



# Labour Relations Newsletter

## Issue 265 - 7 October 2009

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## Stage 3 and 4 of the federal award modernisation process

### *Stage 3*

On 4 September 2009 the Australian Industrial Relations Commission (AIRC) published 93 Stage 3 modern awards for 39 industry and occupational groups.

A copy of each of the [Stage 3 modern awards](#) can be found via the award modernisation page located on the AIRC website [www.airc.gov.au](http://www.airc.gov.au)

### *Stage 4*

On 25 September 2009 the AIRC published 29 Stage 4 exposure drafts covering 32 industries and occupational groups. The draft awards included an amended version of the *Education Services (Teachers) Award* which now extends to preschool teachers in

the children's services and early childhood education industry.

Stage 4 is the final stage of the federal award modernisation process. The Stage 4 modern awards will be made by 4 December 2009 and should be operational from 1 January 2010.

Before the Stage 4 modern awards are finalised relevant stakeholders have the opportunity to lodge written comments on the following Stage 4 exposure drafts. The closing date for comment is 16 October 2009:

- *Aboriginal Community Controlled Health Services Award 2010;*
- *Ambulance and Patient Transport Industry Award 2010;*
- *Aquaculture Industry Award 2010;*
- *Car Parking Award 2010;*
- *Children's Services Award 2010;*
- *Corrections and Detention (Private Sector) Award 2010;*

- *Dry Cleaning and Laundry Industry Award 2010*;
- *Employment Services Industry Award 2010*;
- *Fire Fighting Industry Award 2010*;
- *Fitness Industry Award 2010*;
- *Funeral Industry Award 2010*;
- *Gardening and Landscaping Services Award 2010*;
- *Legal Services Award 2010*;
- *Local Government Industry Award 2010*;
- *Mannequins and Models Award 2010*;
- *Miscellaneous Award 2010*;
- *Pest Control Industry Award 2010*;
- *Professional Diving Industry (Industrial) Award 2010*;
- *Professional Diving Industry (Recreational) Award 2010*;
- *Real Estate Industry Award 2010*;
- *Restaurant Industry Award 2010*;
- *Salt Industry Award 2010*;
- *Seagoing Industry Award 2010*;
- *Social, Community, Home Care and Disability Services Industry Award 2010*;
- *Supported Employment Services Award 2010*;
- *Travelling Shows Award 2010*;
- *Veterinary Services Award 2010*; and
- *Water Industry Award 2010*.

The AIRC has also published statements concerning the exposure drafts for Stage 4 modern awards (published on 25 September) and the transitional provisions for the Stage 3 and Stage 4 modern awards (on 22 September).

A copy of these statements and further information can be found via the [award modernisation page](#) located on the AIRC website [www.airc.gov.au](http://www.airc.gov.au)

## Women, retirement and poverty

The gender pay gap is currently 17% in Australia and 26% in Western Australia.

In September 2009 the Australian Human Rights Commission (AHRC) released an issues paper, *Accumulating Poverty? Women's experiences of inequality over the lifecycle*, which looks past the immediate impact of the gender pay gap by focussing on the cumulative effect of lower pay once women reach retirement.

The paper points out that at retirement, women's disposable income is on average 73% of a male counterpart's and that her superannuation balance is likely to be 51% of a male counterpart<sup>1</sup>.

In addition, it states that women have longer life expectancies<sup>2</sup>, and tend to be without a partner at retirement<sup>3</sup>.

In light of these factors, the paper suggests that women are more likely to experience a sharp decline in living standards during retirement<sup>4</sup>, and are less able to participate equally in economic, social and cultural life<sup>5</sup>.

The paper advocates solutions including:

- the retirement income system be reconfigured to account for a woman's caring obligations during her lifetime;<sup>6</sup>
- barriers to female participation and the gender pay gap need to be addressed at all stages of the lifecycle – as lower incomes cause lower retirement savings;<sup>7</sup> and
- both male and female employees need to be supported with flexible work options to share caring more equally

<sup>1</sup> Australian Human Rights Commission (2009) *Accumulating poverty? Women's experiences of inequality over the lifecycle* pp. 6-7

<sup>2</sup> *Ibid* p. 22

<sup>3</sup> *Ibid* p. 4

<sup>4</sup> *Ibid* p. 22

<sup>5</sup> *Ibid* p. 3

<sup>6</sup> *Ibid* p. 25

<sup>7</sup> *Ibid* p. 24

which will provide greater equity in retirement savings<sup>8</sup>.

The paper draws on published data as well as interviews with both men and women who experience restricted workplace choices or discrimination based on gendered assumptions of caring obligations, or outright discrimination.

A full copy of the paper is available by clicking [here](#) or can be found via the sex discrimination tab on the AHRC's website [www.humanrights.gov.au](http://www.humanrights.gov.au)

## Connecting with Regional Communities program

The *Connecting with Regional Communities* program delivers employment information to employers and employees who work under the State industrial relations jurisdiction in regional areas of Western Australia.

As part of this program the Department of Commerce Labour Relations Division has delivered a workshop to support Peel small business operators and will be offering further support to the region by providing individual advisory services. Commerce Labour Relations will also be conducting an education campaign in the Avon Valley from 26 to 30 October 2009.

### *Peel region Small Business Centre visits*

A workshop for Peel small business operators was held at the Peel Small Business Centre on 8 August 2009.

The workshop focused on best practice principles for:

- recruitment;
- understanding State employment obligations;

- developing employment contracts; and
- electronic surveillance in the workplace.

This initiative was a joint venture between Commerce Labour Relations and the Peel Small Business Centre and was very successful – with the 35 participants taking home information and tools to facilitate compliance with State employment laws.

Over the next few months Commerce Labour Relations will be providing Peel small business operators with the opportunity to have a free confidential meeting to access employment information relevant to their business needs and discuss employment obligations.

To access this service small business operators will need to make a booking by contacting Sue Thompson at the Peel Small Business Centre on [info@sbcpeel.com.au](mailto:info@sbcpeel.com.au) or call (08) 9582 0022.

Individual advisory sessions will be held at the Peel Small Business Centre, 59 Reserve Road, Mandurah on 13 October and 17 November between 10.00am and 3.00pm.

### *Avon Valley education campaign*

Commerce Labour Relations Officers will be conducting a State employment education campaign in Northam, York and Toodyay during the week of 26 to 30 October 2009.

This region was chosen as just on half of the businesses in York (39%), Northam (51%) and Toodyay (47%) fall under the State jurisdiction.

The campaign aims to promote the services offered by the Commerce Labour Relations and provide small business owners with free confidential advice on State employment practices.

One of the highlights of the campaign is a free workshop which will be held on

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<sup>8</sup> Ibid p. 25

Wednesday 28 October at the Lesser Hall in Northam between 1.00pm and 3.00pm and then again from 6.30pm and 9.00pm.

The workshops will focus on recruitment, managing the employment relationship, and fair and lawful termination.

Bookings for the workshops are essential and can be made by contacting Ruth Crow via [ruth.crow@commerce.wa.gov.au](mailto:ruth.crow@commerce.wa.gov.au) or on (08) 9222 7621 (Mon, Wed, Thur).

## Future directions for work and employment

Commerce Labour Relations is up to speed on the new world of work, organisations and employment following the 15<sup>th</sup> World Congress of the International Industrial Relations Association (IIRA).

The IIRA was established in 1966 to develop and exchange knowledge in the field of industrial relations, at the international level. The IIRA's main forum for knowledge exchange is its International Congress which is held every three years.

Delegates attending the congress were welcomed by Deputy Prime Minister, the Hon Julia Gillard MP who delivered a speech on federal industrial relations reform. Other speakers included:

- Peter Anderson, Chief Executive, Australian Chamber of Commerce and Industry;
- Heather Ridout, Chief Executive, Australian Industry Group; and
- Jeff Lawrence, Secretary, Australian Council of Trade Unions.

During the four day congress, which ran from 24 to 27 August, delegates took part in a number of workshops, forums, study groups and symposia. These sessions were delivered by Australian and international

academics and employment relations practitioners.

In addition to these sessions, delegates were provided with over 200 papers which were presented during the congress on a broad range of topics including: industrial relations; human resource management; economics; law and psychology.

Delegates also had the opportunity to participate in forums on the global financial crisis, hearing perspectives from the United States, Europe, Asia, Latin America and Africa.