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**To:** [Sautelle, Christopher \(SEN\)](#)  
**Cc:** [Phil Elsley](#)  
**Subject:** Senate Legal & Constitutional Affairs Committee - Inquiry into Australia's temporary skilled visa system  
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Hi Christopher,

The ETU must be getting pretty desperate writing outright lies about the reality of the situation which they are commenting on involving us in their submission to the committee.

The facts are as follows:

This particular car stacker was the first of its kind to be installed in Australia, hence the very definite need to have technicians from the factory who were experienced with installing this type of machine. The comment raised by the ETU in their submission that car stackers are common in buildings these days – which of course they are, but to liken this particular machine to every other car stacker is utter nonsense. The common stackers the ETU is referring to have one layer/level of cars below ground, one layer of cars on the ground level, and one layer of cars above ground. This machine had two layers below ground in one part, and three layers below ground in another part with three layers of cars above ground. Hence the design, structure, and installation was completely different from the common one level below ground machines. If you have a technical person in the committee we would be happy to run through the many differences between the common stackers and this particular stacker. We had installed hundreds of common car stackers all around Australia at the time, and **ALL** had been installed by local labour. But this one was 100% unique. Even today you will not find this type of machine on any public website – not even ours, as it was and still is today a very specialised machine. We have not installed another like this to date, and have none like it on our list of future installations.

And the outrageous lie that the installers were living in the basement of the building is contemptible. While the factory supplied the installers as part of our contract, our obligation was to house them, look after their meals and local transport and insurance. For the short time they were here – before the ETU corralled them up and effectively had them removed from the site – they were staying at \_\_\_\_\_ in a home stay. The operator was a Mr \_\_\_\_\_.

\_\_\_\_\_ . He provided their morning and evening meals also. We have car rental receipts, accommodation receipts, additional food and meal receipts which were separate to those provided by \_\_\_\_\_. ...you name it we have it. So how desperate are the ETU to fabricate a stupid lie like this which is so easy to disprove – just to bolster what appears to be a very weak case. The ETU also clearly understood the machine was unique because (a) they allowed three of the technicians to remain and instruct local workers on how to assemble the machine [so long as they didn't touch a tool], and (b) they did not have any union member who was prepared to tackle the installation without expert help and guidance. If the stacker had been as common as they claimed, their union installers would have installed it as easily as our local workers install common car stackers.

We must also point out that the technicians who were sent by the factory were mechanical installation technicians – not electrical technicians. We engaged a local electrical company to carry out the electrical installation of the stacker, as that part of the installation was like any other common stacker.

I'm sure there might be companies who have attempted to port their system and bring in cheap labour, but Hercules is definitely not one of them and we proudly support both Australian jobs and local industry.

Regards

**Terry Smith**

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