

MONEY STUFF! WORK SMART AND THE NEW WORK CHOICES LAWS

What's changed?

The federal government has recently passed laws that change the working conditions of many people in NSW. As a result, some of the information in *Money Stuff! Work Smart* may no longer apply to you, in either your current job or future employment.

Before these changes, some workers in NSW were employed under federal workplace awards or agreements, but most were covered by state awards. *Money Stuff! Work Smart* was written to be used mainly by those under the state system.

The *Work Choices Act* moves a number of workers and employers out of the state system and into the federal system.

Much of the information contained in *Money Stuff! Work Smart* relates to working conditions that apply only under the state system, so you'll need to know if your employer is one of those affected by the new laws.

Who is affected?

The new federal industrial relations laws apply to anyone working for a constitutional corporation: a body incorporated under Australian law and substantially engaged in trading or financial activities. As a guide, most proprietary limited (Pty Ltd) businesses that carry out commercial activities with a view to earning money are affected. Some corporations, such as not-for-profit organisations, are not affected.

The state system covers most unincorporated businesses in NSW (such as sole traders and partnerships) as well as some incorporated businesses operating in NSW (e.g. some charities and not-for-profit organisations).

For those employed by businesses that are covered by the state industrial relations system, all the information in *Money Stuff! Work Smart* remains current.

More workers and employers, however, will now be covered by the federal system. For these people, much of the information in *Money Stuff! Work Smart* will no longer be relevant. If you are one of those affected, you'll need to contact the Commonwealth Department of Employment and Workplace Relations for information about your exact rights and entitlements by phone 1300 363 264 or visit their website www.wagenet.gov.au.

The simplest way to find out whether or not your employer's business is a constitutional corporation is to ask them.

Some of the information in *Money Stuff! Work Smart* is of a general nature, and will be useful regardless of which system you are covered by. For example, information about Occupational Health and Safety (OH&S) remains valid as it comes under a state OH&S law, which is unaffected by the new IR legislation.

More information

For more information on which employers are affected by *Work Choices*, and what the changes mean, see the Office of Industrial Relations brochure *Employing staff in NSW, a guide to changes in workplace laws* <http://www.industrialrelations.nsw.gov.au/rights/employer/employing+staff+in+nsw.html>.

Those starting work can also get more information about the changes from the brochure, *Offered a job? Know your legal rights* <http://www.industrialrelations.nsw.gov.au/rights/young/offered+a+job+-+know+your+legal+rights.html>

The Office of Industrial Relations also offers a range of online services that can help.

OIR Online Services

www.industrialrelations.nsw.gov.au

Compare What's Fair – helps you compare an agreement or AWA with the relevant NSW State award.

Check Your Pay – helps you calculate your pay and other entitlements under NSW awards.

Pay Rate Updates – give you instant email alerts when your pay rates change under NSW State awards.

NSW Awards Online – provides free access to the NSW State awards so you can check your rights and entitlements.

Useful Contacts

Office of Industrial Relations

Fair Go Advisory Service

Information about work conditions, pay rates, NSW State awards and comparisons with agreements and AWAs

131 628

www.industrialrelations.nsw.gov.au

Anti Discrimination Board of NSW

Info about discrimination

1800 670 812

www.lawlink.nsw.gov.au/adb

Unions NSW

Info about unions

02 9264 1691

www.unionsnsw.org.au

Human Rights and Equal Opportunity Commission

Info about discrimination

1300 656 419

www.hreoc.gov.au

WorkCover NSW

Info about occupational health and safety issues in the workplace

13 10 50

www.workcover.nsw.gov.au

Law Access

Info about free legal assistance

1300 888 529

www.lawaccess.nsw.gov.au

Information about federal wages and work conditions:

Department of Employment and Workplace Relations

1300 363 264

www.wagenet.gov.au

April 2006