



THE HON JULIA GILLARD MP
DEPUTY PRIME MINISTER

Parliament House
Canberra ACT 2600

The Hon Justice G M Giudice
President
Australian Industrial Relations Commission
GPO Box 1994
MELBOURNE VIC 3001

16 JUN 2008

Dear President

I am writing to you about the final version of the National Employment Standards (NES) and about the consequential changes that have been made to the award modernisation request (the request).

As you are aware, section 576C(4) of the Workplace Relations Act 2008 provides that the Minister may, by written instrument, vary or revoke an award modernisation request.

Accordingly, I issue to you as President of the Industrial Relations Commission, the following variation to the award modernisation request. The variation to the request (Attachment A) should be published by a Registrar of the Commission as soon as practicable. I also enclose a consolidated version of the request (Attachment B).

Following the consultation process undertaken on the draft NES, I am pleased to provide you with the final version of the NES (Attachment C) to assist the Australian Industrial Relations Commission (the Commission) with the process of award modernisation.

In order to ensure that the award modernisation request appropriately reflects the final version of the NES, it has been necessary to vary the request, and in particular, revise the mechanisms detailing the interaction of the NES with modern awards. In addition the request will enable modern awards to include industry specific redundancy schemes that may operate in place of the NES entitlement.

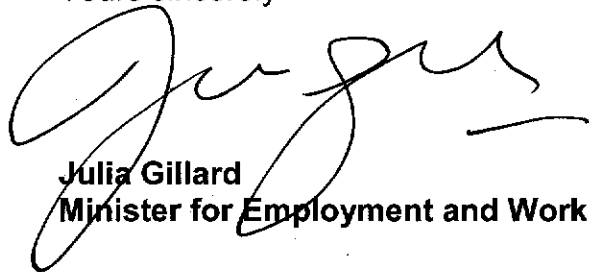
The request also directs the Commission to create a modern award to cover employees who are not covered by another modern award and who perform work of a similar nature to that which has historically been regulated by awards. This will ensure that the basic protections such as minimum wages and meal breaks are provided to these employees.

I would also like to note that the substantive workplace relations amendments later this year will address (among other things) NES related issues such as compliance, dispute resolution, the interaction of the NES with agreements and the application of the NES to award free employees.

I congratulate the Commission on its prompt work so far in preparing the award modernisation statement, initiating the consultation process and establishing a timetable for priority industries. I also appreciate the commitment and interest parties have shown in the award modernisation process to date.

I look forward to hearing more about the Commission's progress on this important task.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Julia Gillard', written in a cursive style.

Julia Gillard
Minister for Employment and Workplace Relations