

June 2008

EMPLOYMENT & INDUSTRIAL RELATIONS UPDATE**Draft Industrial Relations Bill to be available in October 2008**

At the Workplace Relations Ministers' Council ("WRMC") meeting held in Brisbane late last week, Deputy Prime Minister and Workplace Relations Minister Julia Gillard, MP gave an assurance that the draft legislation of the substantive bill to replace WorkChoices will be made available in October.

Closer to a National Industrial Relations Framework

The WRMC endorsed the following set of principles to guide the States and Territories to a national industrial relations framework:

- . All governments endorse Forward with Fairness as providing the basis of a modern, fair and flexible workplace relations system;
- . All governments commit to a uniform and stable national workplace relations system for the private sector built on the following 'pillars':
 - . a strong, simple and enforceable safety net of minimum employment standards;
 - . genuine rights and responsibilities to ensure fairness, choice and representation at work, including the freedom to choose whether or not to join and be represented by a union or participate in collective activities;
 - . collective bargaining at the enterprise level with no provision for individual statutory agreements;
 - . fair and effective remedies available through an independent umpire;
 - . protection from unfair dismissal;
 - . seamless service delivery arrangements; and
 - . cooperation between all governments in the development and implementation of a national workplace relations system.
- . States will be able to elect if and how they opt into the national system. Additionally, it will be open to States to include specific issues and/or particular areas in the national system beyond those currently covered;
- . The WRMC will oversee the operation of a national workplace relations system; and

- Consistent with the commitment to a uniform and stable national workplace relations system, all governments committed to developing a governance arrangement to deal with any proposal to amend legislation after 1 January 2010 when the new workplace relations system commences operation. Under such a system, amendments would have to be consistent with the 'pillars' of the new system or they will jeopardise the continuation of the uniform national workplace relations system for the private sector and may lead to costs that require compensation.

Workplace Law Fact Sheets Updated for Transition Act Changes

Australia's Workplace Ombudsman has released an updated catalogue of fact sheets in line with recent changes to federal workplace legislation, *Workplace Relations Amendment (Transition to Forward with Fairness) Act 2008*, making it easier for employers and workers to meet their workplace obligations, now available on the Workplace Ombudsman's website website at www.wo.gov.au.

HOW DOES THIS AFFECT YOU?

- **We expect to see draft legislation to replace WorkChoices in October.**
- **All State Governments are to commit to building a uniform and stable workplace relations system for the private sector.**



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