

Employment & Industrial Alert

January 2008

UPDATE ON NEW GOVERNMENT'S POSSIBLE INDUSTRIAL RELATIONS LEGISLATION

Further information has come to hand about possible inclusions in the new Government's industrial relations legislation. It is anticipated that a transition bill will be introduced to Parliament in February. The following points update our 29 November 2007 information:-

1. The previous Government's fairness test fact sheet will be addressed by employers being expressly released from the obligation to hand out those fact sheets. Of interest, the Workplace Ombudsman has reported that it has issued no fines nor investigated any employers who have breached that particular law. There was the provision that employers could be fined \$100.00 per employee for failure to hand out the fact sheet.

Of further interest though is that the previous Government's fact sheet will be replaced by a new one to be introduced by the new Government. Employees will have to be provided with a Fair Work Information Statement. This document contains prescribed information about rights and entitlements of employees. At this stage it is not known how the provision of that Information Statement will be enforced.

2. The Government has had to address the issue of workers formerly employed under State Awards with previous Awards due to expire in March 2009. The Government's timetable of having a safety net starting in January 2010 means that there has been an extension of the operation of these NAPSAs (Notional Agreements Preserving State Awards). The new Government's Award simplification process is not due to finish until 2010 and there has been an extension of time for the workers formerly employed under State Awards – who were supposed to move onto Industry-wide Awards when the temporary agreements expire. Obviously further information will come to hand about the treatment of these Awards, given the Awards simplification process.

We will update the information as it comes to hand about the new legislation.

For all your information concerning employment and industrial matters, please do not hesitate to contact Christopher Campbell at the firm on 3223 6403.