

## Review of Modern Awards

**Employers wanting to improve the operation of their modern awards will have that opportunity as part of a Fair Work Australia review in 2012.**

The review must consider whether the modern Awards are achieving the objective of providing "a fair and relevant minimum safety net of terms and conditions" and that they are operating effectively and free of anomalies or technical problems arising from the modernisation process.

Fair Work Australia will conduct the review primarily by way of assessing applications to vary a modern award. Employers who do not think their modern awards are meeting the stated objectives may make such an application.

Fair Work Australia will simultaneously conduct a review of the transitional provisions within modern awards.

In considering whether or not the awards (and transitional provisions) are meeting the modern awards objective, Fair Work Australia may take into consideration:

- the need to promote flexible modern work practices and the efficient and productive performance of work;
- the likely impact of any exercise of modern award powers on business – including on productivity, employment costs and the regulatory burden;
- the need to ensure a simple, easy to understand, stable and sustainable modern award system for Australia that avoids unnecessary overlap of modern awards; and
- potential impact on employment growth, inflation and the sustainability, performance and competitiveness of the national economy.

All applications to vary modern awards must be filed with Fair Work Australia by **Thursday, 8 March 2012**.

### Require further information/assistance?

EMA Consulting can assist you with drafting applications and provide representation at any proceedings before Fair Work Australia. Contact your local Consultant at either our Adelaide or Melbourne offices if you require any further clarification.

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