



# National Office Bulletin

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## Impact of the Work 'Choices' Bill

### When will the legislation come into effect?

The government has not formally said when *Work Choices* will be enacted. However all the discussion thus far suggests that the bulk of the legislation will come into effect in March 2006.

However, there are some provisions which come into effect as soon as *Work Choices* becomes law – important for some RTBU members is removal of access to unfair dismissal for workers in organisations of less than 100 employees.

On enactment of the legislation, significant impact will be felt by workers who are currently covered by State industrial relations laws. While Federal awards were stripped back to contain only 20 allowable matters following the passing of the *Workplace Relations Act* in 1996, State awards have remained comprehensive. *Work Choices* requires these State awards to be cut-down so they contain only the allowable matters.

Those RTBU members who are already employed in the federal system will not be significantly affected by the legislation until they begin to negotiate a new union collective agreement with their employer.

### What will happen when my current certified agreement expires?

Under *Work Choices*, there is provision that once an agreement which was negotiated and approved under *Work Choices* expires, either party can simply give 90 days notice to the other side that they wish the agreement to end. Once this occurs, those covered by the agreement will not fall back to the relevant award conditions but rather, unless their employer chooses to provide higher wages

and conditions, they will be covered ONLY by the 5 conditions in the *Fair Pay and Conditions Standard*. These are:

1. annual leave (4 weeks; 5 for shift workers, & you can cash out 2 weeks),
2. personal/carer's leave (10 days paid, plus 2 additional unpaid days of carer's leave)
3. parental leave (52 weeks unpaid),
4. maximum ordinary hours of work and,
5. minimum rates of pay (yet to be determined by the new *Fair Pay Commission*).

For RTBU members already in the federal system, because these agreements were certified under the *Workplace Relations Act*, they can only be terminated according to the provisions of this legislation. Therefore you cannot fall back to the 5 minimum conditions – your current conditions will remain until you negotiate a new agreement under the *Work Choices* legislation.

Once that new agreement has been certified under *Work Choices* then the *Work Choices* provisions for terminating the agreement will apply – once this agreement expires, you can be given 90 days notice and then drop to the 5 minimum conditions.

RTBU members whose wages and conditions are currently determined according to State legislation have more complex 'transitional' arrangements governing their move into the federal system.

Most RTBU members have agreements which do not expire for some time yet, and this reflects the cunning of John Howard – he has designed the new legislation so that the full effect will not be felt by unionised workers until after the next federal election.