODERN AWARDS – HAIR AND BEAUTY
INDUSTRY AWARD 2010 – PENALTY RATES**

WITNESS STATEMENT OF KELLY BROOKS

I, Kelly Brooks, of [REDACTED], hairdresser,
STATE as follows:

Employment

1. I started working as an apprentice hairdresser in Western Australia in 1997. I completed my apprenticeship in 2002 and have a Certificate III in hairdressing.
2. I have worked at around ten different salons in Western Australia since 1997.
3. I have worked for so many different salons over the years because I tend to get frustrated about my working conditions and start looking for a better opportunity.
4. I have worked for a business called The Confessional Hair - Broome since December 2017. There are two senior hairdressers and an apprentice who work at this salon.
5. I am a full-time employee and am classified as a Hair and Beauty Employee Level 3 under the Hair and Beauty Industry Award 2010. I am paid according to the minimum conditions in the award.

Apprenticeship

6. I completed my hairdressing apprenticeship from 1997 to 2002. I had some time off during this period which is why it took more than the usual apprenticeship period of four years.

7. I relocated to undertake the apprenticeship because it wasn't achievable in the regional area that I grew up in. This meant I had to live independently from a young age and survive on very low wages. I remember earning around \$6 per hour during my apprenticeship.
8. I generally had to attend coursework one day per week. I initially did this at a TAFE but then transferred to a private college. I had no driving licence and would catch three buses and a train to get to the training.
9. These were difficult years for me and it doesn't feel fair that I've made the same sacrifices over the years as other people who have undertaken an apprenticeship, but they earn far in excess of what I receive — particularly in male dominated areas like the building trades.

Working hours

10. I currently work a fortnightly roster involving 42 hours of work in one week and 44 hours in the other week.
11. I work every Saturday, every second Sunday and regularly work on public holidays. I also worked on Easter Sunday this year but that isn't a public holiday in Western Australia.

Impact if current penalty rates are reduced

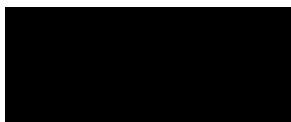
12. I will leave the industry if the current penalty rate of double time on Sundays is reduced. Given I work every second Sunday, a change in the penalty rate from 200% to 150% will significantly reduce my current earnings and will force me to find a better paying job.
13. The impact of a reduction in public holiday penalty rates will not be as dramatic because they are infrequent but any reduction to my current annual earnings will increase financial pressure for me – there is not much margin in my current budget.
14. I don't think my current earnings are fair given I have undertaken an apprenticeship and perform a responsible job that involves regular physical contact with people while using sharp instruments and working with powerful chemicals.

15. Whenever I work on Tuesdays I am the only employee in the salon. Last Tuesday I counted 37 times that I had to attend to customers at the front desk and 23 phone calls that I took. This is obviously in addition to my regular hairdressing duties.
16. If my current earnings go backwards I will not consider it viable to continue working as a hairdresser and will seek other employment. I previously did administrative work in the mines for four years and the attraction with that was obviously the better pay rates.

Improvements for the industry

17. ~~The hairdressing industry should be looking to move forwards and improve current practices rather than reducing conditions for already low paid employees.~~
18. I have observed a steady decline in the regulation of the industry over the last 20 years.
19. For example, a Hairdressers Regulation Board used to exist in Western Australia and I think this was removed in 2003. The Board used to regularly send representative to salons to make sure everything was being done correctly. This type of monitoring does not occur anymore. I think standards and working conditions are dropping as a result.
20. ~~I think there is currently a gender discrimination issue in the hairdressing industry because employee earnings are far below male-dominated trade occupations. Given this, I can't see how a reduction in the current conditions which would broaden the gap with these male-dominated industries can be justified.~~

SIGNED:



KELLY BROOKS

DATE: 28/05/2018