



## Jumping into the new year with Fair Work safety net'

As we head back to work after the Christmas/New Year break next week, many people will find their conditions of employment are now policed in accordance with the Fair Work Act amendments which came into force on 1 January.

The final stages of the Rudd Government's tinkering with the industrial relations systems have been rolled out as the National Employment Standards (NES) and a new look Award system.

The NES are key minimum conditions that all employees covered by the Federal workplace relations system – Pty Ltd companies, sole traders, partnerships and other unincorporated entities – are entitled to receive.

The NES guaranteed conditions (known as the safety net) are:

- public holidays
- long service leave
- annual leave
- personal/carer's leave and compassionate leave: 10 days paid personal/carer's leave, two days unpaid carer's leave as required, and two days compassionate leave as required.
- parental leave: up to 12 months unpaid leave.
- community service leave: unpaid leave for voluntary emergency activities and leave for jury service.
- maximum weekly hours of work
- requests for flexible working arrangements: applies to parents of a child under school age or with a disability.
- notice of termination and redundancy pay: up to 4 weeks notice of termination and up to 16 weeks redundancy pay, depending on length of service of employee.
- Fair Work Information Statement: employers are obligated to give each new employee a Fair Work Information Statement.

The Award system has been revamped to significantly reduce the number of Awards, and accordingly many employees will likely discover the Award under which they are employed will have changed in name at least.

Depending on whether your Award contains transitional provisions, new wage levels may start on 1 January 2010 or may be delayed so that rates of pay and other conditions do not take effect until 1 July.

Whether you are an employer or employee, the New Year will be challenging with the various changes in employment law. The experienced team at Everingham Solomons will be more than happy to assist you with any Fair Work Act queries because *Helping You is Our Business*.



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