



# Employment Law Update

May 2009

## >>Award modernisation



The Australian Industrial Relations Commission is continuing with the complex process of rationalising, simplifying and nationalising the award system. It is sticking to a firm

and detailed timetable which should see the process of award modernisation completed by the end of this year with a view of modern awards coming into effect from 1 January 2010, affecting most private sector employees below managerial level.

Award modernisation is filling in gaps between awards, rationalising the layout and language of awards, and standardising award provisions as far as possible. In the process of setting one national standard, it is also evening out wage rates for each industry and occupation across the country. There are winners and losers from this process: in some cases, for example, NSW rates go down to match standards in the rest of the country, while some casual loading rates go up in NSW for the same reason.

The first issue for an employer considering new modern awards is whether there is an industry award applicable to the business (which may include streams for clerical, warehousing, operations and technical staff) or whether different occupational awards may apply. This requires careful consideration of your business and the coverage provisions and classifications in the modern awards.

All employers will need to be aware of the modern awards relating to their industries or occupations and to prepare for any necessary changes.

For further information or to obtain copies of the following documents contact Stephen Booth or Anna Ford.

- *Modern awards: 3 April 2009*

- *Award Modernisation: Industries/Occupations in Stages 3 & 4*

- a) a list of the finalised modern awards released so far by the AIRC in stages 1 and 2 of the process;
- b) lists of the industries and occupations to be covered in stages 3 and 4 of the award modernisation process, with the expected dates for publication of exposure drafts and final modern awards.

If you need assistance obtaining copies of draft modern awards relevant to your business, or working out which awards might apply to you, or about changes in award conditions relevant to your business and how to respond, contact:

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