

COMMISSIONER'S BULLETIN

Changes to Fair Work Act

Your employment in the NTPS is governed by the *Public Sector Employment and Management Act* (PSEMA) and enterprise agreements, which are made under the *Fair Work Act 2009* (Cth) ('the FW Act'). The FW Act sets out minimum conditions of employment called National Employment Standards that underpin these arrangements.

In most cases, NTPS conditions of service exceed those set out in the National Employment Standards. However, there have been recent amendments to the FW Act and the National Employment Standards that will affect the NTPS. This bulletin will briefly set out these changes, including their dates of effect.

Family friendly changes – Effective from 27 November 2015

- **Extension Of A Period Of Unpaid Parental Leave** – The Employer must not refuse a request for an extension of a period of unpaid Parental Leave unless the employer has given the employee a reasonable opportunity to discuss the request.

Industrial action changes – Effective from 27 November 2015

- **Protected Action Ballot Orders** – A bargaining representative of an employee covered by an enterprise agreement may apply for a protected action ballot to be conducted to ascertain whether employees wish to engage in particular industrial action for the agreement. The recent changes to the FW Act expresses that a bargaining representative (such as a union) cannot apply for a protected ballot order until after the current enterprise agreement has expired and unless bargaining for a new enterprise agreement has commenced.



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