



**Professionals
Australia**

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31 October 2017

Mr Joshua Martin
The Associate to Vice President Catanzariti
Fair Work Commission
Melbourne Registry

By Email: chambers.catanzariti.vp@fwc.gov.au.

Dear Mr Martin

S156 – 4 yearly review of modern awards

AM2016/31 Health Professionals and Support Services Award 2010 – substantive issues

We refer to the above matter and now enclose the Witness Statement of Mr Michael Morgan in support of the Association of Professional Engineers Scientists Managers Australia (APESMA)'s application to vary the Health Professionals and Support Services Award 2010 pursuant to section 156 of the Fair Work Act 2009 (Cth).

Please do not hesitate to contact our Michelle Anthony on 0401 935 064 if you wish to discuss this matter.

Yours sincerely


Michelle Anthony

National Legal Officer

**Professionals Australia (also known as The
Association of Professional Engineers
Scientists and Managers Australia)**

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Fair Work Act 2009

s.156—4 yearly review of modern awards

(AM2016/31)

**HEALTH PROFESSIONALS AND
SUPPORT SERVICES AWARD 2010**

Section 156 – 4 yearly review of modern awards

WITNESS STATEMENT

MICHAEL MORGAN

1. I, Michael Morgan of [REDACTED] am the Managing Director of Amigos: Interpreters & Translators, a business owned by the Company BGM AMIGO'S PTY LTD (606 098 891).
2. Amigos: Interpreters & Translators is an interpreting and translating agency. We employ approximately 210 interpreters throughout Tasmania on a casual basis. We also employ 2 interpreters full time and 8 interpreters in contract positions from 0.25 to 0.8 full-time. The non-casual positions are across our major demand languages being Persian, Nepali, Mandarin and Amharic. We also expect to add another 5-8 contract positions (again from 0.2 to 0.8) over the next 12 months in the languages of Tigrinya, Arabic, Burmese, Hazaragi and Cantonese. I estimate that 70 to 80% of the interpreting work our employed interpreters perform is in the health industry.
3. We casually employ 5 translators and engage 40-50 translators as independent contractors (as the manner in which their work is performed is more suitable to an independent contractor arrangement where they set the price and send us an invoice for each job undertaken. We do not set the price/payment except for our employed translators).

4. I support the application by the Association of Professional Engineers Scientists Managers Australia to vary the Health Professionals and Support Services Award 2010 (the Award) to include NAATI accredited/recognised Translators and Interpreters in the List of Common Health Professionals found in Schedule C to the Award. I understand the effect of the variation would be to make the Award an occupational award for NAATI accredited/recognized translators and interpreters, whereas currently it is an industry one for that class of workers. I also understand that if the application is successful in making the award an occupational award for translators and interpreters, the interpreters employed by Amigos: Interpreters & Translators will be covered by the award for all interpreting jobs they perform, regardless of whether those jobs are in the health industry or another industry.

5. Our interpreters can perform up to 3 interpreting jobs for 3 different clients in the one day, some within the health industry and some in a different industry (for example a legal environment, a drivers licence test, a child care centre). If there was one award which governed the minimum conditions of employment covering all employed NAATI accredited/recognised interpreters regardless of the industry in which they were working, it would be a positive for our business. This is because we would be able to operate as a business in the confidence that there was one legal instrument dictating the minimum terms under which we must employ our interpreters and translators regardless of the industry, while having the certainty that our competitors would also be bound to employ in accordance with the same instrument. Also, it would be easier administratively, only having to keep track of the one award in ensuring the business is complying with its obligations under employment laws. I am not aware of any other award that currently covers the translators and interpreters employed by Amigos: Interpreters & Translators.

6. I consider NAATI accredited/recognised interpreters and translators to be professionals and I support their inclusion in the List of Common Health

Professionals. Most practising interpreters and translators are tertiary qualified and NAATI accredited. Amigos Translate has supported (financially and otherwise) many of our employed interpreters to achieve their NAATI training and accreditation. All of the interpreters and translators employed by Amigos Translate are required to comply with the AUSIT Code of Ethics and Conduct under the terms of the employment agreements.

Association of Professional Engineers Scientists Managers Australia (APESMA)

31 October 2017