

# AUSTRALIAN WORKPLACE AGREEMENTS



An individual and flexible  
agreement option

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- PRESENTATION OVERVIEW
  - What is an Australian Workplace Agreement (AWA)
  - Advantages of an AWA
  - Issues to consider
  - Process involved
  - Questions

# What is an AWA?



Written individual agreement between an employer and employee relating to the employee's terms and conditions of employment to suit individual and workplace preference.

# What is an AWA?

- Covered by Workplace Relations Act 1996
- Since March 1997
- Subject to global no disadvantage test
- Overrides any state or federal award
- Can cover full-time, part-time or casual employees
- Can be negotiated individually or collectively (must be signed by each individual employee)
- Relationship with parent award or can replace award

# Advantages of an AWA



- **FLEXIBLE**
  - Working hours, remuneration options not found in awards or certified agreements
  - Eg: staggered starting times, changing RDO requirements, performance based remuneration etc

# Advantages of an AWA

- FLEXIBLE EMPLOYMENT ARRANGEMENTS

- For example can provide for a long term casual employee

AWARD

Allowances

Leave arrangements

Leave loading

Fares and travel

Hours of work

Hourly rate



AWA

All up hourly rate

# Advantages of an AWA

- **TAILORED TO INDIVIDUAL WORKPLACE PRACTICE**
  - Flexibility in working hours etc
  - Increase client responsiveness
  - Increase employee productivity
  - Allows for needed not dictated employment conditions
  - Can be standard eg: standard AWA for each classification of employee (plumbers, labourers, clerical staff etc)
  - Can be entirely individual
  - Circumvent union

# Advantages of an AWA

- EMPLOYEE SATISFACTION
  - Genuine employee participation in negotiation
  - Family friendly
  - Personal responsibility/ownership
  - Increased employee motivation

# Issues To Consider



- Administration Issues
  - Different working conditions
  - Different pay rates
- Time
  - Drafting, review and lodgement
- Employee Management
  - Rivalry, jealousy etc

# Practical Steps



- Identify existing workplace practice
- Identify workplace needs eg: flexible working hours
- Identify employee needs (with consultation)
- Determine limitations, boundaries and costs
- Seek advice

# Process Involved



1. Draft AWA
2. Distribute to employee with covering letter and employee information statement
3. Employee to review AWA - 14 clear days for an existing employee, 5 clear days for a new employee
4. Submit to the Office of the Employment Advocate (OEA) within 21 days of signing
5. OEA performs global no disadvantage test
6. OEA issues filing receipt
7. OEA returns approved AWA

Questions?

