

# Modern Awards - Friend or Foe?

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**Unless you have been marooned on a deserted island in recent months, it is a fair bet you have heard about the new workplace legislation of which elements came into effect on July 1st, 2009.**

From my experience, hearing about it and understanding it and how it impacts you are two very different things.

The Fair Work Act 2009 creates a new legislative framework for workplace relations, and Fair Work Australia is the independent 'umpire' the Australian Government has established to oversee this new workplace relations system.

So what does that mean? If you have a few spare hours you could wade through the literature which is the Fair Work Act 2009, by visiting: [http://www.austlii.edu.au/au/legis/cth/num\\_act/fwa2009114/](http://www.austlii.edu.au/au/legis/cth/num_act/fwa2009114/)

**However, be warned, it can cause drowsiness!**

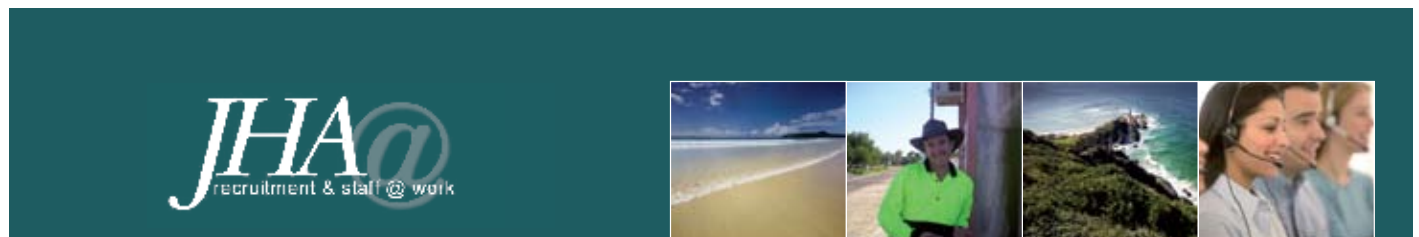
Areas of concern and confusion have arisen over the advent of the new "modern" awards because the award rationalisation process will see numerous

Federal and State Awards reduced in number and across industry and occupational lines. One of the aims in doing this, it is said by the government, is that no employee or employer will be disadvantaged; however reality dictates this may not be possible if for example, an employer finds their industry is covered by an award which has much higher minimum rates for employees. Take for example the Shop Employees Award; it could be expected to safely assume it will fall under the "Modern" Retail Industry Award; however at this stage Fair Work Australia are yet to officially designate which "modern" award it will fall under. It is expected that Fair Work Australia will concentrate on finalising a dozen or so such critical "modern" awards as soon as possible, but the current deadline for publishing the rationalised awards remains Jan 1st, 2010.

It will be interesting to see if the modern awards will be easier to follow and less open to interpretation than the old awards.

So will modern awards be the workplace reform many have been seeking, or will it be just another variation of the devil we know? Only time will tell, and as the New Year approaches, now may be a good time to review your understanding of the current industrial instrument you use in your business.

Special offer for NRBM Readers: A free 1 hour HR consultancy session during October and November call Jacinta Weir on 1300 800 301 or email: [jacinta@jharecruitment.com.au](mailto:jacinta@jharecruitment.com.au)



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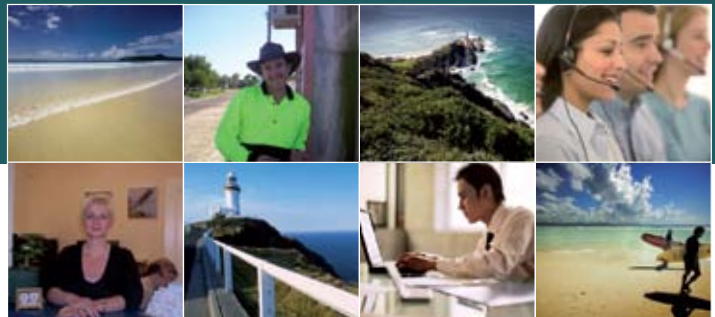
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