



Australia's Fair Work system

1. The Fair Work system

The Australian Government has delivered its election promises set out in the policy, *Forward with Fairness*. The new workplace relations system embodies the Australian value of 'the fair go' and is based on the belief that economic prosperity and a decent standard of living for all can go hand in hand.

From 1 July 2009, the workplace relations system changed. The Australian Government has implemented a new workplace relations system, called Fair Work, to ensure fair workplaces around Australia. Fair Work balances the needs of employees, the unions and employers. It delivers a balance designed to allow Australia to become more competitive and prosperous without taking away workplace rights and guaranteed minimum standards.

The Fair Work system takes full effect from 1 January 2010 as a new safety net of minimum employment conditions and modern awards are put into place.

Key elements

The new workplace relations system provides a stronger safety net that workers can rely on, in good and uncertain economic times.

Some of the key features of the new workplace relations system are:

- a fair and comprehensive safety net of minimum employment conditions
- a system that has at its heart bargaining in good faith at the enterprise level
- protections from unfair dismissal for all employees
- protection for the low-paid
- a balance between work and family life, and
- protection of the freedom to choose to be represented in the workplace.

Consultation

In *Forward with Fairness*, the Government committed to taking a measured and consultative approach to developing its substantive workplace relations legislation.

Extensive consultation to develop both the *Workplace Relations Amendment (Transition to Forward with Fairness) Act 2008* (passed by Parliament on 19 March 2008) and the *Fair Work Act 2009* (passed by Parliament on 20 March 2009) was undertaken with a range of groups. To ensure the best possible final product peak union and employer bodies and state and territory workplace relations ministers were given unprecedented access to the draft legislation. This ensured these parties had the opportunity to thoroughly examine the legislation and to make suggestions for its improvement.

This consultation continued during the development of the *Fair Work (Transitional Provisions and Consequential Amendments) Act 2009* and the *Fair Work (State Referral and Consequential and Other Amendments) Act 2009*. This legislation ensures a smooth, simple transition to the new system.

Next steps

On 17 June 2009 the Government introduced separate legislation into the Australian Parliament to provide a balanced framework for cooperative and productive workplace relations in the building and construction industry. The Building and Construction Industry Improvement Amendment (Transition to Fair Work) Bill 2009 provides compliance arrangements for the building and construction industry. The Government remains committed to the abolition of the Office of the Australian Building and Construction Commissioner and to replacing it with the Fair Work—Building Industry Inspectorate, and will continue to work towards this objective when Parliament resumes in 2010.