

1996

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

SENATE

**WORKPLACE RELATIONS AND OTHER LEGISLATION  
AMENDMENT BILL (No. 2) 1996**

**SUPPLEMENTARY EXPLANATORY MEMORANDUM**

Amendments to be Moved on Behalf of the Government

(Circulated by authority of the Minister for Industrial Relations,  
the Honourable Peter Reith MP)



# **WORKPLACE RELATIONS AND OTHER LEGISLATION AMENDMENT BILL (No. 2) 1996**

**(Amendments to be moved on behalf of the Government)**

## **OUTLINE**

The amendments alter Schedule 1 to the Bill, 'Amendment of the Workplace Relations Act 1996: reference of Victorian matters'. The amendments are as follows.

### *Minimum wage applications - employer organisations*

An amendment is proposed to enable applications for minimum wage setting or adjustment by an organisation of employers of which an employer employing one or more of the employees within the relevant work classification is a member in addition to the persons and organisations listed in proposed subsection 501(2).

### *Minimum wage applications - applications for hearing by a Full Bench*

An amendment is proposed to correct an incorrect cross-reference.

### *Pay slips for employees not bound by employment agreements*

An amendment is proposed to enable the Workplace Relations Regulations to require that pay slips are provided for employees in Victoria who are under common law contracts as well as those who are under employment agreements given continuing effect by proposed Part XV.

## **FINANCIAL IMPACT STATEMENT**

The amendments proposed to the Bill will not have any significant impact on Commonwealth expenditure.

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## NOTES ON AMENDMENTS

### **Amendment No. 1 - Schedule 1, item 4, page 9 (lines 19 to 21)**

Proposed section 501 provides that the Australian Industrial Relations Commission (the Commission) may, by order, set or adjust a minimum wage for employees within a work classification.

Amendment No. 1 amends proposed subsection 501(2) of the WR Act, which lists the persons and organisations who may make an application to the Commission for a minimum wages order, so as to include a reference to an organisation of which an employer of employees within the work classification is a member.

This is consistent with paragraph 22(2)(c) of the *Employee Relations Act 1992* (Vic.), which enables applications for minimum wage setting, etc, by recognised associations of employers or employees.

### **Amendment No. 2 - Schedule 1, item 4, page 10 (line 28)**

This amendment corrects a numbering error. Proposed subsection 502(2) of the WR Act refers to applications under subsection 501(2). This should be a reference to applications under subsection 502(1), ie, applications for hearing by a Full Bench, rather than applications for setting or adjusting a minimum wage.

### **Amendment No. 3 - Schedule 1, item 4, page 15 (after line 3)**

Proposed section 531 of the WR Act modifies section 353A of the WR Act so as to enable the regulations to require the provision of pay slips for employees bound by a continuing employment agreement.

This amendment enables the regulations to require the provision of pay slips for other employees in Victoria (including those who are not covered by a continuing employment agreement, an award, a certified agreement or an AWA).

This would more closely correspond with section 45 of the *Employee Relations Act 1992* (Vic.) which requires provision of pay slips to all employees.

The Workplace Relations Act 1996 and regulations already provide for the provision of pay slips to employees subject to Federal awards and agreements.

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