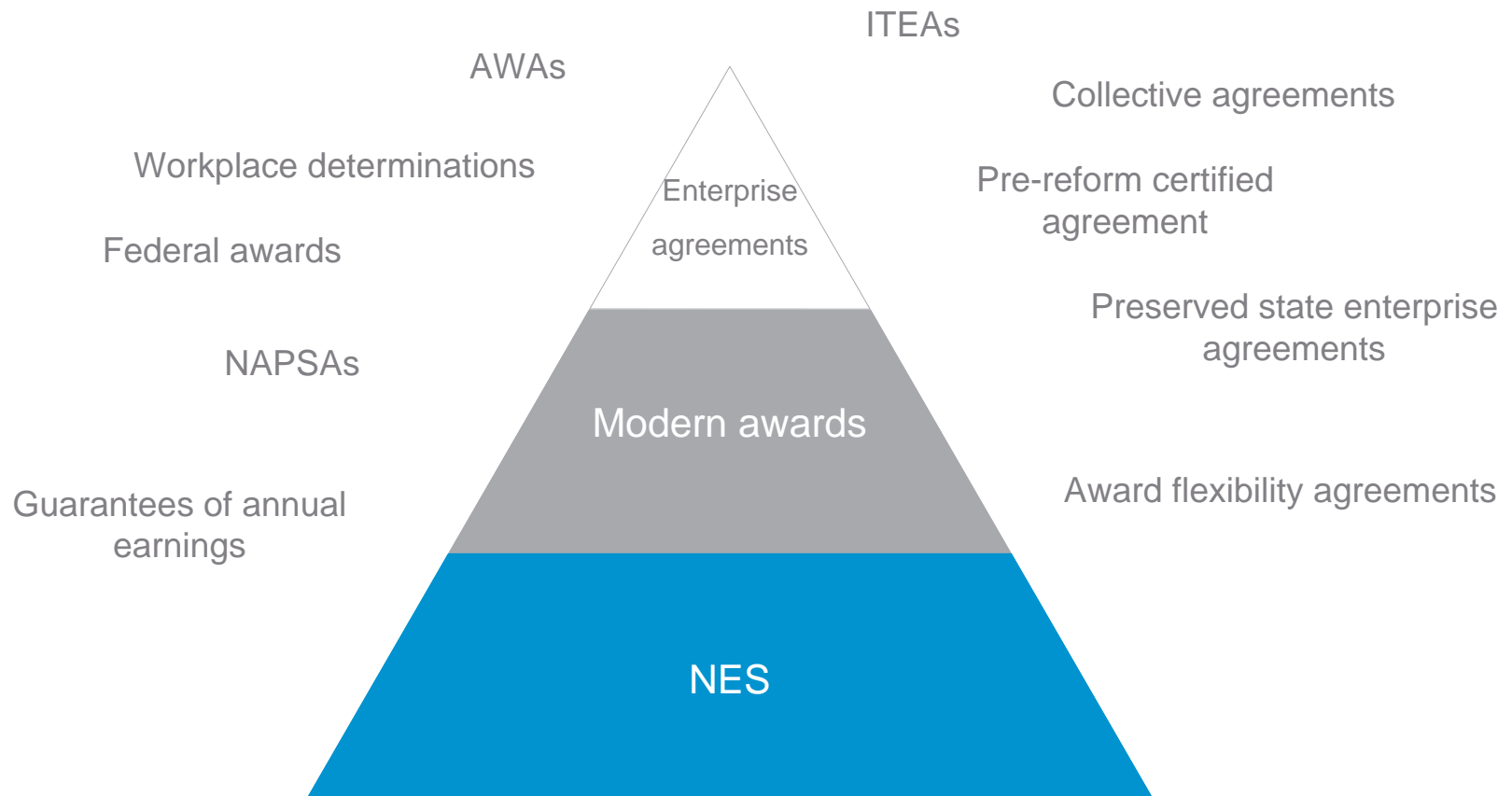


## Are you ready for 1 January 2010 ?

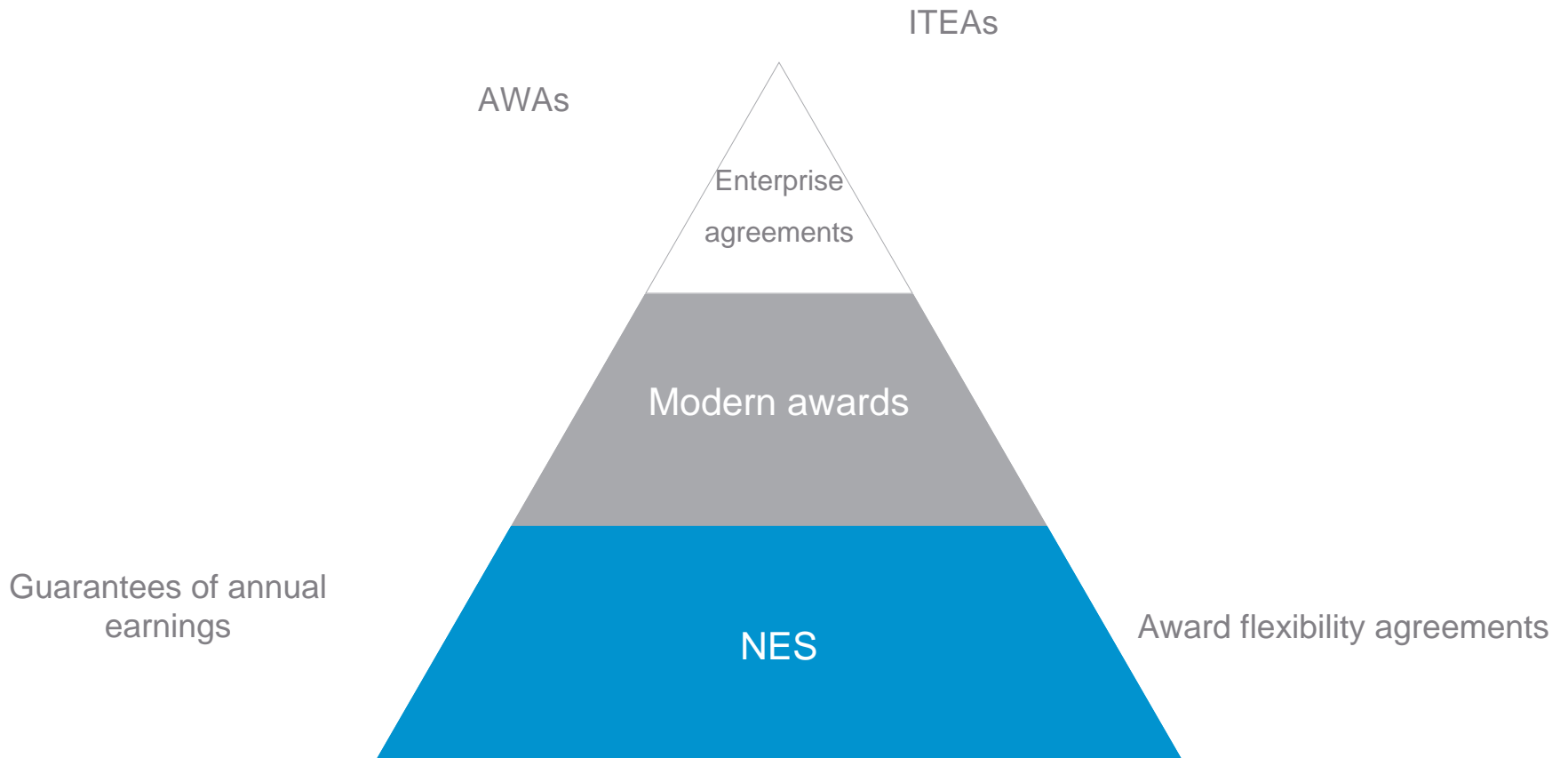
Paul Almond and Maree Skinner



# Overview



# Overview



# National Employment Standards



- 
- Maximum weekly hours
  - Requests for flexible working arrangements
  - Parental leave
  - Annual leave
  - Personal/carer's leave
  - Community service leave
  - Long service leave
  - Public holidays
  - Notice of termination and redundancy pay
  - Fair work information statement

# To do list

- 
- Make decisions about company approach
  - Amend contracts of employment
  - Amend HR policies
  - Prepare new HR policies
  - Prepare other HR forms and agreements
  - Review existing collective agreements
  - Adjust payroll
  - Communicate with employees

# Contracts of employment

- 
- Hours of work
  - Annual leave
  - Notice of termination
  - Redundancy pay

# Existing HR policies

- 
- Parental leave
  - Annual leave
  - Personal/carer's leave
  - Jury service
  - Redundancy

# New HR policies



- 
- Community service leave
  - Public holidays
  - Flexible work arrangements



- 
- Part time
  - Job-share
  - Working from home
  - Altered start and finish times
  - Compressed hours, eg working 5 days in 4
  - Weekly hours worked at flexible times
  - Annualised hours
  - Purchasing additional annual leave
  - Breastfeeding/lactation breaks

- 
- Additional cost
  - Impact on customer service
  - Inability to re-organise work load
  - Difficulty in recruiting additional staff
  - Impact on work performance/quality
  - Insufficient work during proposed work hours

# Flexibility?

“We are always willing to be flexible .....  
but only under certain, limited, clearly defined  
circumstances”



# Agreements about flexible work arrangements



- 
- Clearly defined arrangement
  - Trial period
  - Permanent/temporary
  - Right of review
  - Right to revert
  - Impact on remuneration and benefits
  - Impact on KPIS/supervision and performance management

- 
- Form for community service leave
  - Forms for requesting flexible work arrangement/additional parental leave
  - Template annual leave cashing out agreement

# Anything else?

- 
- Review existing collective agreements
  - Adjust payroll system
    - Community service leave
    - Cashing out of leave
    - Payments in lieu of notice
  - Communicate with employees

# To do list

- 
- ✓ Make decisions about company approach
  - ✓ Amend contracts of employment
  - ✓ Amend HR policies
  - ✓ Prepare new HR policies
  - ✓ Prepare other HR forms and agreements
  - ✓ Review existing collective agreements
  - ✓ Adjust payroll
  - ✓ Communicate with employees

## Modern awards

Paul Almond



- Words and concepts
  - Do you remember Work Choices?
  - What is an award?
  - What is a modern award?
  - What is the Miscellaneous Award?
  - What is the new name for state awards?
  - What is the difference between 'covering' and 'applying'?
  - What is a guarantee of annual earnings?
  - What is Fair Work Australia?
  - What is a flexibility agreement?

# What's coming up next?

- 
- How to identify modern awards
  - Work through an example
  - Rules affecting modern awards
  - What do you do next?

# Modern awards



- 
- Banking, Finance and Insurance
  - Building and Construction General On-site
  - Clerks – Private Sector\*
  - Commercial Sales\*
  - Electrical, Electronic and Contracting
  - General Retail Industry
  - Manufacturing and Associated Industries and Occupations \*\*
  - Nurses\*
  - Pharmaceutical Industry
  - Professional Employees\*\*
  - Real Estate Industry (draft)
  - Stevedoring Industry
  - Storage Services and Wholesale
  - Telecommunications Services

# Features of modern awards



- 
- Further shift to federalisation
  - Industry vs occupation
  - Respondent employers not listed
  - No application to EAs, EBAs, AWAs and ITEAs

# Identifying which modern awards DIBBSBARKER

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- Industry of employer
- Classifications in the industry award
- Occupational award
- Status quo instruments
- Miscellaneous Award?

# Example: Lightning Electronics Ltd



Group	Location	Current Instrument, etc	2010
Management	NSW	Award/Agreement free	No change
IT	NSW	Award/Agreement free	Professional Employees
Administration	NSW	NAPSA: Clerical	Clerks Private Sector
	QLD	NAPSA: Clerical	
	WA	NAPSA: Clerical	
Sales	NSW	NAPSA: Commercial Travellers	No change
Technicians	NSW	NAPSA: Electrical Contracting	Modern Electrical
	QLD	State – Based Agreement	No change
	WA	AWAs and ITEAs	No change
Warehouse	NSW	NAPSA: Storemen and Packers	No change

# Industrial instrument operation rules

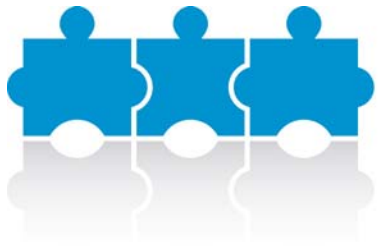


- 
- Modern awards: start on 1 January 2010
  - Old federal awards and NAPSAs
  - EBAs and other collective agreements
  - AWAs and ITEAs

# What next for employers?

- 
1. Prepare a table of your employees
  2. Compare NES and what you do now
  3. Is there anything I need or want to change?
  4. What actions can I take?
  5. What things change?

# QUESTIONS?



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