

Australian Workplace Agreement Checklist

What you need to check before you sign an AWA

Choosing whether to sign or not sign an Australian Workplace Agreement (AWA) is an important decision that will have significant effects on your pay, working conditions and legal protections.

Under Federal Government proposals you are responsible for checking your own AWA. There will no longer be a formal approval process, and AWAs will be effective immediately upon lodgement to the Office of the Employment Advocate.

Some award entitlements, like meal breaks, rostered days off and flexible work arrangements, can't be measured in dollars and cents. Consider the value of these benefits carefully when assessing the terms offered in your AWA.

Remember, for a small increase in your pay you may be asked to give up important rights and conditions.

Before you sign:

- Check your employer has provided you with a copy of the proposed AWA and an information statement from the Office of Employment Advocate that explains the terms and conditions.
- Check your current entitlements under an award or agreement against the proposed AWA.
- Check the AWA provides for meal breaks.
- Check the AWA provides for overtime rates.
- Check the AWA provides for weekend, late night and public holiday penalty rates.
- Check the AWA includes shift, uniform, vehicle and travel allowances.
- Check the AWA includes annual leave loading.
- Check the AWA contains a notice of termination clause and redundancy pay.
- Check the AWA clearly shows whether you have access to these conditions or not: public holidays, rest breaks, bonuses, annual leave loading, allowances, penalty rates and shift/overtime loadings. (Think about whether you have gained adequate compensation if they are removed.)
- Check the AWA contains a provision for pay increases. (AWAs may operate for a period of up to five years without the inclusion of a pay increase.)
- Check you have been given the right to seek support from a friend, family member, union representative or any other person to conduct AWA negotiations on your behalf, as a bargaining agent.
- Check the AWA contains a clause which clearly states the options available to you when it expires. (If it isn't replaced by another AWA your entitlements will be reduced to just five minimum conditions.)
- Check you have been given seven days to consider the AWA which is the time currently required by the Federal Government.
- If you are under 18, parental or guardian consent is required for the AWA to be legally binding.

For an agreement to be valid there must be genuine consent. Do not allow yourself to be pressured into signing an AWA that doesn't suit your individual needs.

An AWA is a voluntary agreement; don't sign it if you don't want to!

Call the Fair Go Advisory Service (Ph: 131 628) if you need help making an informed decision about trading away your pay and conditions.