

Australian Consumer and Competition Commission (ACCC)

GPO Box 520,

Melbourne VIC 3001

By email: adjudication@accg.gov.au

30th April 2014

RE: Association of Professional Engineers, Scientists and Managers Australia (APESMA)

Application for Authorisation A91402

To Whom It May Concern,

In principle, ezispeak™ supports the application for authorisation A91402 made by APESMA on behalf of its members.

Our support is based on the understanding that this authorisation relates to APESMA collectively negotiating fair and equitable standards for appropriate remuneration and conditions on behalf of its current and future members at an industry level. It is also our understanding that participation is voluntary should negotiations prove to be commercially unviable.

AN OVERVIEW OF EZISPEAK

ezispeak™, founded in 2011, is a small to medium business providing on demand interpreting services for organisations within the public and private sectors which provide services to the consumer market.

While the company engages language practitioners as independent contractors, the framework which governs our workforce model seeks to ensure compliance with statutory obligations as well as meet (and in some cases lead) best practice standards for remuneration and workforce conditions. This framework forms the core of the business' vision - to deliver true interpreter accessibility to our customers whilst providing fair and equitable conditions for our workforce.

OUR VIEW ON LIKELY PUBLIC BENEFITS

The provision of language services should be viewed by the private and public sector marketplace as an essential communication tool. Based on the nature of an organisation's operating environment, the need for an accredited interpreter is amplified where there is significant risk to public safety (health, mental health, legal or financial) or general overall wellbeing (i.e. social inclusion, welfare).

Given the importance of services provided by interpreters, we view collective bargaining as a positive step towards arresting current issues within the workforce and in turn, improving supply chain conditions.

This process may lead towards reducing the disenchantment of a workforce which for many years has had little influence in exercising any power over its payment scales and conditions.

In our opinion an authorisation may assist to:

1. Stem the apparent attrition of language practitioners as well as maintain and increase the number of professional interpreters available.
2. Improve current workforce engagement practices of the market place.
3. Improve the professionalisation of the language practitioner workforce.
4. Provide the consumer with a better quality of service at less cost.

It is the view of ezispeak™ that the professionalisation of the workforce requires a multidisciplinary approach ensuring an optimal end result where language practitioners are regarded as professionals in their own right and are compensated accordingly. This can only be achieved if the industry collectively works together through a process of collaboration to develop a set of equitable standards for the workforce. We are agreeable to work with APESMA and industry to achieve such a result.

EFFECT ON COMPETITION

It is our view that the proposed authorisation may have a positive effect on competition, not lessen it.

This view is based on how most interpreters are compelled to work for what could be seen as substandard conditions imposed by some of the largest providers of interpreting services within the Australian market, two of which are owned by the Commonwealth and Victorian State Government. Coincidentally, as can be seen from the submissions provided to the ACCC prior to the draft determination, it is these same providers which are opposed to any collective bargaining arrangement for interpreters and translators, stating that such a move will increase their costs. This could be interpreted as a desire not to reduce profitability which in turn would affect dividends payable by these Government agencies.

Over the past 18 months, the market has witnessed a shift in procurement processes at both a State and Federal Government level which may be construed as 'anti-competitive conduct', where government owned providers are effectively regarded as the 'exclusive supplier' of language services to State and Federal Government departments and agencies. This is reflected in the ACCC draft determination where the view of APESMA highlights that the Commonwealth provider is the major supplier to the Federal Government, and Victorian Government owned provider controls 80% of the Victorian Government market (see clause 39, Relevant area of competition).

Consequently, the current state of the conditions of translators and interpreters could be largely attributed to conditions imposed by such monopolies which exist in the market. This conduct has effectively lessened competition in what should be an open, competitive market place and in turn, has created an adverse effect on the workforce required to deliver the services.

If APESMA is successful in collectively bargaining on behalf of its members, this may prompt the market to transition away from inefficient legacy business models, leading the market to become more competitive based on innovation and not solely on price.

IN SUMMARY

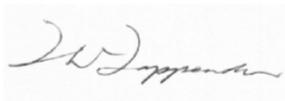
While we understand this submission is specific to the authorisation of APESMA to collectively negotiate on behalf of its members for the next five years, we view the issues related to competition as a material matter for consideration based on the current landscape of the language services market and the effects that monopolies have on the workforce and the broader market place.

ezispeak™ was founded on the basis of wanting to develop best practice standards in both workforce engagement and service delivery for the provision of interpreting services. Our current business model has proven this can be achieved by working collaboratively with both contractors and buyers of the services. Therefore, from our perspective, we view the ACCC authorisation as a positive step in the right direction for the industry, for ezispeak™ and for the most important asset of the business, our interpreters.

For the reasons above, we support APESMA's application for authorisation.

We would welcome the opportunity to meet with the ACCC to further discuss any of the above.

Yours Sincerely,

A handwritten signature in black ink, appearing to read "T. Tappenden".

Trevor Tappenden
Chairman