



SADA IR UPDATE



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The developments in the coming months include the following;

Industrial Relations Legislation before Parliament

The Federal Government is continuing with the passage of the *Fair Work Legislation Amendment (Protecting Worker Entitlements) Bill 2023*.

In late March 2023 the Bill before Parliament proposed several changes relating to;

1. temporary migrant workers,
2. unpaid parental leave,
3. a right to superannuation within the National Employment Standards, and
4. several other changes.

Sexual Harassment Disputes

The Fair Work Commission (“FWC”) has listed its first case under its new power to deal with sexual harassment disputes. Applicants can now apply to the Commission to deal with a dispute and make anti-harassment orders.

The FWC is empowered under the legislation to deal with disputes involving alleged sexual harassment occurring from 6th March 2023. The new laws allow the commission to settle sexual harassment disputes through conciliation or arbitration.

The Commission will also be able to make compensation orders, orders to pay lost remuneration, or orders to redress loss or damage.

To minimise your risk, you should have Policy and Procedures advising employees, contractors, and suppliers, that harassment in any form with, or by your employees, will not be tolerated and claims will be taken seriously.

‘Zombie’ Agreements

In our recent updates we have referred to the so called “Zombie” Agreements which were Collective Agreements and Australian Workplace Agreements. These Agreements will lapse late this year but if you have these operating at your workplace, you are required to give each employee written notice regarding the changes before 7 June 2023. Failure to notify employees may result in significant financial penalties.

Minimum Wage Adjustment and Superannuation

Increases are expected to the Minimum Wage Adjustment to be effective from 1 July 2023. The Fair Work Commission will hand down its decision at 10am (AET) Friday 2 June 2023. The Superannuation contribution will be increasing to 11% on the same date.

If you have any queries, please don’t hesitate to contact the SADA Office on 8293 2399 or email sada@sada.asn.au

SADA members are entitled to contact MERS for a free half hour consultation, per member per year.



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