

## ARE YOU READY FOR 1<sup>ST</sup> JANUARY 2010?

As we near the end of the calendar year, the second round of workplace relations legislative changes will soon be coming into effect.

1<sup>st</sup> July 2009 saw the introduction of the Fair Work Act 2009, bringing with it changes to dismissal, bargaining and agreement making, and union right of entry laws.

On 1<sup>st</sup> January 2010 Fair Work Australia will be rolling out the new workplace relations system's "safety net" to ensure that employees are protected with minimum pay and working conditions. This safety net comprises of two parts: the National Employment Standards (NES) and the Modern Awards.

## NATIONAL EMPLOYMENT STANDARDS

1. *Maximum weekly hours of work*
2. *The right to request flexible working arrangements*
3. *Parental leave and related entitlements*
4. *Annual leave*
5. *Personal / Carer's leave and Compassionate leave*
6. *Community service leave*
7. *Long service leave*
8. *Public holidays*
9. *Notice of termination and redundancy pay*
10. *Provision of a Fair Work Information Statement, which will detail the rights and entitlements of employees under the new system and how to seek advice and assistance.*

## MODERN AWARDS

The Australian Industrial Relations Commission is in the process of finalising its statutory function of the award modernisation process, employers should prepare for some of the changes that will come with Modern Awards.

## WHO WILL BE AFFECTED?

All employers and employees in the national workplace relations system will be covered by a Modern Award.

Employers will need to determine which award applies to their industry and how pay rates and any other terms and conditions of employment might be affected.

In many cases, determining the right award will be relatively straight forward, as Modern Awards have been developed to informally "replace" specifically identified Federal and NAPSA Awards.

## ARE YOU PREPARED?

- ❖ Which Modern Award applies to your business / industry?
- ❖ How does the Modern Award impact your employees differently to the Federal or NAPSA awards?
- ❖ Do you need to update your HR Policy Manual to comply with the National Employment Standards and the relevant Modern Award?
- ❖ Do you need to vary contracts to comply with the NES and relevant Modern Award?

 YOU MAY HAVE NOTICED THAT MJ SMITH AND PARTNERS HAVE A NEW LOOK!  
MJSP IS PLEASED TO ANNOUNCE THE LAUNCH OF OUR NEW VISUAL IDENTITY.  
 KEEP AN EYE OUT FOR THE CHANGES TO OUR WEBSITE AND OTHER CORRESPONDENCE IN THE NEAR FUTURE.

M.J. Smith and Partners (MJSP) is a specialist management consultancy focusing on providing clients with advice and support in managing their organisations and businesses

For more information: 07 3839 1233 | [admin@mjsp.com.au](mailto:admin@mjsp.com.au) | [mjsp.com.au](http://mjsp.com.au)