

# ACTUS WORKPLACE LAWYERS

## Insights into Current Workplace Relations Issues



**28 November 2022**

### **Single interest bargaining trap**

In an opinion piece published in the *Australian Financial Review* on 1 November, Stephen Smith, Principal of Actus Workplace Lawyers, outlines why the 'single interest' bargaining provisions in the Government's IR Bill will be the most damaging of all the provisions in the Bill. [Read more](#)

### **Government pushes for IR Bill to be passed by early December**

The Government is pushing for its IR Bill to be passed by the Senate in the last scheduled fortnightly sitting period of Parliament which concludes in early December. The Greens have expressed support for the legislation, so the Government needs the support of one more Senator for the legislation to be passed. Senator David Pocock and Senator Jacqui Lambie are key to the Government's fortunes. Both have expressed concern about aspects of the Bill being rushed through Parliament this year, particularly the single interest bargaining provisions, but the Government is not supportive of the Bill being split into two. [Read more](#)

### **Forced contributions to union funds and insurance products – is this the unions' real agenda?**

Employers in the construction and contracting industries are well aware of union claims for employers to contribute to employee entitlement funds sponsored by unions and to purchase over-priced income protection insurance products they promote. These union claims are now reflected in pattern agreements that a large number of employers in these industries feel they have no choice other than to sign. It would not be surprising if the unions have plans to use the Government's proposed multi-employer bargaining laws to expand these arrangements into other industries. [Read more](#)

## **Paid family and domestic violence leave laws passed by Parliament**

The *Fair Work Amendment (Paid Family and Domestic Violence Leave) Act 2022* was passed by Parliament on 27 October and received Royal Assent on 9 November. The legislation expands the National Employment Standards in the Fair Work Act to give employees an entitlement to 10 days of paid family and domestic violence leave. [Read more](#)

## **Parliament passes new laws to prevent sexual harassment**

On 28 November, the Commonwealth Parliament passed new laws which impose a statutory obligation upon employers to prevent sexual harassment, sex discrimination and victimisation at work. The laws will be in operation shortly once Royal Assent is granted. [Read more](#)

## **When was the last time you reviewed your template employment contract?**

Most employers use a template for the employment contracts they offer to new employees but unfortunately many employers fail to keep these templates up to date, creating unnecessary risks. [Read more](#)

## **It is timely for employers to review their approach to enterprise bargaining**

Given that major changes to Australia's enterprise bargaining laws are likely to come into operation shortly, it is timely for employers to review their existing approach to bargaining. Regardless of whether you have current enterprise agreements, expired enterprise agreements or no enterprise agreements, it is timely to review whether or not a different approach is warranted in your specific circumstances. There is of course no single best approach. [Read more](#)

Should you wish to discuss any of the issues in this report or require any legal advice or assistance, please contact Stephen Smith, Principal of Actus Workplace Lawyers at [stephen.smith@actuslawyers.com.au](mailto:stephen.smith@actuslawyers.com.au). If any other members of your staff would like to receive this regular report, please advise of the details through this link: <https://actuslawyers.com.au/contact-us>

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