

State Referrals Overview

Tom: “The Australian Parliament has passed legislation to help create one clear set of workplace laws for all employers and employees in Australia. This legislation allows State Governments to ‘refer’ their ability to make workplace relations laws to the Australian government, if they choose.

Sarah: The New South Wales, Queensland, South Australian and Tasmanian state governments have all decided to do this, which means that most employers and employees in these states will be covered by the national system from January 1, 2010.”

Sarah: This change is particularly important for those businesses that are sole traders or partnerships as they will be new to the national system. To help these businesses there are some transitional arrangements:

- If you had a state employment agreement that applied before January 1, 2010, this will continue to apply until it is terminated or replaced.
- And, if you were covered by a state award before January 1, 2010, this will continue for 12 months... so, until January 1, 2011. After that, the business will be covered by the relevant national modern award.”

Tom: “However, there will definitely be some changes that employers and employees need to be aware of. Watch the in-depth state referral video to find out more. And, as always, if you need some help, you can contact the Fair Work Infoline on 13 13 94.