

Award Modernisation—Information Now Available

Information designed to assist those involved in the recently begun award modernisation process is now available through a dedicated section on the AIRC website.

The Australian Industrial Relations Commission is reviewing awards in the national system following last month's proclamation of the *Workplace Relations Amendment (Transition to Forward with Fairness) Act 2008*.

The legislation provides for the AIRC to make modern awards in consultation with stakeholders and other interested parties.

Information on the AIRC website now includes:

- a brief overview of the award modernisation process;
- an awards list organised by industry;
- the Australian Government's award modernisation request to the Australian Industrial Relations Commission (AIRC).

Those interested in award modernisation may also wish to subscribe to award modernisation updates through the AIRC's electronic subscriptions service known as **eSubs**—available at www.airc.gov.au/subscription_service/index.htm. (Login, or subscribe for the first time, on the *Subscriptions page* and then click on *Announcement Subscriptions*.)

The awards list provided on the AIRC website includes awards relevant to the award modernisation process—federal awards and state awards currently operating under the national workplace relations system as Notional Agreements Preserving State Awards (NAPSAs).

The awards are classified according to the industries in the AIRC industry panels. The list also includes links to the actual awards.

The AIRC received the Australian Government's award modernisation request on 1 April 2008 following the 27 March 2008 proclamation of the transitional legislation. It is required to complete the process by 31 December 2009.

A dedicated Award Modernisation Team has since been established in the Registry to conduct research and support AIRC members involved in the process.

The *Workplace Relations Amendment (Transition to Forward with Fairness) Act 2008* also made a number of other amendments to the *Workplace Relations Act 1996*. AIRC President Justice Geoffrey Giudice will alter the AIRC Rules, as necessary, to reflect those changes.

For further information on award modernisation go to:

- the award modernisation section of the AIRC website at www.airc.gov.au/awardmod;
- a speech delivered by AIRC President Justice Giudice on 2 April 2008—available at www.airc.gov.au/about/speeches/giudicej080402.doc;
- an AIRC media release issued on 2 April 2008—available at www.airc.gov.au/about/news/releases/080402release.pdf.

Commissioner to Oversee Visa Review

The Australian Government on 14 April 2008 appointed Commissioner Barbara Deegan to oversee a review of the temporary skilled migration program (subclass 457 visas).

Commissioner Deegan, who joined the Australian Industrial Relations Commission in 1996 and is based in Canberra, will take leave from the AIRC for six months to undertake this independent role.

Announcing the appointment, the Minister for Immigration and Citizenship Senator Chris Evans said Ms Deegan would address concerns about the exploitation of migrant workers, salary levels and English language requirements.

She would consult with overseas workers, union and industry representatives as well as relevant Commonwealth, state and territory agencies.

Panel Changes

The panel system—used by the Australian Industrial Relations Commission to administer its case load—has seen a number of significant changes in recent months.

AIRC President Justice Geoffrey Giudice announced that as of 26 February 2008 the number of industry panels would be reduced from five to four and, as a result, there would be some changes to the associated industries' lists. The Termination of Employment and Organisations panels remain.

Under the panel system, members are organised into groups known as panels. Each panel has a panel head and is assigned a list of industries. When an application is received by the AIRC it is allocated to the relevant panel head who then assigns the case to one of the members in his or her panel.

For further information:

- see the new list of panels on the AIRC website at www.airc.gov.au/about/members/panel_list.htm;
- read about AIRC members and the appointment process at www.airc.gov.au/about/members.htm.

Senior Deputy President Marsh Retires

One of the Australian Industrial Relations Commission's most experienced members, Senior Deputy President Jan Marsh, retired on 21 March 2008 after almost two decades with the tribunal.

First appointed in 1989 to the position of Deputy President, she was appointed a Senior Deputy President in 1993 and at the time of her retirement was the most senior woman member of the AIRC.

Throughout her time with the Australian Conciliation and Arbitration Commission, and subsequently the AIRC, Jan Marsh served as an industry panel head, chaired a number of AIRC committees and was involved in many historically significant cases including national wage cases.

A member of the first all-female full bench in 1989, she also played significant roles in the 1994 Family Leave Test Case and the 2002–2004 Redundancy Case. From 2003 to 2005 she conducted extensive conciliation with the parties in the Family Provisions Test Case refining the issues in dispute and achieving agreement on a number of matters.

As the AIRC begins a substantial award modernisation process it is timely to remember the leadership role played by Senior Deputy President Marsh in the award simplification process of the late 1990s and early 2000s. Senior Deputy President Marsh was responsible for the national coordination of award simplification and headed a specialist award simplification panel during this time.

Jan Marsh graduated from Monash University in 1969 after studying for a Bachelor of Economics. She joined the ACTU in 1970 as a research assistant and presented the ACTU's submissions in the 1978 Maternity Leave Test Case—the first woman advocate in the history of the ACTU to present a major test case submission. In 1979 she was promoted to research officer and advocate, during which time she presented most of the ACTU's submissions in national wage and major industry cases until joining the AIRC.

Decisions by Subject

The *Decisions by Subject* list available through the online edition of *AIRC News* is now updated to 4 April 2008. The list features AIRC decisions dating back to 1 July 2007—with hyperlinks to the actual decisions. To access the list go to ww3.e-airc.gov.au/newsletter/decisions.

Archives Exhibitions—Melbourne & Sydney

The Sir Richard Kirby Archives exhibition *Alternative Dispute Resolution and the AIRC*—originally presented at the AIRC's international dispute resolution conference in October 2007—is now on display in the lower ground floor of the AIRC's Melbourne premises, 11 Exhibition Street.

At the same time, a series of photographs from the exhibition *A Day in the Life of the AIRC* is on display at the AIRC's Sydney office, Level 8, Terrace Towers, 80 William Street, East Sydney.

In both states, the exhibitions can be viewed between 9 a.m. and 5 p.m. weekdays, excluding public holidays.

For further information about exhibitions go to the Exhibitions section of the Sir Richard Kirby Archives website at www.e-airc.gov.au/kirbyarchives/exhibitions.

Did you know?

The annual reports of the AIRC and its Registry, dating back to 1997–98, are available online through the AIRC website at www.airc.gov.au/about/annualreports.htm.

Annual reports, which comprise an important historical record of the work of the AIRC and its Registry, include caseload statistics, significant case summaries and financial statements.

The 2006–07 annual reports were tabled in the Australian Parliament on 20 December 2007.

We hope you enjoyed this issue of *AIRC News*. If you have any feedback on this publication or AIRC services please send an email to communications@air.gov.au.

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