

# CCI IR Alert

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## What do you need to know from 1 January 2010?

On 1 January 2010 the final stage of the new workplace relations system came into operation, with the commencement of modern awards and the National Employment Standards (NES).

The changes affect all National System Employers.

### Modern awards

Modern awards have replaced Notional Agreements Preserving State Awards (NAPSAs) and pre-reform Federal Awards (other than enterprise specific instruments).

Each modern award contains a clause outlining employer requirements to make a copy of the modern award and the NES available to all employees to whom they apply. These may be provided either on a noticeboard which is conveniently located at or near the workplace or through electronic means, whichever makes them more accessible.

As we advised in our IR Alert dated 23 December, it is important to note that modern awards can be varied up until 31 March 2010 with variations that may be backdated to 1 January 2010.

All [modern awards](#) and a summary of the [NES](#) are available on the [CCI website](#). They are also available on the [Fair Work Australia website](#).

### National Employment Standards

The NES have replaced the Australian Fair Pay and Conditions Standard, forming base entitlements for all National System Employees (those employees employed by National System Employers).

The ten NES apply on a 'line-by-line' basis and cannot be displaced by a modern award or an enterprise agreement.

### Fair Work Information Statement

All National System Employers are required to give a copy of the [Fair Work Information Statement](#) (the Statement) to each **new** employee before, or as soon as possible after, the employee starts employment.

The Statement forms one of the ten National Employment Standards, and may be given to employees in one of the following ways:

- to the employee personally;
- sent to the employee's postal address, or another postal address nominated by the employee;
- sent to the employee's work email address, or another email address nominated by the employee (either as a link or the full document); or
- faxed to the employee's home or work fax number, or another fax number nominated by the employee.

The employer may use another method, provided it meets the requirement of making the statement available to the employee.

From 1 January 2010 all states (excluding Western Australia) have referred industrial relations powers to the Commonwealth. As a result, the distinction between national system private sector employers and state system private sector employers will remain in Western Australia.

For further information on the changes, please contact the **Employee Relations Advice Centre** on 9365 7660 or email [advice@cciwa.com](mailto:advice@cciwa.com).