

# ACTUS WORKPLACE LAWYERS

## Insights into Current Workplace Relations Issues



### **Fair Work Legislation Amendment (Secure Jobs, Better Pay) Act 2022**

**8 June 2023**

Welcome to the June 2023 edition of Actus Workplace Lawyers' *Insights into Current Workplace Relations Issues*. This month's newsletter is published in the same week that the new enterprise bargaining laws became fully operational.

Please get in touch if you would like to discuss any of the issues covered in this edition or the workplace relations services or support that Actus Workplace Lawyers could provide to your business.

#### **2<sup>nd</sup> Edition of Actus Workplace Lawyers' Employer Guide on the new bargaining laws**

Most of the new bargaining laws came into operation on 6 June 2023. The new laws will provide many challenges for businesses over the months and years ahead.

The 2<sup>nd</sup> Edition of Actus Workplace Lawyers' handy 30-page digital Employer Guide on *Enterprise Bargaining Under the Secure Jobs, Better Pay Amendments* has been published this week, with additional content on various aspects of the new laws.

A digital copy can be ordered and immediately downloaded [here](#). Those who purchased the 1<sup>st</sup> Edition have already been sent a complimentary copy of the 2<sup>nd</sup> Edition.

#### **Government's 'same job, same pay' proposal confirms employers' worst fears**

The Government has released a consultation paper about its 'same job, same pay' proposal. The paper has confirmed employers' worst fears. The consultation paper confirms that the Government's proposal is intended to operate very broadly. Consequently, there are likely to be sweeping adverse implications for employers and many workers. [Read more](#)

#### **Annual Wage Review decision**

On 2 June 2023, the Fair Work Commission handed down its *Annual Wage Review 2022-23 Decision*. The Commission has decided to increase award minimum wages by 5.75%. The increases will be operative from the first full pay period that starts on or after 1 July 2023. [Read more](#)

## Government's 'proposed 'wage theft' laws and increases in civil penalties

The Federal Government is developing 'wage theft' legislation that it intends to implement later this year, including penalties of imprisonment for directors and managers responsible for serious underpayments of employees. Managers and directors could be held criminally liable due to "recklessness" if they do not do enough to prevent breaches of workplace laws.

Many major corporations with large human resource departments have recently publicly disclosed multi-million dollar underpayments, resulting in major back-pay costs, litigation, hefty 'contrition' payments, and damage to their reputation and brands. Also, plaintiff law firms, in partnership with litigation funding firms, are pursuing several class actions against businesses. Medium-sized businesses face even greater challenges in ensuring compliance.

It is a very risky time for businesses, directors and senior managers, and devoting sufficient resources to ensuring compliance is critical. [Read more](#)

## Manufacturing industry enterprise bargaining wage outcomes

The Fair Work Commission's latest fortnightly enterprise agreement [statistical report](#) shows that the average annualised wage increase (AAWI) in manufacturing and associated industry agreements lodged for approval between 22 April and 5 May was 4.2%. This figure needs to be treated with some caution because this average relates to only 17 agreements, and the average increase in manufacturing industry agreements lodged for approval in the previous fortnightly period was 3.6%. [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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