

CLIENT ALERT

Changes to WorkChoices

Parliament has recently passed changes to the Federal Government's WorkChoices legislation.

Amongst those important changes is the introduction of the fairness test which requires that fair compensation be paid where protected Award conditions are to be removed or modified in workplace agreements. Upon lodgement of a workplace agreement, the Workplace Authority (formally the Office of the Employment Advocate) will review workplace agreements by applying the fairness test. If it is found that an agreement is unfair then the parties will be advised accordingly allowing further time for the agreement to be adjusted. If those changes are not made within a 14 day period then the agreement will lapse and the employee subject of the agreement will be governed by the relevant industrial instrument i.e. an Award that would have governed the employment had the workplace agreement not been made.

A further amendment now requires employers involved in the Federal Industrial Relations System to supply a Workplace Relations Fact sheet to all employees. New employees must receive the Fact sheet within 7 days of commencing employment. Current employees must be provided with Fact sheet by **20 October 2007**.

A copy of the Workplace Relations Fact sheet is **attached** to this email. The Fact sheet highlights the fairness test and minimum entitlements due to all employees.

If you have any questions please contact Bruce Butler or Sean Millard. The Workplace Relations Fact sheet may also be accessed at www.workplaceauthority.gov.au.



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Bruce Butler provides a wealth of experience in advising and acting for self insurers. He advises on the viability of self insurance and drafting of applications. He has expertise in the handling of self insurance claim portfolios, including compliance and management issues. He acts in industrial relations and employment law matters as well as occupational health and safety prosecutions.



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