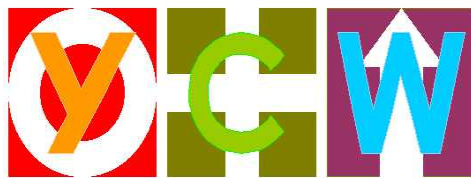


**WorkChoices...**

WHAT DOES IT  
MEAN FOR  
YOUNG  
WORKERS?



Brisbane YCW

[brisbaneycw@iprimus.com.au](mailto:brisbaneycw@iprimus.com.au)

3368 4998

# WORKCHOICES - What does it mean?

## MINIMUM WAGE & CONDITIONS

Under the new laws 5 basic conditions will be kept:

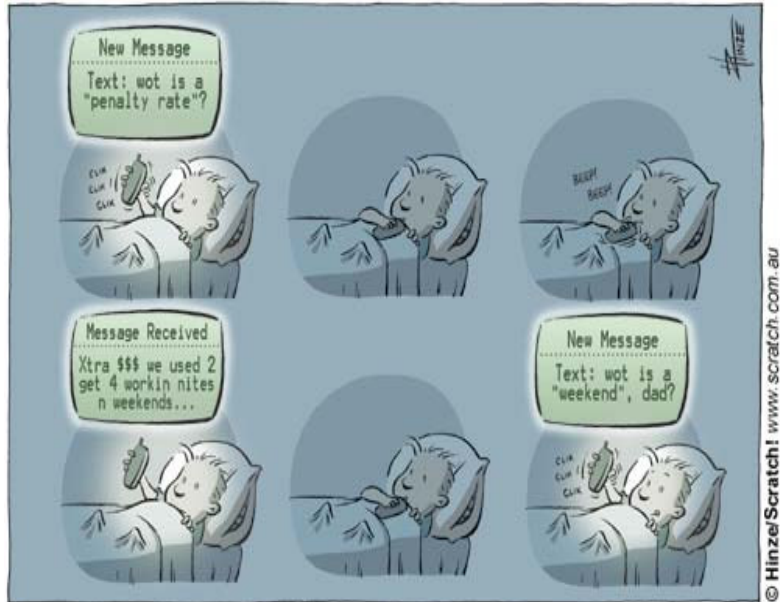
1. Minimum wage which is currently \$12.75 per hour (less for workers under 21)
2. Annual leave of 4 weeks per year (2 weeks of which can be 'cashed out')
3. Sick or Carers' leave of 10 days per year
4. A 38 hour working week (which can be averaged out to avoid the payment of overtime)
5. Unpaid parental leave of 52 weeks

In any new contract you will have to negotiate with your employer to ensure these other conditions are not cutback:

- Rostered days off
- Payment for public holidays
- Annual leave loading
- Overtime payments
- Penalty rates for shift and weekend work
- Meal, travel, clothing, tool, higher duties and other allowances

### What should I do?

Do not sign the contract immediately. Ask for some time to consider it and ask family and friends to have a look at it. Also, contact your union or the ACTU Hotline 1300 362 223 as they will be able to read through it and advise you whether it is consistent with what other people are receiving or whether changes need to be made to ensure a fair deal.



- Paid maternity leave
- Part-time loadings
- Existing casual loadings
- Redundancy pay



## AUSTRALIAN WORKPLACE AGREEMENTS

An Australian Workplace Agreement (AWA) is an individual contract that is negotiated between the employer and each individual worker. The new laws make it difficult for employees to work together, as a team, to develop a contract that ensures all workers will receive the same pay and conditions.

Under the new laws, AWA's:

- You will not know what pay and conditions other workers doing the same job as you are receiving. You maybe on less than other workers in your workplace.
- When applying for new jobs, you may be asked to sign it to get the job. If you don't sign it, the job offer can be taken away.



- Can be offered by employers at any time and remain valid for up to 5 years
- Can contain pay and conditions, which are lower than the award. Need only contain five minimum conditions (as mentioned above)
- Will permanently remove your award entitlements.

### ***What should I do?***

Do not sign the contract immediately. Ask for some time to consider it and ask family and friends to have a look at it. Also, contact your union or the ACTU Hotline 1300 362 223 as they will be able to read through it and advise you whether it is consistent with what other people are receiving or whether changes need to be made to ensure a fair deal. Also, advocate for a collective bargaining agreement, where you can develop the contract together with your workmates. *Some employers may offer workers a pay rise to sign their first individual contract. But important conditions may be traded away and pay rises are almost always much harder to get in future contracts.*

## **AWARDS**

In the past all award workers received an annual pay rise determined by the Australian Industrial Relations Commission after hearing from employers and unions. But the Federal Government did not like that system and has introduced a new organisation, The Fair Pay Commission. That organisation, which is made up of economists and other people appointed by the government will decide if award workers get a pay rise and how much. The Fair Pay Commission is not due to even consider whether award workers should get a pay rise until after September 2006, leaving award workers without any pay rise for at least 18 months. The government's objective is to eventually abolish awards altogether, and once you have signed an AWA it will not be possible to ever return to the award.

### ***What should I do?***

- Find out what award you are employed under. Look up Wagenet at [www.wagenet.gov.au](http://www.wagenet.gov.au)
- If your employer tries to get you to sign an AWA, contact your unions or the ACTU Hotline 1300 362 223

## **UNIONS**

The new laws include provisions that:

- Restrict workers access to their union in the workplace
- Make it harder for workplace union representatives to get union training
- Restrict union rights to monitor health and safety in the workplace
- Restrict the right of unions to check that workers are being paid their proper entitlements
- Make it easier for employers doing the wrong thing to avoid prosecution restricting the rights of workers to access unions will make it harder for workers to get professional and relevant information, advice and assistance with workplace issues.



- The laws will also give the government harsh new powers to fine workers and unions:
  - Individual workers will be able to be fined up to \$6,000 if the government decides that a strike is 'illegal'
  - Unions can be fined \$33,000 by the government for simply asking an employer to include protections for workers against unfair dismissal in an agreement
- Workers will be able to be fined and even jailed by the Government if they refuse to answer questions or provide information to Federal Government officials

Because of these changes the Government's new industrial relations laws infringe upon many basic and accepted Australian democratic rights.

### *What should I do?*

- Join your union
- Contact Queensland Council of Unions on 3846 2468 to find out what union you should join

## **UNFAIR DISMISSAL**

If you are employed by a business with up to 100 employees, you will no longer have legal protection against unfair dismissal. Even if you work in a business with more than 100 employees, you will not be able to take unfair dismissal proceedings if you are sacked for 'Operational Reasons' (say, restructuring). Dismissal on a small number of discriminatory grounds (e.g.: age, race, religion, gender etc) remains unlawful. But if you are sacked unlawfully you will have to take action through the courts to try and get some compensation.

Estimates of the costs of such court action generally start at \$30,000 so it will be an expensive process. The laws also make it far easier for employers to replace permanent staff with cheaper labour-hire, casual, contract workers or even foreign 'guest' workers.

## **AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION**

The Australian Industrial Relations Commission (AIRC) will focus primarily on dispute resolution and retain its responsibilities regarding simplifying and rationalizing awards, regulating industrial action, right of entry, unfair dismissal and regulating registered organisations. The AIRC can no longer exercise power of conciliation and arbitration, set minimum wages or grant annual pay rises to 1.6 million award wage workers.



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