

Unions will pursue new legal avenue to ensure workers are not worse off from award changes

Workers who are adversely affected by the introduction of modern awards will be able to pursue 'take home pay orders' to ensure they are not worse off under the changes say unions.

Unions will make use of this new legal avenue and continue to push for better pay and conditions for all workers as award modernisation continues said ACTU Secretary Jeff Lawrence.

"It is disappointing that thousands of low paid workers will have to endure a five year transition period before they see the full benefit of a lift in their award wages and penalty rates.

"Unions are concerned that the transition provisions are limited to wages and some penalty rates and will not apply workers' allowances & other job conditions.

"This means that many workers will see cuts to their take home pay through these award modernisation changes.

"These reductions in allowances and changes to job conditions will come into effect from 1 January 2010 and result in immediate losses for workers.

"This immediate loss for workers from 1 January 2010 unfairly contrasts with the five year phase in for rises in wages and penalty rates.

"The current process of award modernisation has not met all the objectives that unions would have liked. We do remain concerned that workers in some industries risk losing take home pay and conditions.

"We acknowledge that the Government has established a process for hearing claims of disadvantage and can make 'take home pay orders' if necessary. This will help guarantee wages and penalties, especially for new employees.

"Unions will pursue this avenue and will continue to work hard to represent workers and prevent them from being disadvantaged.

"However the fundamental point is that award modernisation will breathe new life into this unique aspect of Australia's industrial relations system.

"It ensures that awards will provide a *minimum* safety net of wages and conditions that is simpler and more effective for both employers and employees and that they continue to play a unique role in delivering fairness in our economy and society more broadly.

"Awards will protect important matters like minimum wages and penalties for working unsociable hours, overtime for working past normal working hours and so on. They also enable bargaining at the enterprise level for employers, workers and unions to develop conditions above this safety net that meet the specific needs of the business.

"Several employer lobby groups have run a scurrilous campaign that overstates the true impact of award changes.

"For many years employers have sought a single industrial relations system and have claimed that the operation of multiple awards across multiple states was costly and inefficient for large businesses.

"Now we are well on the way to achieving the rationalisation of awards within a single national industrial relations system, employers are still complaining.

"It is time for the employer lobby groups to accept the new ground rules of the Federal Government's 'Fair Work' industrial relations system including the need for a fair safety net of awards that are simple for both workers and employers," said Mr Lawrence.

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