

## **INTRODUCTION OF STATE EMPLOYMENT – RESPONSE TO WORK CHOICES**

In line with its opposition to the Federal Government's Work Choices legislation and commitment to protect public sector employment arrangements, the Government has instructed that legislation be prepared to establish employment by the State for all public sector employees. *The Public Sector Legislation Amendment Bill* will give effect to the Government's decision.

Work Choices relies on the corporations power of the *Australian Constitution* and could cover employees of State public sector statutory authorities undertaking trading activities.

Establishing the State as the employer of public sector employees will ensure public sector employment arrangements are covered by the State industrial relations system.

The status of State Government employees as public service officers, government officers, wages and other staff will be unaffected by the change of employer to the State.

Accrued entitlements for annual leave, long service leave and personal leave will be protected by the legislation. Continuity of service will also be protected.

Since the commencement of Work Choices, the WA Government has implemented policies to maintain existing employment arrangements and to prevent coverage of any public sector agencies by Work Choices as detailed in:

- o Premier's Circular 2006/05;
- o DOCEP Circulars to Departments and Authorities:
  - No 15 of 2005 - Workplace Relations Amendment (Work Choices) Act 2005;
  - No 7 of 2006 - Workplace Relations Amendment (Work Choices) Act 2005 - Operational Guidelines for Public Sector Labour Relations;
  - No 1 of 2007 - Minimum Rate Increases to Public Sector Federal Awards; and
  - No 4 of 2007 - Administrative Application of Increased Pay Rates for Public Sector Trainees.

Employees seeking information specific to their arrangements, should direct enquiries to their agency human resource advisory service or labour relations area.

Employees working in government trading enterprises and other areas listed in Schedule 1 of the *Public Sector Management Act* are not part of the legislative proposal.

### **PRESENT ARRANGEMENTS**

Until commencement of State Employment for public sector employees, the Government will continue to implement policies, and where necessary administrative arrangements, to implement the Governments labour relations principles for public sector employment.