

Update on changes to industrial relations legislation

“The Workplace Relations policy Labor announced before the election is the policy Labor will deliver in government”. Hon Julia Gillard, Deputy Prime Minister and Minister for Employment, Workplace Relations, Education, and Social Inclusion.

Dec 3, 2007

The Labor policy specified December 1st 2007 as the date from which AWAs could no longer be lodged, and would be replaced by Individual Transitional Employment Agreements (ITEAs) for those employers who had existing AWAs currently operational.

Prime Minister Kevin Rudd, on the Sunrise program (Dec 3) stated that “the laws of the day will remain as they are now through until the introduction of our transitional bill.”

The election date may have been later than expected when the Labor policy was written, so the transition timelines may be adjusted in the legislation, as per the Prime Minister’s statement, or not, as per the Deputy Prime Minister’s Statement.

Remember - only those businesses that have AWAs lodged will be able to lodge ITEAs.

Real estate commission-only sales people who sign the AWA created and lodged by SBU (a division of Haycroft Workplace Solutions) are also asked to sign a statutory declaration that they are experienced, as per the requirements of the current legislation. This provides security for the principal that the salesperson will be productive. Probationary salespeople may have to be paid the offset but, if not closely managed, they may lose leads, not generate income, and take up a lot of management time. Use this offset obligation as your tool to increase productivity within your business.