



FAIR WORK ACT AND MODERN AWARD REVIEW NOW UNDERWAY

19 January 2012

Employer groups and unions have for some time been vocal in advocating for further changes to the *Fair Work Act 2009* (Cth).

The Federal Government announced yesterday that the process for review of the legislation is now underway.

Submissions by interested parties (including employers who have had particular experiences or concerns they are willing to share) need to be made by **17 February 2012**.

The Media Release by the Federal Government encourages the making of 'concise' submissions. It requests that where it is contended the legislation is not operating as intended, the contention should be 'supported by evidence'.

We will be monitoring the review process closely and keeping clients informed of any significant developments as they occur. We have also been discussing with clients the making of or contribution to submissions, particularly around their industrial bargaining experiences.

There is also a concurrent process underway of reviewing all modern awards. Any applications to vary an award must be made by **8 March 2012**.

Employers should consider making an application if there are any errors or inconsistencies in a modern award which may affect the operation of their business. Last year we were successful in having one modern award amended to stop 'double dipping' on penalty rates.

In any event, we would encourage employers to carefully monitor the proceedings relating to any award that applies to their business. During the process there will be changes proposed which may have a significant effect.

CONTACTS

Kathy Reid	Principal	+61 8 9216 7147	kreid@allionlegal.com
Craig Boyle	Senior Associate	+61 8 9216 7158	cboyle@allionlegal.com

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