

Award Modernisation—First Modern Awards

The first awards to be finalised under the award modernisation process were published on Friday, 19 December 2008. The Australian Industrial Relations Commission (AIRC) created 17 'modern awards' in 11 priority industries and occupations, however, the awards will not come into effect until 1 January 2010.

In a [decision](#) making the awards, an AIRC Full Bench pointed to the historic nature of the task.

The award modernisation process began in April 2008 in accordance with a request by the Minister for Employment and Workplace Relations. The AIRC is required to complete the process by 31 December 2009.

Together with the National Employment Standards, modern awards will provide a safety net of minimum wages and employment conditions for employees currently covered by nearly 2,500 awards.

The priority industries and occupations are:

- Catering industry, liquor and accommodation industry, restaurants;
- Clothing industry (including footwear manufacturing), textile industry;
- Coal mining industry;
- Higher education industry;
- Metal and associated industries, glue & gelatine, rubber, plastic & cabling, vehicle manufacturing;
- Mining industry;
- Private sector clerical occupation;
- Racing industry;
- Rail industry;
- Retail industry;
- Security industry.

The 17 modern awards made by the AIRC will replace some 500 awards that currently cover these industries and occupations.

The award modernisation process is being undertaken in four stages—each of which involves pre-drafting consultations, the release of exposure draft awards, further consultation on the drafts and the publication of modern awards.

With the completion of the priority industries/occupations the focus now turns to Stage 2. Pre-drafting consultations on Stage 2 awards were conducted from 24 November to 12 December 2008 and the exposure draft modern awards in these industries are due for release on 23 January 2009.

Information related to the award modernisation process can be found in the **Award modernisation section** of the AIRC website at www.airc.gov.au/awardmod. This section is updated regularly with documents posted the same day they are received. It includes:

1. General information.
2. Documents and information related to the Full Bench proceedings including timetables.
3. Research by Australian Industrial Registry staff.

For further information about award modernisation look on the AIRC website or send an email to **amod@airc.gov.au**.

Fair Work Australia

Legislation to establish a new, national industrial relations body is currently before the Australian Parliament.

The Fair Work Bill, which was introduced on 25 November 2008, will replace the *Workplace Relations Act 1996* (Cth) and establish a body to be known as Fair Work Australia which will be fully operational by 1 January 2010.

Further information about the legislation including the text of the bill and related fact sheets can be found on the Workplace website at www.workplace.gov.au. Click on the button called Australia's New Workplace Relations System—on the right-hand side of the site.

Wages and Allowances Review

In the Wages and Allowances Review for 2008, a Full Bench of the Australian Industrial Relations Commission **decided** to increase minimum weekly rates in transitional awards by \$21.70 per week.

The Full Bench on 27 August 2008 also decided that wage-related allowances in the transitional and pre-reform awards were to be increased proportionately in accordance with the AIRC's normal principles. The variations came into effect from the first pay period to commence on or after 1 October 2008.

The Wages and Allowances Review 2008 involved applications by seven unions seeking to vary 24 awards to reflect the Australian Fair Pay Commission's 8 July 2008 minimum wage decision of \$21.66.

New Information Materials

Two information packages—the 2007–08 annual reports and an updated video on unfair and unlawful dismissal—were released recently.

The annual reports of the Australian Industrial Relations Commission and the Australian Industrial Registry were tabled in the Australian Parliament on 15 October 2008.

They can be accessed from the AIRC website in the About the AIRC section. The website address is: www.airc.gov.au/about/annualreports.htm.

A new edition of the AIRC's video information package on conciliation of unfair and unlawful dismissal applications is also available.

The video package, which includes a 15-minute video—available in DVD format and online—and a related 12-page booklet, has undergone a minor update including a change of title from *Termination of Employment—The Conciliation Process to Unfair & Unlawful Dismissal—The Conciliation Process*.

The video can be viewed online on the AIRC's website at:

www.airc.gov.au/dismissals/termmovie.htm.

Retirements and Appointments

The number of Australian Industrial Relations Commission members holding primary appointments stands at 39 following the retirement of three members in recent months.

Commissioner Jim Simmonds retired on 1 September, Commissioner Bob Redmond on 29 September and Deputy President Nicholas Blain on 13 October 2008.

Commissioner Simmonds and Commissioner Redmond, both former national union officials, joined the AIRC in 1989 and 1994 respectively, while Deputy President Blain, an industrial relations academic and government adviser, was appointed in 2001.

In a further membership change, the heads of three state industrial tribunals recently received a dual appointment with the AIRC. The three are:

- Judge Peter Hannon, President of the Industrial Relations Commission of South Australia;
- Justice Roger Boland, President of the Industrial Relations Commission of New South Wales; and
- Chief Commissioner Tony Beech of the Western Australian Industrial Relations Commission.

For a full list of the AIRC's primary and dual appointees go to the AIRC website, look under About the AIRC and then AIRC members. The direct link to the list is www.airc.gov.au/about/members/members_list.htm.

Decisions by Subject

The *Decisions by Subject* list available through the online edition of *AIRC News* is now updated to 5 December 2008. The list features AIRC decisions dating back to 1 July 2007—with hyperlinks to the actual decisions. To access the list go to www3.e-airc.gov.au/newsletter/decisions.

Did you know?

The AIRC website features a section dedicated to the award modernisation process.

Under the [Full Bench proceedings](#) tab, you will find statements and decisions of the Award Modernisation Full Bench, the overall timetable for award modernisation and dedicated websites for each of the four stages—accessible from the left-hand menu. When you click on the tab for a particular stage a new menu will open up providing access to documents and information related to that stage.

You can also receive email alerts about award modernisation by subscribing to our eSubs service. at www.airc.gov.au/subscription_service/index.htm.

If you have any feedback on this newsletter please send an email to communications@airc.gov.au.

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