



# Law at Work Alert

Devine Law at Work

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## FEDERAL WORKPLACE LAW REFORM - BILL TO BE INTRODUCED INTO FEDERAL PARLIAMENT TOMORROW

Tomorrow the Federal Government will introduce a new workplace relations Bill into the Federal Parliament. When passed, this Bill will become a new comprehensive Act, replacing the *Workplace Relations Act 1996* (the Act). It will represent the biggest change to federal workplace legislation in 12 years and will impact on all Australian Company employers.

Touted as amounting to a roll-back of Work Choices, the reforms proposed by the Federal Government are essentially a mix of pre-Work Choices provisions, key features of Work Choices which have been retained and some entirely new provisions.

### What's Ahead

In March 2008 the Federal Government commenced the implementation of the initial stages of its workplace law reform agenda by abolishing the making of new Australian Workplace Agreements and by instituting an award modernisation process to be conducted by the Australian Industrial Relations Commission. The introduction of the new Bill tomorrow will signal the commencement of the implementation of the bulk of Federal Labor's workplace reform agenda. In addition to a general re-organisation of the Act, the key areas of reform will impact on:

- awards – simplified 'modern awards' will commence on 1 January 2010;
- workplace bargaining – employers will be obliged to engage in 'good faith bargaining' from 1 July 2009;
- unfair dismissals – a new simplified system will be introduced commencing on 1 July 2009 and eligibility to make such claims will again be extended to employees of employers with more than 15 employees (currently limited to employees of employers with more than 100 employees);
- National Employment Standards for all employees the subject of the federal system (e.g. Company employees) will commence on 1 January 2010;
- the establishment of Fair Work Australia institutions on and from 1 January 2010: Fair Work Australia (awards, agreements, good faith bargaining orders, unfair dismissal and wages); Fair Work Australia inspectorate (compliance and enforce-

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Devine Law at Work is in the business of *helping people work together for better results*. We are a law firm and consultancy which specialises in Australian employment law and workplace relations.

We are a multi-disciplinary practice which integrates skills and expertise in: workplace law; legal education; communication (including negotiation, conflict resolution and facilitation); workplace systems and business development.

We provide services in: advice; legal representation; legal education; negotiation; conflict resolution; systems development; legal health checks and workplace investigations.

We invite you to find out more about Devine Law at Work from our website [www.devinelaw.com.au](http://www.devinelaw.com.au)

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### *Workplace law reform continued*

ment and, Fair Work Divisions in the Federal Court and Federal Magistrate's Court (enforcement, including matters arising under a common law contract which relate to matters in the NES and in modern awards) and small claim procedure).

The Australian Industrial Relations Commission, the Australian Industrial Registry; the Australian Fair Pay Commission and Secretariat, the Workplace Authority and Workplace Ombudsman will all be abolished and will cease to operate from 31 December 2009. The Australian Building and Construction Commission will also be abolished and cease to operate from 31 January 2010.

**DO YOU HAVE ANY QUERIES OR WOULD LIKE TO KNOW MORE?** Getting your questions answered and finding out more is just a phone call or email away. Please see our contact details above and below.