

# Haycroft Workplace Solutions

Australia's foremost workplace experts

## WORKPLACE BUZZ

March 2008

### Labor's IR Bill Update

On the 13th February 2008, the Federal IR Minister, Julia Gillard released the Labor Party's Transitional IR Bill in Parliament. The following day, the draft of the 10 minimum standards were released; to be reviewed over the next month or so and to be effective from 1st January 2010.

**What is clear so far is that 10 National Standards will set rules for -**

- **1. Hours of Work:** standard 38 hour week for full time employees. Additional extra hours provision, but not unreasonable extra hours.
- **2. Parental Leave:** separate periods of 12 months parental leave, up to a total of 24 months (further 12 months must be requested to employer who may only refuse on reasonable business grounds).
- **3. Flexible Work for Parents:** a right to request flexible work hours until children reach school age, with employers only able to refuse on reasonable business grounds.
- **4. Annual Leave:** as previously. 4 weeks for full time workers, pro rata for part time workers and 5 weeks for shift workers.
- **5. Personal, carer's and compassionate leave:** 10 days personal/carer's leave for full time workers, pro rata for part time workers. 2 days a year of paid compassionate leave for death or serious illness. 2 days a year of unpaid personal leave for caring purposes or family emergencies.
- **6. Community Service Leave:** Paid leave for some community services, such

- **Labor's IR Bill Update**
- **How a co-employment strategy will work for your business**
- **OH&S Case Study**
- **Candidates**
- **Profile: Meet the Team - Rhiannon Lomax**
  
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as jury duty, and reasonable unpaid leave for emergency services duties.

- **7. Public Holidays:** A guarantee of 8 national public holidays, plus State and local public holidays.

- **8. Provision of information in the Workplace:** the creation of a Fair Work Information Statement will be required.

- **9. Termination of Employment and Redundancy:** up to 4 weeks notice for all employees, plus an extra week's notice for workers aged over 45. Employers with 15 or more employees to be entitled to severance pay as per pre-WorkChoices standard.

- **10. Long Service Leave:** Creation of a national standard, however until such time, leave will reflect the rules of the respective states.

- There is a possibility **the Bill could be passed before Easter.**

- There are plans to let **existing agreements** such as AWAs **run to the full term** of the agreement.

- **New AWAs will be banned** from the date of Proclamation.

- **Individual Transitional Employment Agreements (ITEAs)** will be available for employers to use who had a lodged AWA current as of the 1st December 2007. No other employers will be able to create these agreements.

- Any workplace agreement lodged must be **lodged with the signatures attached.**

- **A No Disadvantage Test** will apply to all Collective Agreements, and ITEA's created. The NDT will also check that there is no disadvantage compared to an existing collective agreement, and the whole of the Award.

- Most agreements will **become effective 7 days after the Workplace Authority deems the agreement to have passed the NDT.**

- The current employer fact sheet requirements will be removed.

- The concept of protected award conditions will be removed.

- **A Business Advisory Group** has been developed with industry leaders to help draft legislation changes.



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## **How a co-employment strategy will work for your business**

Haycroft Workplace Solutions is Australia's largest Professional Employer Organisation (PEO). A PEO enables business owners to transfer responsibilities for non-core operations to a company outside their own that is expert in all these areas. These areas may include:

- Payroll Administration
- Workplace Relations Compliance
- OH&S Compliance
- Recruitment
- Staff Retention
- WorkCover and Superannuation responsibilities...and more

We currently handle some or all of these services for Australian companies with as few as 5 and up to 700 employees.

This system works for all types of businesses from accounting and engineering firms, hospitality, construction, retailers, high-tech organisations, manufacturers large and small, specialist organisations like transport and horticultural companies, many types of professionals including medical centres, and all trades and trade companies.

This proven process is firmly established and enables business owners to fully focus on their core business and bottom line.

Contact us today to discuss your business needs.

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## OH&S Case Study

We recently had a claim from a worker who had experienced something somewhat unusual in the way of a workplace injury. This type of incident would not occur in the course of a normal business undertaking, so the necessity to warrant some sort of risk assessment or SWM (safe work method) had not been broached.

In legal terms, the worker in question experienced a body stressing injury caused by the agency of a biological mechanism.

The worker, whom we will call Jane, was collecting hen eggs from the hatchery of one of our clients. These hatcheries each house several hundred birds which have regular contact with the staff and are normally quite calm.

However, this day while Jane was collecting, one hen did not take kindly to a cold human hand reaching into the nest and relieving her of her hard work and took serious umbrage at such a bold ploy from an eager but naive Jane.

The bird lashed out, making a 2 foot leap at the offending egg collector who was standing slightly stooped in order to collect the eggs. She experienced the full wrath of a 700gram ball of feathers but with a reflex fend-off using her right arm, saw off the disgruntled chicken. Disaster averted, or so it would seem.

However, as result of a long-previous and totally unrelated injury, Jane has plates in her right arm. The impact of this fury of flying feathers and flesh managed to aggravate the plates causing mild swelling and some pain.

Thankfully the aggravation was relatively minor. The treating doctor prescribed anti-inflammatory medication and rest and Jane was able to resume duties after a weekend break.

What do we learn from this?

1. A series of seamlessly unrelated events can result in an injury
2. Previous injuries can impact on a worker's ability to perform set tasks
3. Reflex reactions are just that, involuntary and the consequences are not predictable
4. Seek medical advice ASAP
5. Risk assessment or SWM (safe work methods) need to be developed for virtually every workplace
6. Even hens can be dangerous!

Ben Haycroft  
OH&S Consultant

Ben's services can be contracted on a case-by-case basis.

P.S. Are your work method statements up t date? Council Amalgamations has caused review in tender requirements for council work. Give me a call on 0411 116 676 for more assistance.

## Candidates

- **Civil & Chemical Engineer with 15yrs experience:** special interest areas include construction, mining, metals laboratory. Currently in Brisbane upgrading his Upper Intermediate level of English.
- **Mechanical Engineer:** 5yrs experience in gas and water projects plus 6yrs experience as an AutoCad designer (eg petrochemical industry). Kyoto Protocol and Carbon Credits experience. Currently in Brisbane upgrading his Intermediate level of English.

## Profile: Meet the Team - Rhiannon Lomax

I have been working at Haycroft Workplace Solutions for just over a year now, doing general reception and administration duties. Chances are, if you have called our Brisbane office you would have been greeted by my voice!



I currently work three days each week, my other days are spent chasing my very active, almost two year old, Baylin William, and introducing him to the big wide world.

I'm really passionate about the creative arts (theatre, art, music, film) and try to get to as many shows, concerts or exhibitions as possible. Some people would consider my taste a little eclectic, but I think I just appreciate diversity! I am looking forward to Baylin growing a little older so he can appreciate such things with me - at the moment he doesn't quite have the patience for an art gallery! Other activities I enjoy are fishing, swimming, going to the markets, cooking (almost as much as I enjoy eating), spending time with friends and family, and generally just loving life.

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