

## Employment and Workplace Relations Bills in the 41<sup>st</sup> Parliament

Name of Bill	House of Representatives Introduction Date	Date Passed or Rejected by House of Representatives	Committee Details	Senate Introduction Date	Date Passed or Rejected by Senate
<p><b>Workplace Relations Amendment (Agreement Validation) Act 2004</b></p> <p><i>Amends the Workplace Relations Act 1996 to ensure the validity of agreements which were certified, approved or varied under the Act prior to the High Court's decision on 2 September 2004 in <i>Electrolux Home Products Pty Ltd v The Australian Workers' Union and Others</i>.</i></p>	6 December 2004	9 December 2004	<p>Referred to SEWRELC* 18 November 2004</p> <p>Report tabled 29 November 2004</p>	17 November 2004	<p>Passed with amendments 2 December 2004†</p> <p>Received Royal Assent and commenced on 15 December 2004</p>

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Name of Bill	House of Representatives Introduction Date	Date Passed or Rejected by House of Representatives	Committee Details	Senate Introduction Date	Date Passed or Rejected by Senate
<p><b>Building and Construction Industry Improvement Act 2005</b></p> <p><b>Building and Construction Industry Improvement (Consequential and Transitional) Act 2005</b></p> <p>Makes certain forms of industrial action unlawful; provides improved access to sanctions against unlawful industrial action in the form of injunctions, pecuniary penalties and compensation for loss; and provides for the Australian Building and Construction Commissioner and the Federal Safety Commissioner.</p>	9 March 2005	11 August 2005 with government amendments	<p>Referred to SEWRELC* 16 March 2005</p> <p>Report tabled 10 May 2005</p>	16 August 2005	<p>Passed 7 September 2005</p> <p>Received Royal Assent and commenced on 12 September 2005</p>

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Name of Bill	House of Representatives Introduction Date	Date Passed or Rejected by House of Representatives	Committee Details	Senate Introduction Date	Date Passed or Rejected by Senate
<p><b>Asbestos-related Claims (Management of Commonwealth Liabilities) Bill 2005</b></p> <p><b>Asbestos-related Claims (Management of Commonwealth Liabilities) (Consequential and Transitional Provisions) Bill 2005</b></p> <p>Centralises the management of all common law asbestos-related condition claims against Australian Government agencies within Comcare.</p>	25 May 2005	1 June 2005	No reference	14 June 2005	<p>Passed 10 October 2005</p> <p>Received Royal Assent on 19 October 2005 and commenced on 26 October 2005</p>
<p><b>Occupational Health and Safety (Commonwealth Employment) Amendment Bill 2005</b></p> <p>Provide improved occupational health and safety protection for Commonwealth employees, particularly in relation to an employer's duty of care and workplace arrangements provisions.</p>	23 June 2005	18 August 2005	No reference	5 September 2005	<p>Passed 9 October 2006</p> <p>Received Royal Assent 23 October 2006</p>

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Name of Bill	House of Representatives Introduction Date	Date Passed or Rejected by House of Representatives	Committee Details	Senate Introduction Date	Date Passed or Rejected by Senate
<p><b>National Occupational Health and Safety Commission (Repeal, Consequential and Transitional Provisions) Bill 2005</b></p> <p>Abolishes the National Occupational Health and Safety Commission (replaced by the Australian Safety and Compensation Council); and makes consequential and transitional changes to 4 other Acts.</p> <p><b>Australian Workplace Safety Standards Bill 2005</b></p> <p>Provides for the Australian Safety and Compensation Council (which will replace the National Occupational Health and Safety Commission) to declare national standards and codes of practice in relation to occupational health and safety matters.</p>	11 August 2005	16 August 2005	No reference	18 August 2005	<p>9 November 2005</p> <p>Received Royal Assent on 15 November 2005 and with earlier partial commencement, fully commenced on 1 January 2006</p>

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Name of Bill	House of Representatives Introduction Date	Date Passed or Rejected by House of Representatives	Committee Details	Senate Introduction Date	Date Passed or Rejected by Senate
<p><b>Workplace Relations Amendment (Work Choices) Bill 2005</b></p> <p>Creates a national workplace relations system, including the establishment of the Australian Fair Pay Commission (AFPC) which will set and adjust minimum and award classification wages, minimum conditions of employment; public holidays; outworkers; direct bargaining between employers and employees; the role of the Australian Industrial Relations Commission, particularly in relation to regulation of industrial action; a simplified system of awards; redundancy pay by small business employers; transmission of business rules; protection of key award conditions in bargaining processes; dispute settlement procedures; extension of the compliance regime; transitional arrangements; provides for the renumbering of the Act; and Financial Management and Accountability Regulations 1997 in relation to the establishment of the AFPC.</p>	2 November 2005	10 November 2005	<p>Referred to SEWRELC* 2 November 2005</p> <p>Reported 22 November 2005</p>	10 November 2005	<p>2 December 2005</p> <p>Received Royal Assent on 14 December 2005 and with earlier partial commencement, fully commenced on 27 March 2006.</p>

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Name of Bill	House of Representatives Introduction Date	Date Passed or Rejected by House of Representatives	Committee Details	Senate Introduction Date	Date Passed or Rejected by Senate
<p><b>Employment and Workplace Relations Amendment (Welfare to Work and Other Measures) Bill 2005</b></p> <p>Amends the: <i>Social Security Act 1991</i> and <i>Social Security (Administration) Act 1999</i> in relation to: workforce participation and returns to work for people receiving allowances; a new compliance framework; and RapidConnect, an initiative to provide faster access to Job Network for newstart and youth allowees; <i>Disability Services Act 1986</i> in relation to approval of rehabilitation programs; and <i>Family and Community Services Legislation Amendment (Australians Working Together and other 2001 Budget Measures) Act 2003</i> to repeal the requirement for a ministerial review of the parenting payment participation agreements and flexible participation requirements for mature age newstart allowees regime.</p>	9 November 2005	1 December 2005	<p>Referred to SEWRELC* 9 November 2005</p> <p>Reported 28 November 2005</p>	1 December 2005	<p>7 December 2005</p> <p>Received Royal Assent on 14 December 2005 and with earlier partial commencement, fully commenced on 20 September 2006.</p>

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Name of Bill	House of Representatives Introduction Date	Date Passed or Rejected by House of Representatives	Committee Details	Senate Introduction Date	Date Passed or Rejected by Senate
<p><b>OHS and SRC Legislation Amendment Bill 2006</b></p> <p>Extends the Act to all corporations and Commonwealth authorities licensed under the <i>Safety, Rehabilitation and Compensation Act 1988</i>; excludes the operation of certain State and Territory laws; and amend the long and short titles of the Act to reflect its extended coverage beyond Commonwealth workplaces; and <i>Safety, Rehabilitation and Compensation Act 1988</i> to: enable Comcare to charge all Commonwealth authorities a regulatory contribution towards the costs of administering the <i>Occupational Health and Safety (Commonwealth Employment) Act 1991</i>; and validates certain contributions already made for the 2002-03 financial year; and <i>Safety, Rehabilitation and Compensation Act 1988</i> and <i>Social Security Act 1991</i> to make consequential amendments to reflect the title change of the <i>Occupational Health and Safety (Commonwealth Employment) Act 1991</i> to the <i>Occupational Health and Safety Act 1991</i>.</p>	7 December 2005	29 March 2006 Amended in House	Referred to SEWRELC* 1 March 2006  Report tabled 9 May 2006	9 May 2006	4 September 2006  Received Royal Assent on 14 September 2006 and with earlier partial commencement, fully commences on 1 July 2007.

current as at 28 June 2007

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Name of Bill	House of Representatives Introduction Date	Date Passed or Rejected by House of Representatives	Committee Details	Senate Introduction Date	Date Passed or Rejected by Senate
<p><b>Employment and Workplace Relations Amendment (Welfare to Work and Other Measures) (Consequential Amendments) Bill 2006</b></p> <p>Replace, amend or repeal terminology and provisions to clarify the policy intent of certain Welfare to Work measures, including the new income support payment compliance framework; allow parenting payment partnered recipients who have a temporary incapacity exemption to have access to pharmaceutical allowance; allow the continuation for 14 weeks of the same rate of Newstart Allowance or Youth Allowance for single principal carer parents following the death of a child; and extend access to an Employment Entry Payment.</p>	29 March 2006	25 May 2006	Referred to Main Committee	13 June 2006	<p>15 June 2006</p> <p>Received Royal Assent on 22 June 2006 and with earlier partial commencement, fully commenced on 20 September 2006</p>

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Name of Bill	House of Representatives Introduction Date	Date Passed or Rejected by House of Representatives	Committee Details	Senate Introduction Date	Date Passed or Rejected by Senate
<p><b>Independent Contractors Bill 2006</b></p> <p>Protects the status of independent contractors. The bill: excludes State and Territory laws which deem certain classes of independent contractors to be employees and which limit independent contractors from entering into primarily commercial relationships; establishes a national services contract review scheme; and provides a transitional scheme for workers deemed by State or Territory laws to be employees.</p>	22 June 2006	13 September 2006	<p>Referred to SEWRELC*</p> <p>Report tabled 25 August 2006</p>	13 September 2006	<p>Passed with amendments 1 December 2006</p> <p>Received Royal Assent 11 December 2006</p>

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Name of Bill	House of Representatives Introduction Date	Date Passed or Rejected by House of Representatives	Committee Details	Senate Introduction Date	Date Passed or Rejected by Senate
<p><b>Workplace Relations Legislation Amendment (Independent Contractors) Bill 2006</b></p> <p>Provide civil penalties for sham contracting arrangements; protect redundancy entitlements; provide for stand downs; make changes to the Australian Fair Pay and Conditions Standard; and <i>Building and Construction Industry Improvement Act 2005</i> and <i>Workplace Relations Act 1996</i> to: repeal redundant provisions in relation to unfair contracts as a consequence of the proposed national services contract review scheme contained in the Independent Contractors Bill 2006; allow proceedings to be initiated in relation to sham contracting arrangements; and makes technical amendments to the <i>Workplace Relations Act 1996</i> and <i>Workplace Relations Amendment (Work Choices) Act 2005</i>.</p>	22 June 2006	13 September 2006	<p>Referred to SEWRELC*</p> <p>Report tabled 25 August 2006</p>	13 September 2006	<p>Passed with amendments 1 December 2006</p> <p>Received Royal Assent 11 December 2006</p>

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Name of Bill	House of Representatives Introduction Date	Date Passed or Rejected by House of Representatives	Committee Details	Senate Introduction Date	Date Passed or Rejected by Senate
<p><b>Long Service Leave (Commonwealth Employment) Amendment Bill 2006</b></p> <p>Extends the operation of the Act in relation to Telstra employees for a period of 3 years from the day on which the Commonwealth ceases to have a controlling interest in Telstra.</p>	11 October 2006	17 October 2006		17 October 2006	18 October 2006 Received Royal Assent 4 November 2006.
<p><b>Safety, Rehabilitation and Compensation and Other Legislation Amendment Bill 2006</b></p> <p>Ensures the financial viability of the Commonwealth workers' compensation scheme, by amending the definitions of "disease" and "injury" and making changes to improve the administration and provision of benefits; and makes amendments consequential on the commencement of the <i>Legislative Instruments Act 2003</i>. Also increases the maximum funeral benefits payable and makes a similar amendment to the <i>Military Compensation and Rehabilitation Act 2004</i>.</p>	30 November 2006	7 December 2006	Referred to SEWRELC* Report tabled 26 February 2007	6 February 2007	Passed with amendments 27 March 2007.

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Name of Bill	House of Representatives Introduction Date	Date Passed or Rejected by House of Representatives	Committee Details	Senate Introduction Date	Date Passed or Rejected by Senate
<p><b>Employment and Workplace Relations Legislation Amendment (Welfare to Work and Vocational Rehabilitation Services) Bill 2006</b></p> <p>Support the staged introduction of contestability for vocational rehabilitation services by: removing the requirement for the provision of individual rehabilitation programs to be approved under the Act; and broadening the Secretary's delegation powers; and <i>Social Security Act 1991</i> and <i>Social Security (Administration) Act 1999</i> in relation to: pensioner education supplement; mobility allowance debt calculation; changed and redundant terminology; income tests; financial case management debts; and indexation.</p>	7 December 2006	26 February 2007	Referred to SEWRELC*  Report tabled 26 February 2007	27 February 2007	

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Name of Bill	House of Representatives Introduction Date	Date Passed or Rejected by House of Representatives	Committee Details	Senate Introduction Date	Date Passed or Rejected by Senate
<p><b>Building and Construction Industry Improvement Amendment (OHS) Bill 2007</b></p> <p>extend the application of the Australian Government Building and Construction Industry Occupational Health and Safety Accreditation Scheme to building work indirectly funded by the Commonwealth or a Commonwealth authority; restructure the process of appointing Federal Safety Officers; and allow the Federal Safety Commissioner, and persons working in the Office of the Federal Safety Commissioner, to disclose information on the Scheme to the Minister.</p>	29 March 2007	Debate commenced 28 May 2007	No reference		

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<p><b>Workplace Relations Amendment (A Stronger Safety Net) Bill 2007</b></p> <p>create the Office of the Workplace Ombudsman and the Workplace Authority as statutory agencies; introduce a fairness test to apply to workplace agreements lodged on or after 7 May 2007 to guarantee employees fair compensation in lieu of modification or exclusion of protected award conditions such as penalty rates and overtime and shift loadings; establish a compliance framework to ensure the effective operation of the fairness test; and vary provisions relating to: prohibited content in workplace agreements; and membership requirements for registered organisations</p>	28 May 2007	30 May 2007	<p>Referred to SEWRELC*</p> <p>Report tabled 14 June 2007</p>	13 June 2007	20 June 2007

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Name of Bill	House of Representatives Introduction Date	Date Passed or Rejected by House of Representatives	Committee Details	Senate Introduction Date	Date Passed or Rejected by Senate
<p><b>Social Security Amendment (2007 Measures No. 1) Bill 2007</b></p> <p>Amends mobility allowance for those persons undertaking vocational rehabilitation, receiving parenting payment or working at least 15 hours per week under the supported wage system; qualification for youth allowance; access to certain benefits and concessions for partnered parenting payment recipients with a partial capacity to work; eligibility for certain allowances for persons with at least 14 per cent care of a child; parenting payment participation requirements; the activity test for newstart allowance; and makes a technical correction.</p>	20 June 2007				

\* Senate Employment, Workplace Relations and Education Legislation Committee

† Note, this Bill was first introduced into the Parliament in the Senate