



# Agreement making in Australia under the Workplace Relations Act

2002 and 2003

A report prepared by the  
Department of Employment and Workplace Relations  
and the Office of the Employment Advocate

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**Australian Government**  
**Department of Employment and  
Workplace Relations**

**Secretary**

GPO Box 9879 CANBERRA ACT 2601

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The Honourable Kevin Andrews MP  
Minister for Employment and Workplace Relations  
Parliament House  
CANBERRA ACT 2600

Dear Minister

I am pleased to present to you '*Agreement making in Australia under the Workplace Relations Act: 2002 and 2003*'. The Report covers developments in agreement making under Parts VIB and VID of the *Workplace Relations Act 1996*, for the period 1 January 2002 to 31 December 2003, as required by section 358A of the *Workplace Relations Act 1996*.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bob Correll'.

Bob Correll  
Acting Secretary  
30 June 2004



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## SHORTENED FORMS

AAWI	Average annualised wage increase
ABS	Australian Bureau of Statistics
ACIRRT	Australian Centre for Industrial Relations Research and Training
AIRC	Australian Industrial Relations Commission
ANZSIC	Australian and New Zealand Standard Industry Classification
ASCO	Australian Standard Classification of Occupations
ATSI	Aboriginal and Torres Strait Islander
AWA	Australian workplace agreement
AWAMS	Australian Workplace Agreements Management System
CA	Certified agreement
CPI	Consumer Price Index
DEWR	Department of Employment and Workplace Relations
EA	Employment Advocate
ESB	English speaking background
GDP	Gross domestic product
NESB	Non-English speaking background
OEA	Office of the Employment Advocate
OECD	Organisation for Economic Cooperation and Development
OLAA	Online Awards and Agreements Database
WAD	Workplace Agreements Database
WR Act	Workplace Relations Act 1996



# EXECUTIVE SUMMARY

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## 2002 and 2003 report

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*The report, Agreement making in Australia under the Workplace Relations Act, 2002 and 2003 fulfils the requirements of section 358A of the Workplace Relations Act 1996 (WR Act) under which the Minister must cause a person to review and report on developments in bargaining for the making of agreements covered by Parts VIB and VID of the WR Act.*

*The reporting requirement also includes the effects of bargaining on the employment (including wages and conditions of employment) of women, part-time employees, persons from a non-English speaking background (NESB)<sup>1</sup> and young persons. This report refers to these as designated group employees.*

*The report covers the period from 1 January 2002 to 31 December 2003.*

*The report was prepared jointly by the Department of Employment and Workplace Relations (DEWR) and the Office of the Employment Advocate (OEA).*

*Chapter 1 of the report describes the types of federal workplace agreements that can be made under Parts VIB and VID of the WR Act and economic developments in Australia in the reporting period.*

*Chapter 2 reports on wage and conditions developments in certified agreements (CAs) made under Part VIB of the WR Act by the Australian Industrial Relations Commission (AIRC) for all employees and designated group employees.*

*Chapter 3 reports on wage and conditions developments in Australian workplace agreements (AWAs) approved under Part VID of the WR Act by the Employment Advocate (EA) or the AIRC for all employees and designated group employees.*

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<sup>1</sup> The term 'non-English speaking background' is used in order to be consistent with the terminology used in section 358A of the WR Act. Australian Bureau of Statistics (ABS) data used in the report for comparative purposes is drawn from the ABS reporting category 'persons born in other than the main English speaking countries'.

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## Highlights in developments

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### Certified agreements

*Between 1 January 2002 and 31 December 2003, 14 990 agreements were certified.*

*At 31 December 2003, 13 419 CAs, covering 1 612 600 employees, were current, having neither expired nor been terminated.*

*Agreement making continued to expand in all industry sectors. Industries where the number of CAs rose include health and community services, personal and other services and property and business services.*

*Awards continued to decline as a primary means of determining wages and conditions of employment. At May 2002, 20 per cent of employees relied primarily on awards, compared with 23 per cent in May 2000 and 68 per cent in May 1990.*

*Division 2 agreements, made without the need for an industrial dispute, continued to rise from 80 per cent of all CAs in 1998 to 93 per cent in 2003.*

*The proportion of CAs made directly with employees and certified under section 170LK of the WR Act over the two year period continued to rise to 15 per cent, up 1 per cent from the previous two year period.*

*The proportion of CAs in the private sector grew from 91 per cent to 94 per cent.*

*The shift towards smaller enterprises continued, with agreement size falling to an average of 72 employees per agreement, down from 115 employees in the previous reporting period.*

*Wage increases were stable on a quarter by quarter basis and remained moderate and broadly in line with wage increases recorded since the introduction of the WR Act.*

*The gap between the wage increases in CAs made with unions and in CAs made directly with employees declined to less than half of one percent.*

*The average duration of wage agreements continued to increase from 2.5 years in 2001 to 2.6 years in 2003.*

*The variety of employment conditions provisions in CAs remained diverse with the most prevalent provision being hours of work flexibility.*

*Provisions which assist employees in balancing their work and family responsibilities were more prevalent in the reporting period, with 44 per cent of CAs, covering 87 per cent of employees, containing at least one family friendly provision.*

*Wage increases for designated group employees continued to be consistent with those of all employees.*

*Longer-term wage trends showed a broad tendency for a convergence between the average increases provided to designated group employees and all employees.*

*Designated group employees generally had access to a similar range of employment conditions provisions as all employees.*

*The coverage of most conditions provisions increased for designated group employees.*

## **Australian workplace agreements**

*At the end of 2003, the total number of AWAs approved reached 424 000. The annual growth rate in approved AWAs over 2002 and 2003 was 35 per cent.*

*The EA approved over 200 000 AWAs in the reporting period, with the remainder approved by the AIRC. The proportion of AWAs approved by the EA with undertakings fell slightly during the reporting period.*

*The vast majority of employers lodging AWAs (89 per cent, up from 87 per cent in the previous reporting period) were private sector employers.*

*Over 31 per cent of AWAs approved in 2002 and 2003 were from Western Australia, up from 12 per cent prior to 2002. This reflected demand following the move from State-based individual agreements.*

*The proportion of AWAs lodged by small business doubled from 5 per cent in the last reporting period to 10 per cent.*

*Mining, manufacturing, construction, retail trade and property and business services accounted for 57 per cent of all AWAs approved.*

*Up until the end of 2001 the highest proportion of AWAs came from the government administration and defence, retail trade and communication services industries.*

*AWA employees in both the public and private sectors earned more than employees covered by CAs in these sectors.*

*AWA employees in the private sector earned an average 23 per cent more than CA employees.*

*Overall, AWA employees reported higher levels of satisfaction with their hours than employees covered by collective agreements and were more satisfied with their level of control over work hours, level of communication, amount of work performed, training received and recognition of work and effort.*

*AWA employees reported more positively on their capacity to balance work and family life than employees covered by collective agreements.*

*Employee training was referred to in 34 per cent of AWAs and one in five AWAs contained provision for financial support for employee training.*

*AWAs continued to deliver a range of beneficial wage and working conditions outcomes for employees in designated groups. For women this included higher proportional pay and inclusion of flexible working provisions.*

*Fifty-two per cent of women covered by AWAs had access to family-friendly leave, and 41 per cent had access to family-friendly flexibility provisions such as flexitime.*

*Part-time and young AWA employees were more likely than full-time AWA employees to be covered by family-friendly flexibility provisions and just as likely as full-time employees to have access to family-friendly leave.*

# CHAPTER 1 BACKGROUND

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## 1.1 Types of agreement under the WR Act

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The WR Act introduced many significant changes to the legislative framework of formalised agreement making in the federal jurisdiction. It replaced the *Industrial Relations Act 1988* following the passage of the *Workplace Relations and Other Legislation Amendment Act 1996*, which came into effect on 31 December 1996, with provisions relating to AWAs effective from 1 March 1997.

The past decade has seen a major shift in the philosophy underpinning the workplace relations system in Australia. Workplace bargaining is now the main mechanism for determining the wages and conditions of workers, while awards operate as a safety net of fair and enforceable minimum wages and conditions of employment.

### Formalised agreement making

There are a number of options for formalised agreement making under the WR Act.

#### *Certified agreements*

The WR Act provides for the certification by the AIRC of different types of CAs made between employers and employees collectively.

Division 2 agreements can be made by constitutional corporations, the Commonwealth, waterside, maritime or flight crew employers, and businesses operating in Victoria or a Territory without the need for an industrial dispute. Division 3 agreements are made in settlement of an industrial dispute.

The following agreements can be made under Division 2:

- (i) Section 170LJ – an agreement between an employer and one or more organisations of employees validly representing at least one employee to be covered by the agreement;

(ii) Section 170LK – an agreement between an employer and a ‘valid majority’ of existing employees to be covered by the agreement; and

(iii) Section 170LL – in circumstances where an employer proposes to establish a new business, an agreement (referred to as a greenfields agreement) made between the employer and one or more organisations of employees which may represent at least one of the employees likely to be covered by the agreement when the new business commences.

Under Division 3, an agreement can be made under between an employer and one or more organisations of employees in settlement or further settlement of all or any of the matters in an industrial dispute, or in prevention of industrial disputes. These agreements are referred to as section 170LN agreements in this report.

Where a Full Bench of the AIRC is satisfied that it is in the public interest, a multi-employer agreement can be made which involves one or more single businesses carried on by one or more employers.

### *Australian workplace agreements*

Agreements made between employers and individual employees called AWAs are the first non-collective agreements to be recognised by legislation for the federal jurisdiction. AWAs provide greater flexibility in the workplace and enable individual employees to tailor working arrangements to best suit their needs.

An AWA must be approved by the EA, a statutory office holder established under the WR Act. AWAs are only available where the employer is either a constitutional corporation or a Commonwealth employer, and in a limited number of other circumstances falling within the Commonwealth’s constitutional jurisdiction.

### **Informal agreement making**

Another form of agreement facilitated under the WR Act is an informal agreement, which is underpinned by common law. The WR Act enables employers and employees to choose the most appropriate form of agreement for their particular circumstances, whether or not that form is provided for by the WR Act (section 3(c)). This report does not incorporate information on informal agreements.

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## 1.2 Agreement making processes under the WR Act

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Different processes apply to the making and certifying of CAs and the making and approval of AWAs. For the certification of a CA, an application must be made to the AIRC under Division 4 of Part VIB of the WR Act. For approval of an AWA, application must be made to the EA. Both CAs and AWAs must satisfy the no-disadvantage test.

### Certified agreements

For an agreement to be certified, the following conditions must be fulfilled:

(i) the agreement must satisfy the no-disadvantage test. The AIRC may certify an agreement that does not pass the no-disadvantage test in limited circumstances, provided doing so is not contrary to the public interest;

(ii) the employer must have taken reasonable steps to explain the terms of the agreement to all persons to be covered by it. The explanation must be appropriate having regard to the individual circumstances that may apply to women, part-time employees, young persons or persons from a NESB;

(iii) a 'valid majority' of persons employed at the time who would be covered by the agreement must have genuinely approved the agreement or must have genuinely made the agreement. Obtaining the approval of a 'valid majority' of employees requires the employer to give all relevant employees a reasonable opportunity to decide whether they want to make the agreement or give the approval. A majority of persons covered by the agreement (or if the approval is obtained by ballot, a majority of those who cast a valid vote) must then approve the agreement;

(iv) where the agreement is made directly with employees, the employer must not have coerced any employee not to request an organization of which they are a member from representing that person in a meeting with the employer about the agreement under section 170LK(4);

(v) the agreement must contain a dispute settlement procedure; and

(vi) the agreement must specify a nominal expiry date for the agreement which is not later than three years from the date the agreement is to come into operation.

Where the agreement is in settlement of an industrial dispute there are additional requirements contained in section 170LU to ensure that the agreement settles the dispute and will prevent further industrial disputes between the persons concerned.

## **Individual agreements**

In order to be approved by the EA, an AWA must:

- (i) satisfy the no-disadvantage test;
- (ii) contain anti-discrimination and dispute resolution procedure provisions as prescribed by the regulations (otherwise the prescribed model provisions are deemed to apply);
- (iii) not include any provisions that prohibit or restrict disclosure of details of the AWA by either party to another person;
- (iv) have a nominal expiry date, that is not more than three years after the AWA commencement date;
- (v) on being filed with the EA:
  - must be signed and dated by each party, and the signatures must be witnessed;
  - must be accompanied by a declaration by the employer that it contains the necessary provisions (see above), that the employee before signing the AWA was provided with a copy of an information statement prepared by the EA. The declaration must also state whether or not the employer offered an AWA in the same terms to all comparable employees; and
  - the employer must have provided any other information which the EA has indicated is required to be provided;
- (vi) be given to a new employee, at least five days, and, to an existing employee, at least 14 days, before it is to be signed;
- (vii) have been explained to the employee regarding the effect of the AWA, between the time the employee first received a copy of the AWA and the time the employee signed it;

(viii) have been genuinely consented to by the employee making the AWA; and

(ix) have been offered, by the employer, in the same terms to all comparable employees, unless the employer did not act unfairly or unreasonably in failing to do so.

### **The no-disadvantage test**

Part VIE of the WR Act requires that all forms of agreement satisfy a global no-disadvantage test prior to certification or approval.

Under section 170XA, an agreement passes the test if its approval or certification would not result, on balance, in a reduction in the overall conditions of employment of the relevant employee/s under any award that applies to the employee/s and any other relevant federal, State or Territory law.

If there is no award covering the relevant employee/s, then the AIRC or EA is required to designate a suitable award for the purposes of the test. A modified no-disadvantage test applies to employees eligible for the supported wage scheme, or employees undertaking an approved traineeship or apprenticeship.

In addition to passing the no-disadvantage test an AWA can only be approved where the EA is satisfied the agreement meets the additional requirements specified in section 170VPA. CAs are required to satisfy similar requirements under section 170LT to be certified by the AIRC. If the EA has concerns about the AWA passing the no-disadvantage test that cannot be addressed by undertakings or actions of the parties, the EA must refer the AWA to the AIRC.

It is important to note that the no-disadvantage test is a global test. This means that an agreement or AWA may fall below any individual term or condition set by the award or legislative benchmark, provided that the overall agreement does not disadvantage those employees whose terms and conditions of employment are determined by the agreement or AWA.

If an agreement or AWA does not pass the no-disadvantage test and this is the only impediment to certification, the AIRC may proceed with certification if it is not contrary to the public interest. A specific example of such circumstances is where the agreement is part of a reasonable strategy to deal with a short-term crisis and will assist in the revival of the business.

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## 1.3 Pay setting developments

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Different employees within the same industry or workplace can be covered by awards, collective agreements or individual agreements. This is illustrated in Chart 1.3.1, which shows employee coverage by different types of workplace pay arrangements.

Informal individual pay setting arrangements are the most widespread. Informal individual agreements include arrangements such as common law employment agreements and overaward payments.

In 2002, 39 per cent of all employees had their pay set by informal individual agreements whereas 2 per cent had their pay set by formal individual agreements (up marginally from 2000).

Formal collective agreements are more widespread than informal collective agreements. Thirty-six per cent of all employees had their pay set by formal collective agreements in May 2002 compared with only 2 per cent by informal collective agreements.

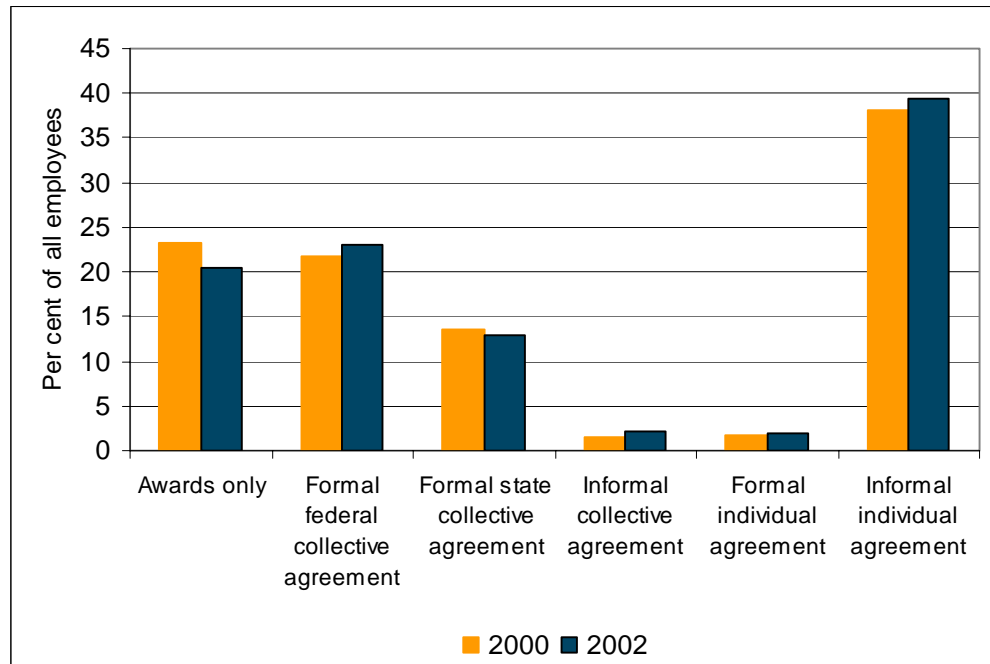
In 2002, 23 per cent of all employees had their pay set by formal collective agreements in the federal jurisdiction, up from 22 per cent in 2000. Thirteen per cent of all employees had their pay set by formal collective agreements in the state jurisdiction, down from 14 per cent in 2000.

The proportion of employees relying solely upon awards for their rate of pay has fallen dramatically. Award-only coverage has fallen from 68 per cent of employees in 1990<sup>2</sup> to only 21 per cent in 2002.

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<sup>2</sup> ABS. Cat. No. 6315.0 *Award Coverage*, May 1990.

**Chart 1.3.1 Workplace pay arrangements, all employees, May 2000 and May 2002**



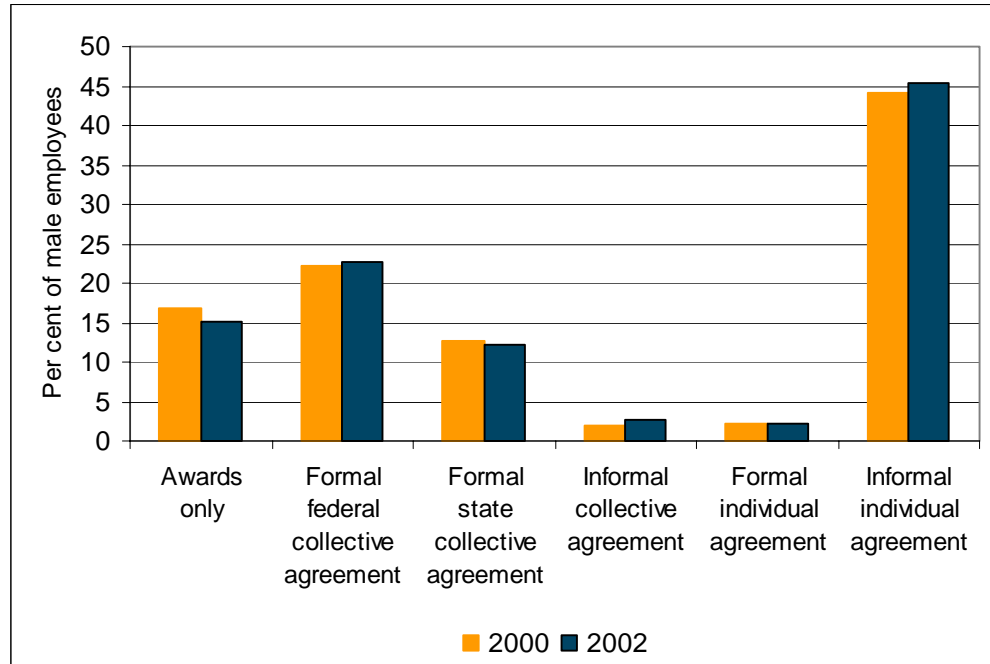
Source: ABS Employee Earnings and Hours, Cat No. 6306.0 (unpublished data), May 2000 and May 2002.

The proportion of men and women whose pay was set by collective agreements was fairly similar, with no significant change between 2000 and 2002. This is shown in Charts 1.3.2 and 1.3.3.

More men than women were paid under informal individual agreements, while more women than men were reliant on awards to set their pay rates (although this proportion dropped from 30 per cent in 2000 to 26 per cent in 2002).

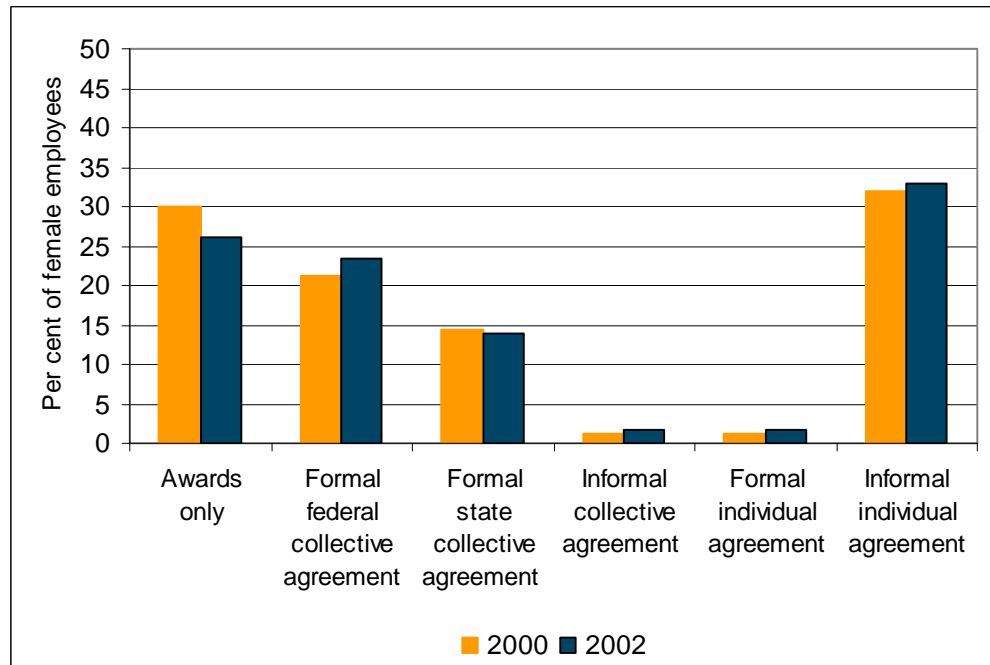
Gender differences in pay setting arrangements largely reflect the different industry composition of employment of men and women. Men are disproportionately employed in industries such as construction and manufacturing which have higher individual agreement coverage. Women are disproportionately employed in industries with higher award reliance such as accommodation, cafes and restaurants, retail trade and health and community services.

**Chart 1.3.2 Workplace pay arrangements - males, May 2000 and May 2002**



Source: ABS Employee Earnings and Hours, Cat No. 6306.0 (unpublished data), May 2000 and May 2002.

**Chart 1.3.3 Workplace pay arrangements - females, May 2000 and May 2002**



Source: ABS Employee Earnings and Hours, Cat No. 6306.0 (unpublished data), May 2000 and May 2002.

Table 1.3.1 shows a number of patterns in award and agreement coverage. Award reliance tends to fall as the occupation level becomes more skilled. For example, only 7 per cent of professionals had their pay set by an award in 2002 compared with 42 per cent of elementary clerical, sales and service workers. On the other hand, informal individual agreements were most common among the higher skilled occupations, such as professionals and managers. There is no clear pattern in the use of collective agreements across occupations.

The method of pay setting varies considerably across industries. Award reliance remained relatively high in some service industries such as accommodation, cafes and restaurants, retail trade and health and community services. Public sector-dominated industries such as education and government administration and defence had a high proportion of employees on collective agreements. The incidence of individual agreements was highest among employees in the wholesale trade, and property and business services industries.

Award reliance and agreement coverage varies markedly between the public and private sectors. Almost 90 per cent of public sector employees had their pay set by a formal collective agreement. Private sector employees were more likely to have their pay set by informal individual agreements, 49 per cent, or awards, 25 per cent.

Award reliance fell in most industries and occupations, and among both private and public sector employees between 2000 and 2002.

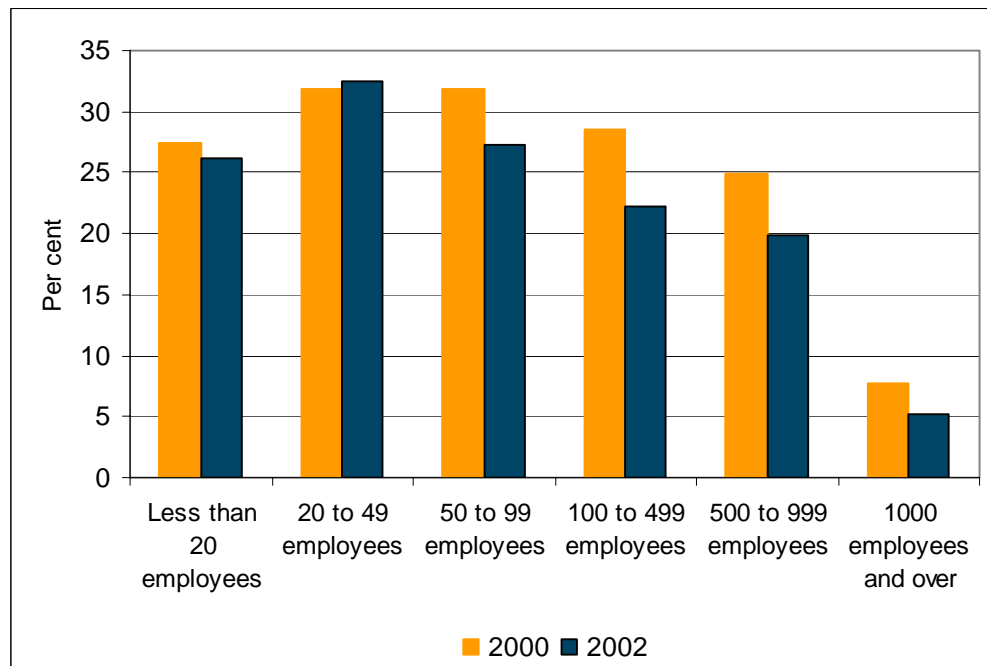
**Table 1.3.1 Proportion of non-farm employees by pay setting arrangement, May 2002**

	Award only %	Collective agreements			Individual	
		Federal %	State %	Informal %	Formal %	Informal %
Full-time	13	23	14	2	2	46
Part-time	35	23	12	2	1	27
Public sector	5	45	44	1	2	3
Private sector	25	17	5	2	2	49
Mining	6	29	11	1	19	35
Manufacturing	13	26	9	2	2	48
Electricity, gas and water supply	1	39	40	<1	<1	13
Construction	17	15	5	3	1	58
Wholesale trade	12	4	2	2	1	80
Retail trade	34	28	1	1	2	34
Accommodation, cafes and restaurants	61	3	3	<1	1	31
Transport and storage	16	27	12	2	2	41
Communication services	2	69	<1	<1	13	15
Finance and insurance	5	39	2	9	4	41
Property and business services	18	6	3	3	3	68
Government administration and defence	6	53	32	1	3	5
Education	8	37	46	1	1	8
Health and community services	30	22	25	3	1	20
Cultural and recreational services	11	23	6	2	1	57
Personal and other services	22	12	27	4	2	34
Managers and administrators	<1	10	9	1	3	77
Professionals	7	27	28	1	2	35
Associate professionals	6	22	14	2	2	54
Tradespersons and related workers	26	19	7	2	2	44
Advanced clerical and service workers	12	15	6	4	2	62
Intermediate clerical, sales and service workers	25	21	12	2	1	38
Intermediate production and transport workers	18	31	12	3	3	33
Elementary clerical, sales and service workers	42	29	4	2	2	21
Labourers and related workers	34	23	13	2	2	25

Source: ABS Employee Earnings and Hours, Cat No. 6306.0, May 2000 and May 2002.

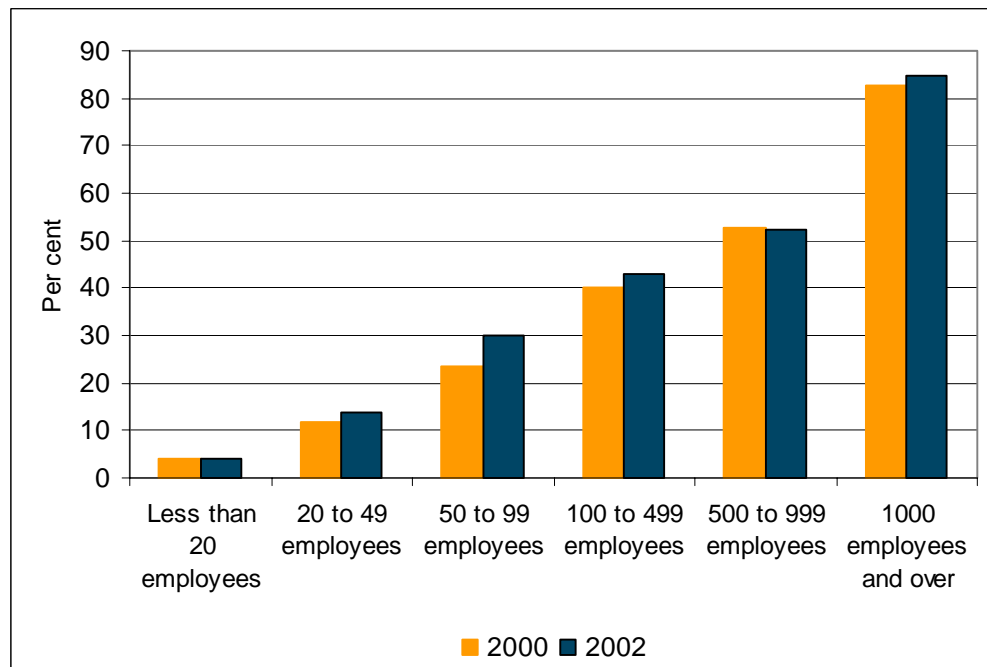
Charts 1.3.4, 1.3.5 and 1.3.6 show that there is a strong correlation between pay setting arrangements and firm size. The proportion of the workforce paid under individual agreements declines with the size of the firm, while the proportion of the workforce paid under collective agreements increases with firm size. Award reliance is particularly low in firms of 1000 workers or more.

**Chart 1.3.4 Award reliance by size of firm, May 2000 and May 2002**



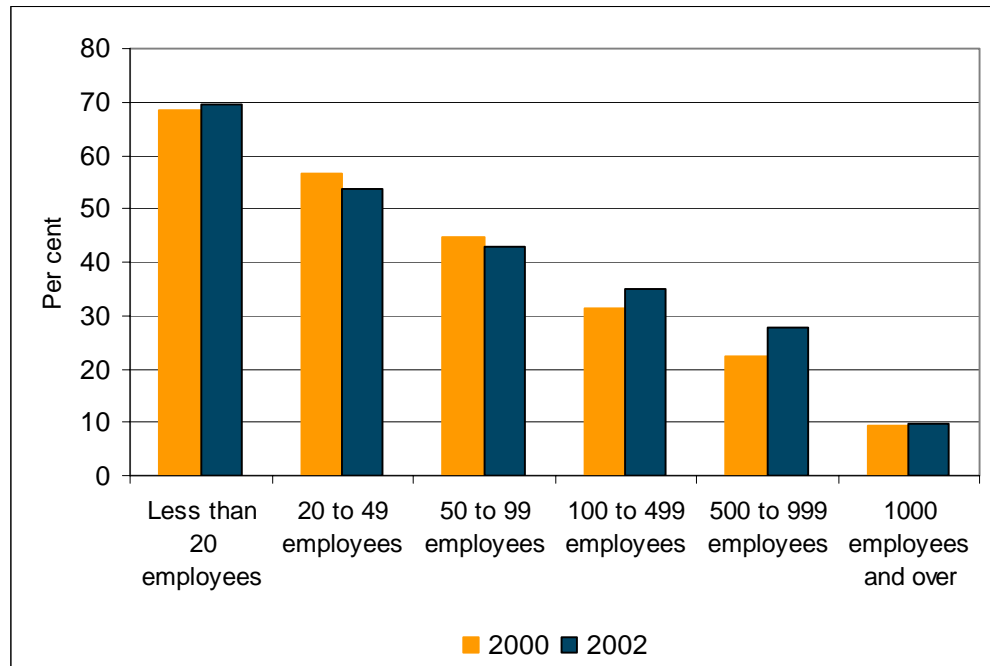
Source: ABS Employee Earnings and Hours, Cat No. 6306.0 (unpublished data), May 2000 and May 2002.

**Chart 1.3.5 Collective agreement coverage by size of firm, May 2000 and May 2002**



Source: ABS Employee Earnings and Hours, Cat No. 6306.0 (unpublished data), May 2000 and May 2002..

**Chart 1.3.6 Individual agreement coverage by size of firm, May 2000 and May 2002**



Source: ABS Employee Earnings and Hours, Cat No. 6306.0 (unpublished data), May 2000 and May 2002.

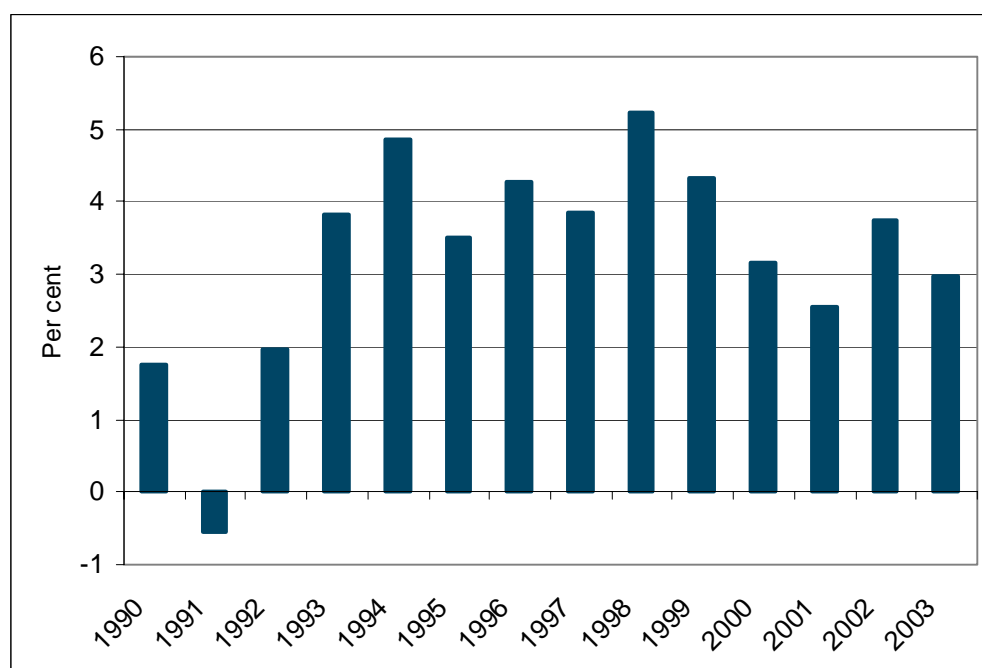
## 1.4 Economic developments

### Growth and employment

The Australian economy remained strong in the reporting period with robust labour market conditions, despite considerable economic challenges, including drought and international economic weakness.

While economic growth slowed compared with the 1990s, Australia maintained one of the strongest rates of growth in the OECD. The Australian economy grew by 3.8 per cent in 2002 and 3.0 per cent in 2003, seasonally adjusted.

**Chart 1.4.1 Annual growth in GDP (chain volume measure), 1990 to 2003**



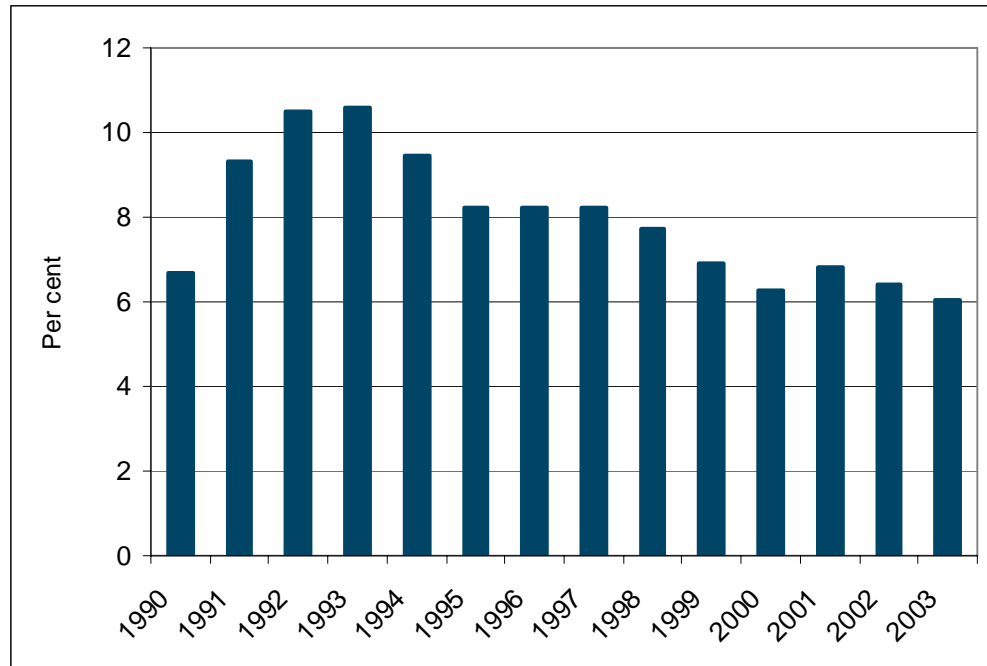
Source: ABS Cat. No. 5206.0, National Income, Product and Expenditure.

A key factor enabling Australia to successfully meet economic challenges is flexibility in response to the continuing process of microeconomic reform, supported by a floating exchange rate, relative openness to trade and stable macroeconomic policies.

A key feature of microeconomic reform has been the introduction of a more flexible workplace relations system, allowing businesses to adapt more easily in response to changing economic circumstances.

Australia's long economic expansion has enabled strong employment growth and reduced the unemployment rate. Chart 1.4.2 shows the decline in the unemployment rate during the 1990s. In contrast to the high unemployment that followed the recession of the early 1990s, the unemployment rate fell to 6.4 per cent in 2002 and to 6.1 per cent in 2003, the lowest rate recorded since 1989.

**Chart 1.4.2 Unemployment rates, 1990 to 2003**



Source: ABS Cat. No. 6202.0, *Labour Force, Australia* (seasonally adjusted data).

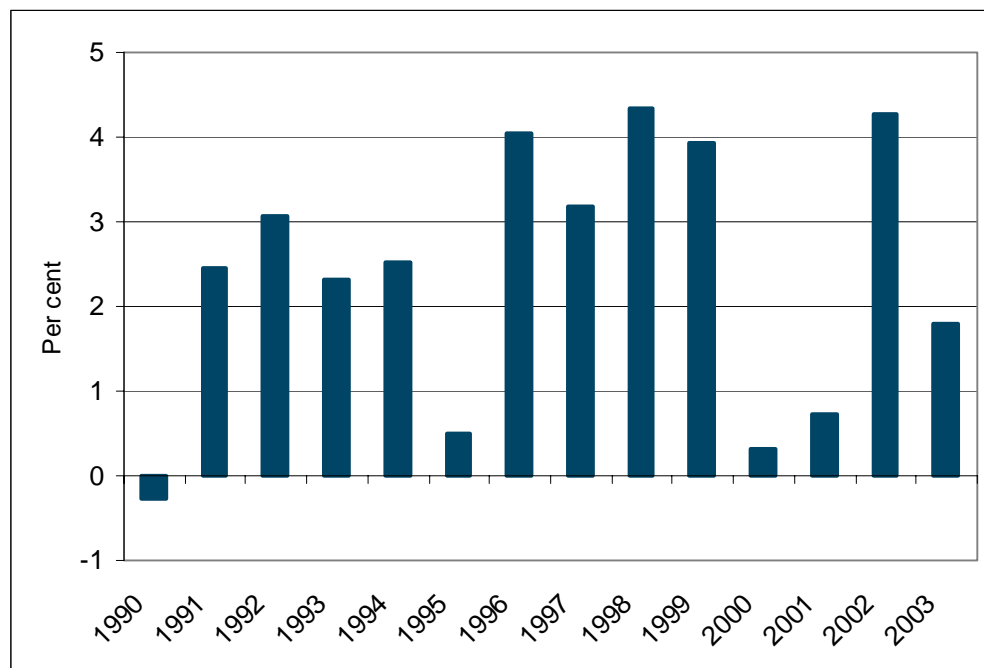
## Productivity

A principal object of the WR Act is to encourage the pursuit of high employment, improved living standards, low inflation and international competitiveness through higher productivity and a flexible and fair labour market.

In contrast to the centrally determined wages and conditions of the award system, bargaining at the enterprise or workplace level allows firms and workers to link wage increases with productivity improvements.

Australia's productivity performance improved significantly in the 1990s, coinciding with the growth of agreement making. Chart 1.4.3 shows that productivity growth was maintained in 2002 and 2003. GDP per hour worked in the market sector, increased by 4 per cent in 2002 and 2 per cent in 2003.

**Chart 1.4.3 Annual growth in labour productivity (GDP per hour worked in the market sector), year ending June, 1990 to 2003**



Source: ABS Cat. No. 5204.0, Australian System of National Accounts.

These productivity improvements are the result of a range of factors and it is difficult to isolate individual drivers. Workplace bargaining provides a framework to assist the redesign of working arrangements and to ensure workers are employed in ways in which they are most productive. A number of studies by the Productivity Commission and others confirm the positive association between workplace bargaining and productivity growth.<sup>3</sup>

For example, a recent study by Fry, Jarvis and Loundes found that organisations adopting workplace relations reform agenda reported significantly higher levels of self-assessed labour productivity relative to their competitors.<sup>4</sup>

<sup>3</sup> For information on these studies see Commonwealth Submission, Safety Net Review – Wages, 18 February 2004, Chapter 4.

<sup>4</sup> T Fry, K Jarvis and J Loundes, *Are Pro-Reformers Better Performers?* Melbourne Institute Working Paper No 18/02, September 2002

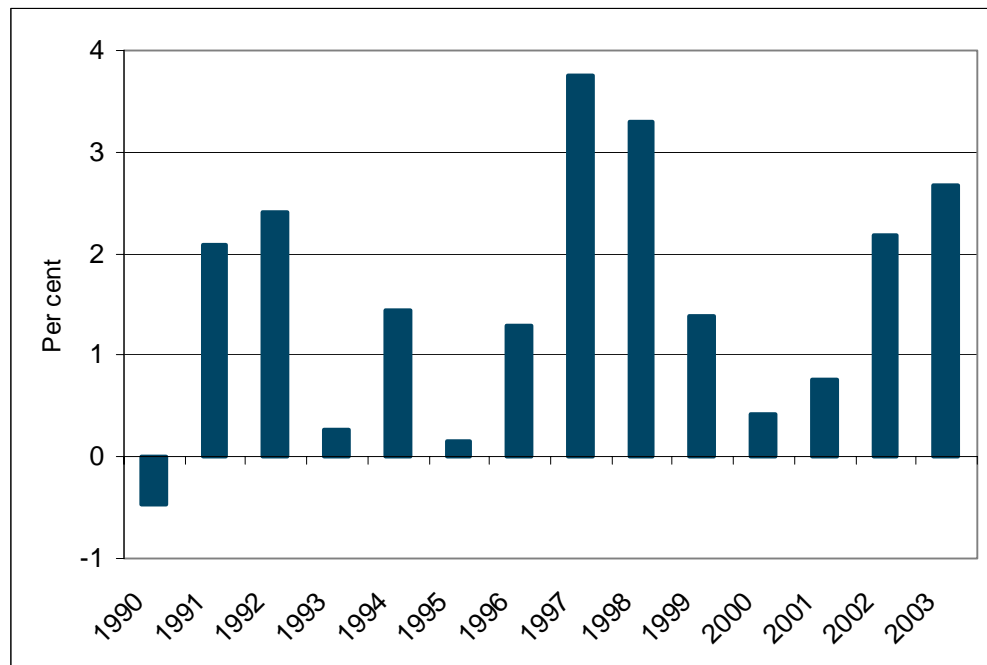
## Real wages and price stability

A principal objective of the WR Act is to encourage improved employment and living standards through low inflation. This is achieved through a closer relationship between changes in earnings and productivity. An important consequence of this is a weaker connection between prices and wages than is the case under a more centralised wage system.

Chart 1.4.4 shows real wages growth over the past decade. Higher levels of productivity recorded in the 1990s have allowed growth in earnings that has exerted little inflationary pressure. Real wages have surged over the last decade and strong real wages growth continued in 2002 and 2003.

Real wages grew by 2.2 per cent in 2002 and 2.7 per cent in 2003. Importantly, wages growth continues to be consistent with productivity growth, ensuring that labour costs for business do not constrain employment growth. Since 1990, inflation has averaged 2.4 per cent per year. This indicates that the shift to workplace bargaining has been associated with productivity growth, low inflation and higher real wages for employees.

**Chart 1.4.4 Annual real wages growth, 1990 to 2003**



Source: ABS Cat. No. 6302.0 Average Weekly Earnings, Australia; ABS Cat. No. 6401.0 Consumer Price Index, Australia. Note: Real wages are defined as full-time Average Weekly Ordinary Time Earnings deflated by the Consumer Price Index.

## CHAPTER 2 COLLECTIVE AGREEMENT MAKING, 2002-2003

This chapter reports on wages and conditions developments for CAs made in 2002 and 2003. Data are presented for all employees and for designated group employees.

The dataset used in this chapter comes from the Workplace Agreements Database (WAD), covering all federal collective agreements certified since the introduction of enterprise bargaining in 1991. More detailed information on the WAD is at Appendix A.

It is important to distinguish between CAs *certified* in a particular time period and CAs that are *current* – that is, neither terminated or expired – at the end of a particular time period.

For example, ‘CAs certified in 2003’ refers to all CAs that were certified by the AIRC between 1 January 2003 and 31 December 2003. ‘CAs current at 2003’ refers to all CAs that had not been terminated or expired as at 31 December 2003. This is likely to include CAs that were certified prior to 2003.

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### 2.1 Coverage of collective agreements

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#### Overall coverage

Some 14 990 CAs were certified during 2002-2003. This was an increase from 13 632 CAs certified in the previous reporting period.

At the end of December 2003 there were 13 419 CAs current covering approximately 1 612 600 employees. This figure may underestimate actual coverage as more employees remained covered by the terms and conditions of CAs that had expired but had not yet been replaced.

## Size of agreements

As Table 2.1.1 shows, the average number of employees covered by CAs certified each year fell from 142 in 1997 to 72 in 2003. This indicates that agreement making is spreading into smaller workplaces.

**Table 2.1.1 Average number of employees per CA certified, 1997 to 2003**

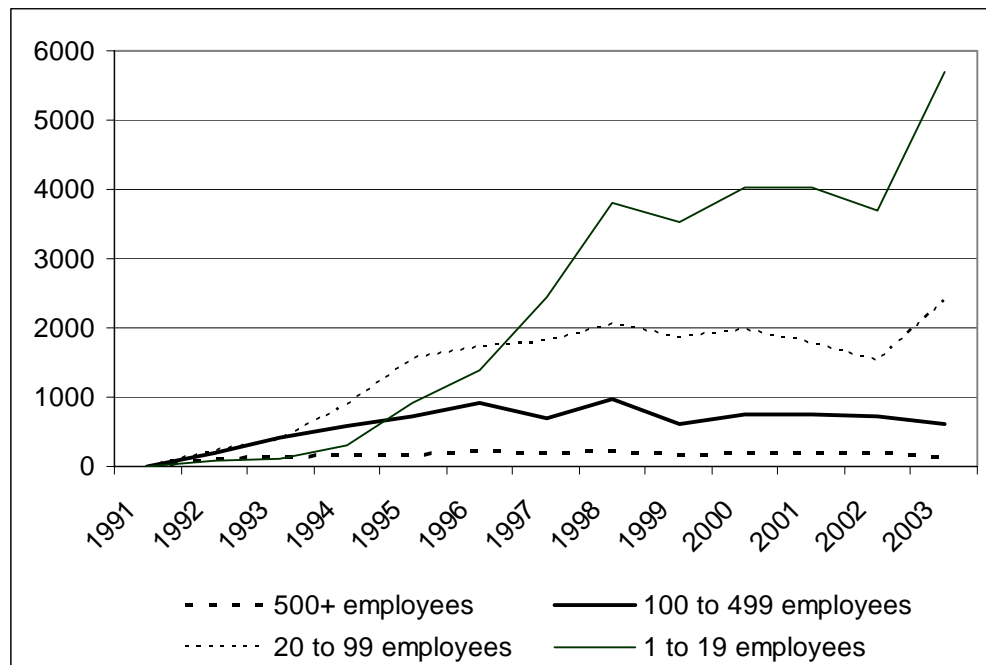
	1997	1998	1999	2000	2001	2002	2003
Private	100	90	75	62	74	96	51
Public	385	374	259	414	643	646	479
<b>Total</b>	<b>142</b>	<b>130</b>	<b>101</b>	<b>100</b>	<b>115</b>	<b>143</b>	<b>72</b>

Source: DEWR, Workplace Agreements Database.

Chart 2.1.1 outlines the growth in CAs certified, by agreement size, measured by employee coverage.

The number of CAs covering less than 20 employees has grown strongly over the period since 1991. Moderate growth of CAs covering between 20 and 99 employees has also occurred, particularly in 2003. The number of larger agreements has been relatively constant since the mid-1990s.

**Chart 2.1.1 CAs certified by size of agreement, 1991 to 2003**



Source: DEWR, Workplace Agreements Database.

## Agreements by sector, industry and division

### *Sector*

Table 2.1.2 shows the number of CAs certified by sector. The private sector accounted for over 90 per cent of CAs certified in 2002-2003. Employee coverage was more evenly spread between the sectors due to the influence of public sector CAs that cover higher numbers of employees per agreement.

**Table 2.1.2 CAs certified by public and private sector, 2002 and 2003**

		No. of CAs	% of CAs	% of employees
2002	Private	5609	91	61
	Public	525	9	39
2003	Private	8430	95	68
	Public	426	5	32

*Source: DEWR, Workplace Agreements Database.*

### *Industry*

Table 2.1.3 gives an industry breakdown of CAs certified in the reporting period. There were some minor shifts between industries.

Industries where the number of CAs certified have risen compared with 2000-2001 include health and community services, personal and other services, and property and business services. Industries where CA numbers fell include manufacturing, transport and storage and education.

Construction recorded the largest change with 1459 more CAs than in 2000-2001. However, this may be due to the renegotiation of Victorian and NSW building industry CAs, which expired in late 2002.

**Table 2.1.3 CAs certified by industry, 2002 and 2003**

Industry	2002				2003			
	CAs		Employees ('000)		CAs		Employees ('000)	
	No.	%	No.	%	No.	%	No.	%
Agriculture, forestry and fishing	52	1	3.3	<1	52	1	2.3	<1
Mining	112	2	7.9	1	117	1	6.7	1
Manufacturing	1350	22	85.1	10	1644	19	107.9	17
Electricity, gas and water supply	53	1	12.5	1	38	<1	5.3	1
Construction	2689	44	26.2	3	4903	55	57.3	9
Wholesale trade	33	1	2.1	<1	22	<1	2.1	<1
Retail trade	156	3	186.9	21	157	2	75.6	12
Accommodation, cafes and restaurants	62	1	5.1	1	84	1	9.6	2
Transport and storage	406	7	75.1	9	503	6	45.9	7
Communication services	21	<1	107.2	12	16	<1	25.2	4
Finance and insurance	63	1	87.2	10	42	<1	33.9	5
Property and business services	144	2	22.7	3	163	2	20.0	3
Government administration and defence	313	5	142.5	16	264	3	110.1	17
Education	97	2	35.6	4	77	1	13.7	2
Health and community services	392	6	50.1	6	586	7	96.4	15
Cultural and recreational services	84	1	19.1	2	68	1	16.3	3
Personal and other services	107	2	11.0	1	120	1	7.3	1
<b>Total</b>	<b>6134</b>	<b>100</b>	<b>879.7</b>	<b>100</b>	<b>8856</b>	<b>1</b>	<b>635.7</b>	<b>100</b>

Source: DEWR, Workplace Agreements Database.

### *Division and section of the WR Act*

Table 2.1.4 shows that there has been widespread use of Division 2 agreements, which do not require an industrial dispute. Over 93 per cent of CAs were made under Division 2 of the WR Act in 2003, compared with 80 per cent in 1998. Thus, the WR Act has increased the range of bargaining choices available.

Conversely, the proportion of agreements made under Division 3 of the WR Act has dropped from 20 per cent in 1998 to 7 per cent in 2003.

**Table 2.1.4 CAs certified by division of the WR Act, 1998 to 2003**

Year	% of CAs		% of employees	
	Division 2	Division 3	Division 2	Division 3
1998	80	20	74	26
1999	84	16	82	18
2000	86	14	81	19
2001	86	14	87	13
2002	88	12	85	15
2003	93	7	93	7

Source: DEWR, Workplace Agreements Database.

Charts 2.1.2 and 2.1.3 show the number of CAs and employee coverage of CAs certified under various sections of the WR Act.

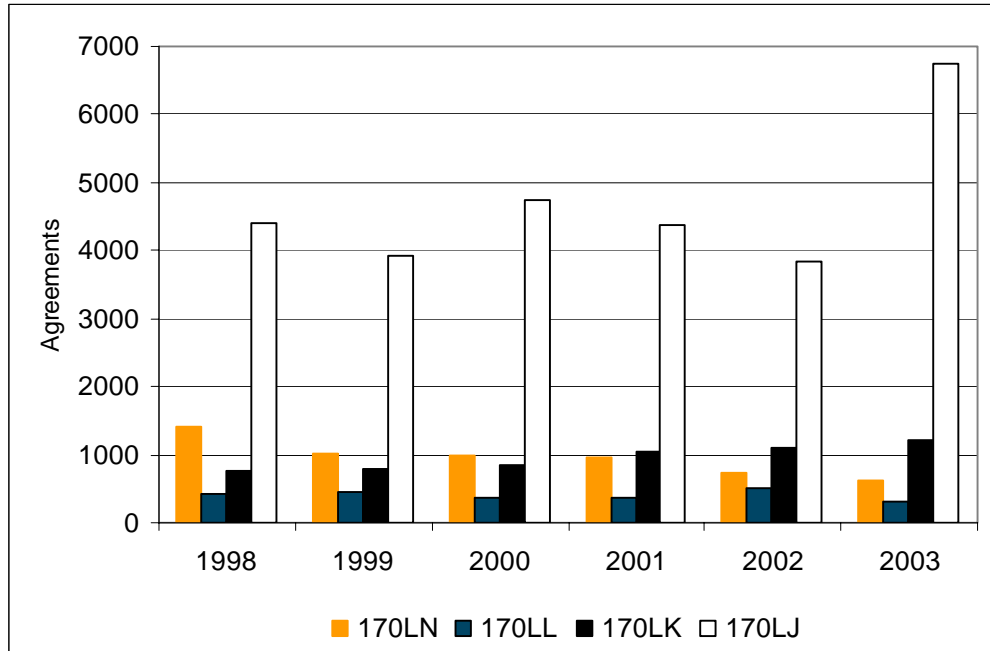
The number of agreements made directly with employees under section 170LK of the WR Act has been steadily increasing since 1998. Of CAs certified in 2002, 18 per cent were section 170LK agreements, covering 8 per cent of employees. In 2003, 14 per cent of CAs certified were section 170LK agreements, covering 11 per cent of employees.

The number of agreements made with organisations of employees under section 170LJ of the WR Act has also followed an upward trend. The number of employees covered by section 170LJ agreements peaked in 2002. This is because CAs certified in those years covered a larger average number of employees per agreement.

The number of agreements certified under section 170LN of the WR Act to settle disputes has followed a steadily decreasing trend over the last five years. These agreements decreased from 20 per cent of CAs and 26 per cent of employees in 1998 to 7 per cent of CAs and 7 per cent of employees in 2003.

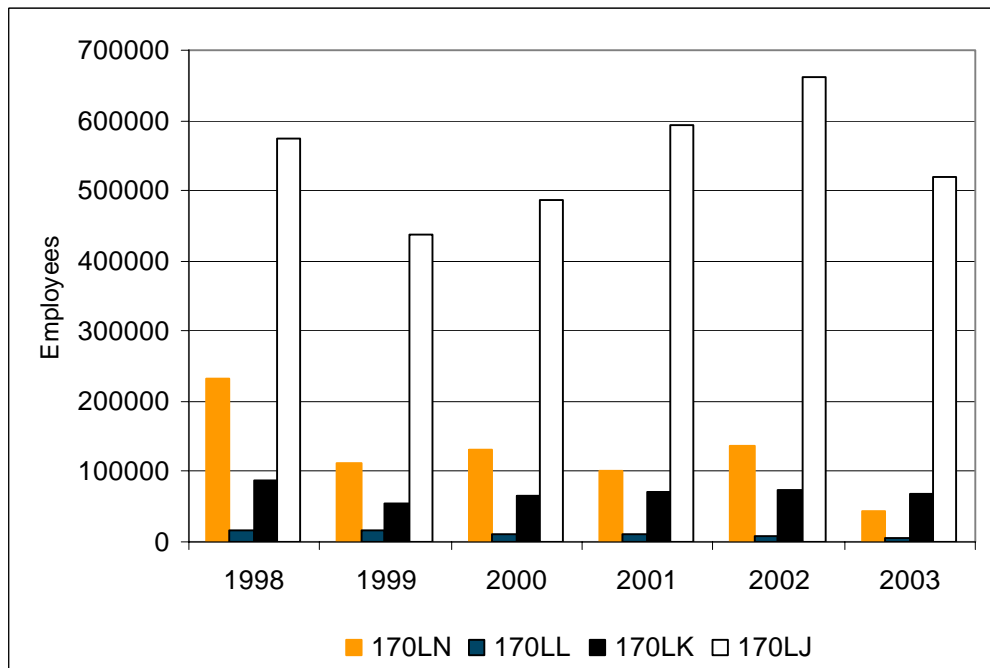
The number of greenfields agreements made under section 170LL of the WR Act has also decreased over the previous five years. The number of greenfields agreements fell from 6 per cent of CAs and 2 per cent of employees in 1998 to 3 per cent of CAs and 1 per cent of employees in 2003.

**Chart 2.1.2 CAs certified by section of the WR Act, 1998 to 2003**



Source: DEWR, Workplace Agreements Database.

**Chart 2.1.3 Employee coverage of CAs by section of the WR Act, 1998 to 2003**



Source: DEWR, Workplace Agreements Database.

Table 2.1.5 shows the distribution of employees in CAs certified under different sections of the WR Act by size of agreement. Eighty-six per cent of employees covered by CAs with unions certified under section 170LJ are in agreements with over 100 employees. In contrast, the majority of employees covered by greenfields agreements certified under section 170LL of the WR Act are in agreements with less than 100 employees.

**Table 2.1.5 Employees covered by CAs certified by section of the WR Act and by size of agreement, 2002-2003**

	% of employees covered by section of the WR Act			
	170LJ	170LK	170LL	170LN
1 to 19	4	8	44	3
20 to 99	10	25	34	12
100 to 499	16	26	22	17
500+	70	41	--	68
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>

*Source: DEWR, Workplace Agreements Database.*

Table 2.1.6 shows distribution by industry of CAs made under various sections of the WR Act. More than three-quarters of CAs in the construction and transport industries are made between employers and unions under section 170LJ of the WR Act. In contrast, the majority of CAs in the agriculture, forestry and fishing, and accommodation, cafes and restaurants industries are made directly between employers and employees under section 170LK of the WR Act.

A relatively large proportion of CAs made in the government administration and defence, mining, health and community services, and manufacturing industries were made under section 170LN of the WR Act to settle a dispute.

**Table 2.1.6 CAs certified by industry and section of the WR Act, 2002-2003**

Industry	% of industry CAs by section			
	170LJ	170LK	170LL	170LN
Agriculture, forestry and fishing	29	63	1	8
Mining	52	21	10	17
Manufacturing	62	22	2	14
Electricity, gas and water supply	77	5	11	7
Construction	82	6	8	4
Wholesale trade	56	38	2	4
Retail trade	44	47	4	5
Accommodation, cafes and restaurants	30	64	3	3
Transport and storage	75	20	3	2
Communication services	54	43	3	<1
Finance and insurance	55	30	2	13
Property and business services	47	44	5	5
Government administration and defence	44	10	<1	46
Education	48	41	1	10
Health and community services	64	16	1	18
Cultural and recreational services	61	34	3	3
Personal and other services	50	42	<1	7
<b>Total</b>	<b>70</b>	<b>15</b>	<b>5</b>	<b>9</b>

Source: DEWR, Workplace Agreements Database.

## Multi-employer agreements

Multi-employer agreements can be made in limited circumstances under section 170LC of the WR Act. A Full Bench of the AIRC must be satisfied that a multi-employer CA is in the public interest before it can be certified.

Table 2.1.7 shows the industry breakdown of multi-employer CAs certified in the reporting period. Fifty-six multi-employer CAs were certified, covering 2230 employers and 128 800 employees (9 per cent of all employees covered by CAs certified in 2002-2003).

**Table 2.1.7 Multi-employer CAs certified by industry, 2002-2003**

Industry	Number of CAs	Number of employers	Number of employees
Mining	1	116	100
Manufacturing	6	294	1500
Construction	2	8	<100
Retail trade	11	584	31 300
Transport and storage	4	13	9500
Property and business services	8	68	8500
Education	9	404	27 300
Health and community services	15	743	50 500
<b>Total</b>	<b>56</b>	<b>2230</b>	<b>128 800</b>

Source: DEWR, Workplace Agreements Database.

This compares with 44 multi-employer CAs certified during 2000-2001, covering 1753 employers and around 48 900 employees (3 per cent of all employees covered by CAs).

## Comprehensive agreements

Comprehensive CAs supersede and operate to the exclusion of all previous awards and agreements allowing wages and conditions to be drawn from one source (with the exception of any overriding legislation).

Table 2.1.8 shows that there was a slight increase in the proportion of CAs certified since the last reporting period that were comprehensive.

The proportion of employees covered by comprehensive CAs has increased substantially during the reporting period. Some 29 per cent of employees are now covered by comprehensive agreements, up from 20 per cent in 2000-2001.

**Table 2.1.8 Comprehensive CAs certified and employee coverage, 2000-2001 and 2002-2003**

Year	CAs		Employees	
	Number	%	Number	%
2000-2001	1013	7	301 100	20
2002-2003	1139	8	445 100	29

*Source: DEWR, Workplace Agreements Database.*

Comprehensive CAs appear most frequently in the construction, manufacturing, retail trade, and transport and storage industries. However, with the exception of retail trade, these agreements account for only a small proportion of employees covered by CAs.

Comprehensive CAs in the retail trade, government administration and defence, and communication services industries account for over 80 per cent of employees covered by comprehensive CAs.

## Pattern bargaining

'Pattern bargaining' is a term used to describe a process where a party to an agreement seeks common wages or agreement outcomes beyond a single enterprise. This section examines the extent of pattern bargaining in CAs certified in the reporting period. Three alternative approaches have been used to identify pattern bargaining: common agreement outcomes; wage dispersion; and common expiry dates.

The WR Act encourages parties to negotiate agreements at the workplace or enterprise level rather than pursuing industry-wide approaches. While pattern bargaining is not, of itself, contrary to the WR Act, it is inconsistent with the objective of encouraging bargaining at the enterprise level.

It is not always easy to identify pattern bargaining through a textual analysis of agreements. Data on agreements can provide useful indicators of the nature and extent of pattern bargaining.

Two agreements may appear similar or identical but may have been negotiated independently at the workplace level. It is also important to note that a common initial log of claims is not always indicative of pattern bargaining. Genuine negotiations might have taken place at the workplace level and the initial log of claims can vary significantly from the final bargaining outcome.

Pattern bargaining is of concern when it represents a concerted effort to bypass negotiations at the workplace level in favour of an industry-wide approach.

### *Common agreement outcomes*

Agreements with common outcomes are those with identical wage and conditions provisions. Table 2.1.9 shows the incidence and employee coverage of CAs with common outcomes that were certified in the reporting period.

There were 6702 CAs with common outcomes certified in 2002-2003, covering an estimated 88 300 employees. Common outcome CAs made up 45 per cent of all CAs and covered 6 per cent of all employees covered by CAs.

The 6702 CAs fell into one of 75 groups, or *templates*, where all CAs in each template were identical in their wages and conditions provisions.

**Table 2.1.9 CAs with identical wage and conditions outcomes by industry, 2002-2003**

Industry	Common outcome CAs	% of CAs in each industry	Number of employees covered	% of employees in each industry
Manufacturing	219	7	2500	1
Construction	6074	80	54 600	65
Retail trade <sup>1</sup>	2	1	<100	<1
Accommodation, cafes and restaurants <sup>1</sup>	8	5	1 500	10
Health and community services	380	39	26 700	18
Cultural and recreational services <sup>1</sup>	1	1	<100	<1
Personal and other services	18	8	3100	17
<b>Total</b>	<b>6702</b>	<b>45</b>	<b>88 300</b>	<b>6</b>

1. The agreements identified in the table in this industry form part of templates where the bulk of agreements in the templates were certified prior to 2002-2003.

Source: DEWR, Workplace Agreements Database.

There was a slight increase in the number of CAs with common outcomes as a proportion of all CAs compared with the previous reporting period. The number of employees covered by CAs with common outcomes also increased slightly.

The increase in the number of CAs with common outcomes is due to an increase in agreement making in the construction industry, where 80 per cent of CAs have common outcomes. The construction industry common outcomes CAs consisted of 61 separate templates and covered 54 600 employees, or 65 per cent of employees covered by CAs. The largest template was a Victorian construction template consisting of 2490 CAs and covering 22 200 employees.

There was also an increase the proportion of CAs with common outcomes in a number of other industries compared with the previous reporting period. In the health and community services industry, 39 per cent of CAs had common outcomes compared with 24 per cent in 2000-2001. In the personal and other services industry, 8 per cent of CAs had common outcomes compared with none in 2000-2001.

The increase in pattern bargaining in the health and community services industry was mainly due to the presence in the Victorian private aged care sector of two templates comprising a total of 282 CAs covering an estimated 21 500 employees. A second contributing factor was a template of 73 CAs covering an estimated 5000 employees in the Victorian public health sector.

The proportion of employees covered by CAs with common outcomes increased from 5 per cent in 2000-2001 to 6 per cent in 2002-2003. The increase can be partially attributed to the relatively large average size of CAs in the above-mentioned health and community services industry templates.

The proportion of employees covered by CAs with common outcomes (6 per cent) is far smaller than the proportion of CAs with common outcomes (45 per cent). This is because CAs with common outcomes tend to be of small average size, particularly in the construction industry.

Although the number of CAs with common outcomes has increased in the reporting period, pattern bargaining appears to have become concentrated in a smaller number of industries. The number of industries with CAs with common outcomes has fallen from 13 industries in 1998-1999 to seven industries in 2002-2003.

In 2002-2003, the top three industries for CAs with common outcomes (construction, health and community services and manufacturing) accounted for 99.6 per cent of all CAs with common outcomes. This compares with 95.8 per cent in 2000-2001, and an estimate of 91-92 per cent in 1998-1999.<sup>5</sup>

Table 2.1.10 shows that the Construction, Forestry, Mining and Energy Union (CFMEU), the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia (CEPU) and the Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union (AMWU) are the unions most likely to be a party to CAs with common outcomes.<sup>6</sup> This is broadly consistent with past reports.

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<sup>5</sup> The figures for 2002-2003 and 2000-2001 are not directly comparable with the figures for 1998-1999.

<sup>6</sup> Two of 75 templates identified in 2002-2003 were non-union templates.

**Table 2.1.10 CAs certified with common outcomes by union party, 2002-2003**

Union party	Number of agreements	% of all agreements with common outcomes
None	21	<1
Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union	439	6
Australian Liquor, Hospitality and Miscellaneous Workers Union	8	<1
Amalgamated Metal Workers' Union	61	1
Australian Nursing Federation	293	4
Australian Municipal, Administrative, Clerical and Services Union	14	<1
The Australian Workers' Union	220	3
Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia	1203	17
Construction, Forestry, Mining, and Energy Union	4558	64
Health Services Union of Australia	355	5
Media, Entertainment and Arts Alliance	1	<1

*Source: DEWR, Workplace Agreements Database.*

### *Common wage increases*

An alternative indicator of pattern bargaining is the extent to which common wage increases exist in an industry. This is a broader indicator of possible pattern bargaining.

There were definite peaks in wage outcomes in industries where pattern bargaining, as identified using the common outcomes approach, appears to be more prevalent.

As anticipated, the construction and health and community services industries exhibit wage peaks. Other industries with notable wage peaks include metals manufacturing, non-metals manufacturing and transport.

For the construction industry, there were common average annualised wage increases (AAWIs)<sup>7</sup> of 3.0, 4.0, 4.2, 5.0, 5.3 and 5.8 per cent. These were largely attributable to identified templates. In the health and community services industry, there were 4.5 per cent and 5.7 per cent wage peaks. These were due to the outcome of the pattern bargaining in the Victorian private aged care sector.

<sup>7</sup> An explanation of the calculation of AAWI figures is at Appendix A.

CAs with common outcomes generally delivered higher than average wage increases. Twelve per cent of CAs with common outcomes had an AAWI at or below the 3.9 per cent benchmark for all federal wage agreements in 2002-2003. Eighty-eight per cent of CAs with common outcomes had an AAWI above 3.9 per cent.

Of the 88 per cent of CAs certified in 2002-2003 with common outcomes with AAWIs above 3.9 per cent, 72 per cent had an AAWI between 4.0 and 4.9 per cent and 27 per cent had an AAWI between 5.0 and 5.9 per cent.

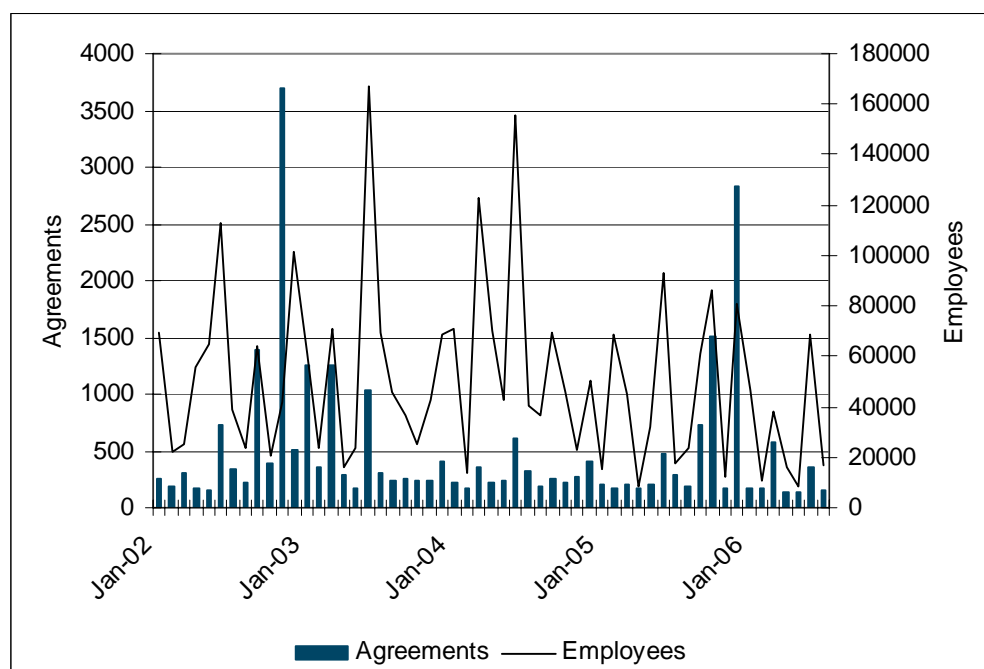
### *Common expiry dates*

A third indicator of possible pattern bargaining is a common expiry date for CAs across multiple workplaces. By introducing common expiry dates, employees and unions at different workplaces may be in a position to engage in coordinated protected industrial action aimed at achieving common outcomes from subsequent rounds of agreement negotiation.

The existence of common expiry dates may be linked to other indicators of pattern bargaining. For example, identified templates may contribute to the mass expiry of CAs on the same date.

While Chart 2.1.4 shows there is a wide spread of expiry dates for the CAs, there are nonetheless definite peaks in common expiry dates clustered both in the reporting period and from January 2004 onwards. This is indicative of pattern bargaining.

**Chart 2.1.4 Expiring CAs and employee coverage, 2002 to 2006**



Source: DEWR, Workplace Agreements Database.

Table 2.1.11 shows the size of peaks in expiry dates occurring in the reporting period and the number of CAs expiring in each period for industries with large numbers of CAs with common expiry dates.

**Table 2.1.11 Expiring CAs by selected industry and month, 2002-2003**

Month of expiry	CAs expiring in period	CAs expiring during the reporting period, by selected industries		
		Construction	Manufacturing	Transport
September 2002	1 398	1 190		
November 2002	3 693	3 535		
January 2003	1 256	1 067		
March 2003	1 249	408	596	
June 2003	1 027	244	354	135

Source: DEWR, Workplace Agreements Database.

Some 3693 CAs expired in November 2002, including 3535 construction industry CAs covering an estimated 28 100 employees.

The 3535 CAs included agreements that were covered by a number of templates. Construction industry CAs also contributed to the other expiry date peaks in the reporting period. In each case, the expiry dates of construction templates aligned with those peaks.

A large number of manufacturing industry agreements expired between March 2003 and June 2003. These covered at least 64 000 employees: 34 800 in metals manufacturing and 28 900 in non-metals manufacturing.

The 135 transport industry CAs expiring in June 2003, covering approximately 11 000 employees, coincided with a road transport industry wage campaign where the AAWI outcome was around 4.0 per cent.

The period from January 2004 onwards contains some notable peaks in expiry dates for CAs in late 2005. These are associated with industries where pattern bargaining has been identified above.

For example, peaks in October and December 2005 involve a total of 4337 CAs, of which 3904 relate to construction across 21 identified patterns. Some 489 manufacturing industry CAs covering approximately 42 000 employees are due to expire in early and mid-2006. An identified template relating to the Victorian health and community services industry contributed 245 CAs to the total of 732 CAs due to expire in the month of September 2005.

### **Coverage of designated groups**

Analysis of CA coverage for employees in four designated groups (women, part-time, NESB and young employees) was undertaken using a sample from the WAD. The sample included only those CAs for which employee numbers for designated groups were known.

The sample used contained around 50 per cent of CAs certified in 2002-2003, and around 75 per cent of employees covered by CAs certified in that period. More detailed information about the sample used in this section can be found at Appendix A.

Table 2.1.12 shows the distribution of designated groups in the workforce and in CAs certified in 2002-2003.

Part-time and NESB employees were under-represented in collective agreements compared with their representation in employment. Some caution should be taken when comparing data in Table 2.1.12 as there are some differences in the definitions of the designated groups.

The coverage of women, part-time and young employees by CAs fell between 2002 and 2003. This can be explained in part by a drop in employees covered by CAs in the retail, finance and insurance, and education industries over the reporting period. These industries are traditionally large employers of women and part-time employees. There was also an increase in employee coverage in the male-dominated construction industry.

**Table 2.1.12 Coverage of designated groups, 2002 and 2003**

	2002		2003	
	All employees %	CA employees %	All employees %	CA employees %
Female	44	48	45	37
Part-time <sup>1</sup>	28	18	29	14
NESB <sup>2</sup>	14	8	10	8
Young <sup>3</sup>	7	12	7	7

*Figures on CA coverage are based on agreements for which employee data on designated groups is known.*

*Figures on employed persons are from the ABS Labour Force Survey.*

*1. Part-time employees are defined in the ABS Labour Force Survey as employees who work less than 35 hours per week. Part-time employees covered by CAs are defined using employer statutory declarations lodged with the AIRC, where part-time is not defined.*

*2. NESB is no longer used as a statistical category for data collection by the ABS. For comparative purposes this table uses the ABS category "born in other than a main English speaking country". NESB employees covered by CAs are defined using employer statutory declarations lodged with the AIRC, where NESB is not defined.*

*3. Young employees are defined in the ABS Labour Force Survey as employees aged between 15 and 19 years of age. Young employees covered by CAs are defined as employees aged under 21 years of age.*

*Source: DEWR, Workplace Agreements Database; ABS Labour Force Survey, December quarter 2003.*

## Sector

Table 2.1.13 shows the distribution of designated group employees on collective agreements by sector. While the distribution of NESB and young employees were broadly consistent with the previous reporting period, the proportion of women and part-time employees in private sector agreements rose by 17 and 14 percentage points respectively.

The increase in the proportion of female and part-time employees covered by private sector agreements can be attributed to a small number of private sector agreements in the retail trade, transport and storage, finance and insurance, and health and community services industries.

**Table 2.1.13 Distribution of designated group employees covered by CAs by sector, 2002-2003**

Sector	% of female employees	% of part-time employees	% of NESB employees	% of young employees	% of all CA employees
Private	67	70	63	95	65
Public	33	30	37	5	35

*Figures are based on CAs for which employee data on designated groups is known.  
Source: DEWR, Workplace Agreements Database.*

### Section of the WR Act

Table 2.1.14 shows the distribution of designated group employees by CAs certified under sections 170LJ and 170LK of the WR Act. The distribution is consistent with the distribution of all employees across these agreement types. A similar situation was evident in the last reporting period.

**Table 2.1.14 Distribution of designated group employees covered by CAs in s.170LJ and s.170LK agreements, 2002-2003**

Section of WR Act	% of female employees	% of part-time employees	% of NESB employees	% of young employees	% of all CA employees
170LJ	89	91	92	93	90
170LK	11	9	8	7	10

*Figures are based on CAs for which employee data on designated groups is known. Agreements certified under section 170LL of the WR Act (greenfields agreements) have been excluded from the table as they do not include employee coverage figures. Agreements made under section 170LN have also been excluded to enable direct comparison with the Agreement Making in Australia under the Workplace Relations Act 2000 and 2001.*

*Source: DEWR, Workplace Agreements Database.*

### Industry

Table 2.1.15 shows the distribution of designated group employees by industry for both all employees and employees covered by CAs.

There are few differences between the representation of female employees by industry in CAs certified in the reporting period and representation in the population of all employees. Under-representation of women appears in CAs in the mining, construction, communication services, health and community services, and personal and other services industries. Women are over-represented in CAs in the agriculture, fishing and forestry, retail trade, and finance and insurance industries.

While part-time employees make up 29 per cent of all employees, they make up only 16 per cent of employees covered by CAs.

Part-time employees are under-represented in CAs in most industries compared with their distribution in the population of all employees. The exceptions are the finance and insurance, government administration and defence, and education industries, where part-time employees are covered by CAs in roughly the same proportion as in the population of all employees.

NESB employees are also under-represented in the population of employees covered by CAs compared with their distribution in the population of all employees. Most NESB employees on CAs are employed in the manufacturing industry.

Young employees are over-represented in CAs compared with their distribution in the population of all employees. Seventy-six per cent of young employees covered by CAs are employed in the retail trade, accommodation, cafes and restaurants, and cultural and recreational services industries.

**Table 2.1.15 Coverage of designated groups by industry, 2002-2003**

Industry	Female employees %		Part-time employees <sup>1</sup> %		NESB employees <sup>2</sup> %		Young employees <sup>3</sup> %	
	Emp.	CAs	Emp.	CAs	Emp.	CAs	Emp.	CAs
Agriculture, forestry and fishing	30	39	25	4	6	12	5	4
Mining	12	3	4	1	7	2	1	1
Manufacturing	27	22	11	2	21	19	4	3
Electricity, gas and water supply	21	18	6	4	11	6	2	1
Construction	13	3	15	1	12	11	5	4
Wholesale trade	32	27	17	8	15	6	3	7
Retail trade	51	62	47	28	13	1	24	40
Accommodation, cafes and restaurants	57	51	49	20	20	13	15	24
Transport and storage	23	27	17	8	16	9	2	2
Communication services	31	20	13	7	17	9	2	1
Finance and insurance	54	67	19	22	16	2	2	3
Property and business services	45	38	26	9	16	9	3	5
Government administration and defence	47	51	16	14	11	10	2	2
Education	68	66	35	31	10	5	2	1
Health and community services	78	51	43	33	14	5	2	1
Cultural and recreational services	49	49	41	13	8	7	11	12
Personal and other services	48	29	31	9	10	9	7	6
<b>All industries</b>	<b>45</b>	<b>44</b>	<b>29</b>	<b>16</b>	<b>14</b>	<b>8</b>	<b>7</b>	<b>10</b>

*Emp. denotes proportion of designated group employees in the population of all employees; CA denotes proportion of designated group employees in the CA population.*

*Figures on employees covered by CAs are based on agreements for which employee data on designated groups is known. Figures on employee population are from the ABS Labour Force Survey.*

*1. Part-time employees are defined in the ABS Labour Force Survey as employees who work less than 35 hours per week. Part-time employees covered by CAs are defined using employer statutory declarations lodged with the AIRC, where part-time is not defined.*

*2. NESB is no longer used as a statistical category for data collection by the ABS. For comparative purposes this table uses the ABS category "born in other than a main English speaking country". NESB employees covered by CAs are defined using employer statutory declarations lodged with the AIRC, where NESB is not defined.*

*3. Young employees are defined in the ABS Labour Force Survey as employees aged between 15 and 19 years of age. Young employees covered by CAs are defined as employees aged under 21 years of age.*

*Source: DEWR, Workplace Agreements Database; ABS Labour Force Survey, December quarter 2003, published and unpublished data.*

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## 2.2 Wage developments in collective agreements

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This section reports on wage developments for all employees covered by CAs in 2002-2003 and for designated group employees.

Wage outcomes in CAs are reported in terms of AAWI per employee. AAWI estimates are calculated for those CAs that paid quantifiable increases. Wage agreements for which an average percentage increase could not be quantified, such as those that provide for the absorption of all allowances, are excluded from these estimates. During the reporting period, over 80 per cent of all employees were covered by a CA with a quantifiable wage increase.

Further information on the methods used to calculate AAWIs is at Appendix A.

### Overall wage developments

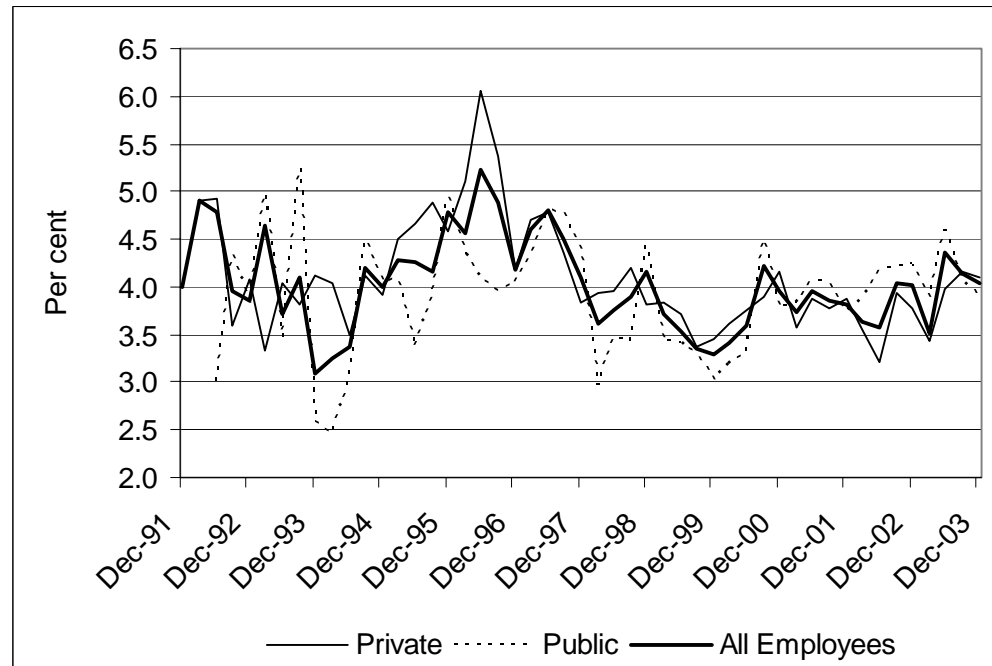
The AAWI for all employees was 3.8 per cent in 2002 and 4.1 per cent in 2003.

Chart 2.2.1 shows that the AAWI for CAs certified in each quarter during 2002-2003 were between 3.5 per cent and 4.4 per cent. This continued a trend of quarterly AAWI outcomes lying within this band since December 1997.

Quarterly AAWIs for all employees reached a low of 3.1 per cent in the December quarter 1993 and peaked at 5.2 per cent in the June quarter 1996. Such variations are often a reflection of changes in the industry mix of CAs certified during any quarter.

The public sector AAWIs appear to have quite dramatic changes between quarters reflecting the large size of many public sector CAs, where a single agreement can accentuate the impact on the recorded AAWI. In both public and private sector CAs, there has been a general trend of moderation in quarterly AAWIs since 1997.

**Chart 2.2.1 AAWIs for CAs certified in the quarter by sector, 1991 to 2003**

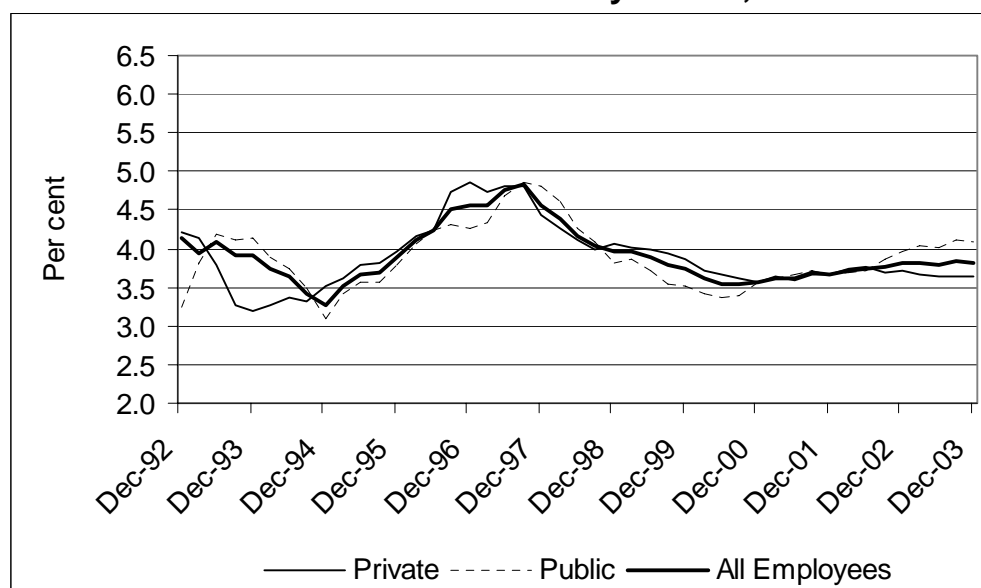


*There were no quantifiable wage agreements recorded in the Workplace Agreements Database before the December quarter 1991. The first quantifiable public sector CA was certified in the June quarter 1992. AAWIs are for all quantifiable wage agreements certified during each quarter. Further details are at Appendix A.  
Source: DEWR, Workplace Agreements Database.*

Chart 2.2.2 shows the AAWI for current CAs. Current CA AAWI trends were less volatile than the AAWI data for CAs certified in the quarter, and provide an aggregate view of wage outcomes.

AAWIs for all employees have remained between 3.5 per cent and 4.0 per cent since late 1998. Public sector outcomes appear to have lagged one to two quarters behind private sector outcomes since mid-1999.

For private sector CAs, AAWIs peaked in 1997 and have moderated since. Private sector AAWIs have often been higher than those for the public sector, although gaps between the two narrowed between mid-1997 and the current reporting period, with public sector AAWIs marginally higher.

**Chart 2.2.2 AAWIs for current CAs by sector, 1992 to 2003**

Source: DEWR, Workplace Agreements Database.

## Wage trends by industry

Analysing wage trends by industry, as shown in Table 2.2.1 provides an understanding of inter-industry variations and highlights the cyclical nature of agreement making.

Wages outcomes were consistently below average over the reporting period in the agriculture, forestry and fishing, mining, retail trade, and accommodation, cafes and restaurants industries. Higher than average wage outcomes were recorded in the construction, government administration and defence, and education industries.

Wage increases in the agriculture, forestry and fishing, mining, and finance and insurance industries have moderated between 2000 and 2003. Over the same period in the communication services, and property and business services industries, the trend was for wage increases to accelerate.

Table 2.2.1 also shows that the average duration of wage agreements increased from 2.3 years in 2000 to 2.6 years in 2003. Wage agreements tend to be longer than average in the construction, accommodation, cafes and restaurants, education and health and community services industries. Wage agreements are shorter than average in the wholesale trade, electricity, gas and water supply, transport and storage, and communication services industries.

**Table 2.2.1 AAWIs and duration of CAs certified by industry, 2000 to 2003**

Industry	AAWI per employee (%)				Average employee weighted wage duration of CAs (years) <sup>1</sup>			
	2000	2001	2002	2003	2000	2001	2002	2003
Agriculture, forestry and fishing	3.4	3.5	3.2	3.0	2.8	2.4	2.7	2.0
Mining	3.4	3.5	3.3	3.0	2.4	2.5	2.6	2.6
Manufacturing	4.0	4.1	4.0	4.1	2.2	2.4	2.3	2.6
Electricity, gas and water supply	3.8	4.3	4.3	3.8	2.0	2.2	2.2	2.3
Construction	4.8	4.7	4.5	4.2	2.7	2.8	2.8	2.9
Wholesale trade	3.8	3.7	4.1	3.4	2.4	2.2	2.1	1.9
Retail trade	3.5	3.1	3.1	3.3	2.8	2.4	3.0	2.6
Accommodation, cafes and restaurants	3.6	2.7	2.8	3.1	1.9	2.8	3.0	2.8
Transport and storage	3.5	3.6	3.5	3.8	2.1	2.2	2.1	2.3
Communication services	3.8	3.9	3.8	4.7	1.9	2.4	2.3	2.1
Finance and insurance	4.6	4.3	4.2	4.0	1.8	2.0	2.5	2.0
Property and business services	3.5	3.7	4.3	4.1	2.2	1.9	2.8	2.4
Government administration and defence	4.2	4.0	4.3	4.6	1.8	1.9	2.2	2.4
Education	4.1	3.8	4.3	4.4	3.0	3.0	2.7	2.7
Health and community services	3.0	4.1	4.1	3.9	2.3	2.9	2.7	3.1
Cultural and recreational services	3.3	3.7	3.8	3.9	2.6	2.3	2.5	2.7
Personal and other services	3.2	4.6	4.4	4.1	2.4	3.3	2.6	2.6
<b>All industries</b>	<b>3.9</b>	<b>3.8</b>	<b>3.8</b>	<b>4.1</b>	<b>2.3</b>	<b>2.5</b>	<b>2.5</b>	<b>2.6</b>

1. Average employee weighted wage duration of agreements (years) is the employee weighted wage duration of quantifiable wage agreements. An agreement's wage duration may differ from its formal duration. Further information on duration of agreements is at Appendix A.

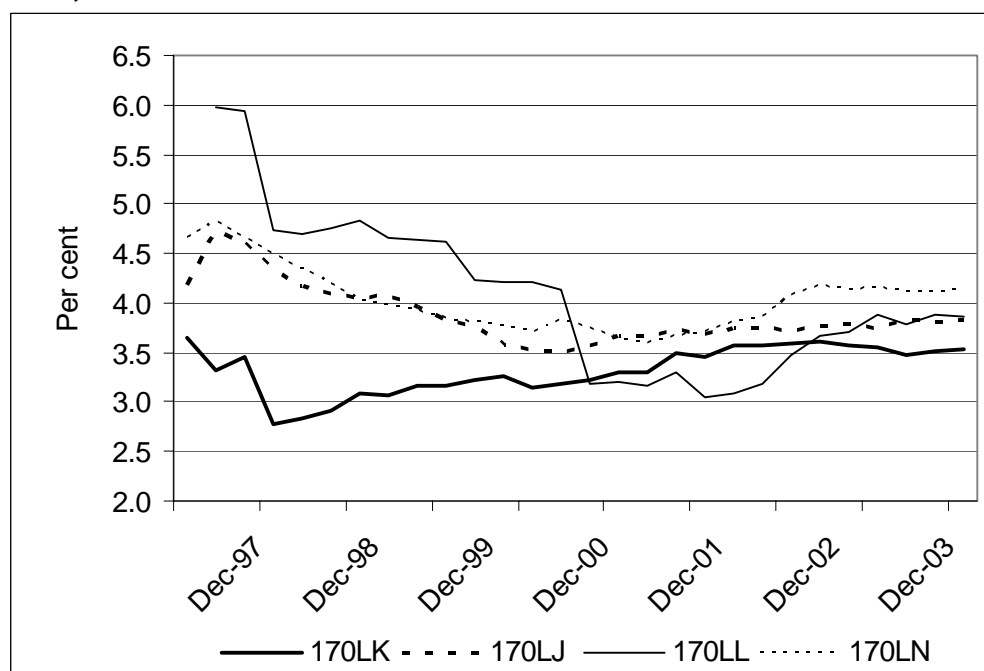
Source: DEWR, Workplace Agreements Database.

## Wage trends by section of the WR Act

Chart 2.2.3 shows AAWI outcomes for current CAs made under various sections of the WR Act between March 1997 and December 2003.

The gap in AAWIs between CAs made with unions and CAs made directly with employees narrowed since the introduction of the WR Act in 1997. The difference in wage outcomes for CAs made under sections 170LJ and 170LK of the WR Act declined to less than half of one percent since December 1999.

**Chart 2.2.3 AAWIs for current CAs by section of the WR Act, 1997 to 2003**



Source: DEWR, Workplace Agreements Database.

## Performance-related wage clauses

Linking remuneration with performance is consistent with the WR Act's broad aim of encouraging parties to negotiate agreements tailored to the requirements of individual workplaces and their employees.

Examples of performance-related wage clauses in CAs include once-only conditional bonuses paid when certain performance or productivity levels were achieved, and performance pay arrangements for individuals, work teams or all employees. Features of performance pay arrangements vary and may include discretionary elements or open and transparent processes with more easily calculable performance pay amounts.

Table 2.2.2 shows that performance-related wage clauses were relatively widespread in CAs. Seven per cent of CAs covering 19 per cent of employees contained at least one performance-related wage clause.

Employees in the finance and insurance industry were most likely to be covered by performance-related wage clauses. Employee coverage was also high in the property and business services, communication services, transport and storage, mining, and agriculture, forestry and fishing industries.

The incidence of performance-related wage clauses has been relatively stable between 2000-2001 and 2002-2003. A decline in the proportion of CAs with performance-related wage clauses in the wholesale trade, accommodation, cafes and restaurants, communication services, property and business services and personal services industries was offset by a rise in the proportion of CAs with these clauses in the finance and insurance, and agriculture, forestry and fishing industries.

**Table 2.2.2 Performance-related wage clauses in CAs by industry, 2000-2001 and 2002-2003**

Industry	2000-2001		2002-2003	
	% of CAs	% of employees	% of CAs	% of employees
Agriculture, forestry and fishing	6	2	16	28
Mining	30	42	31	32
Manufacturing	13	17	12	17
Electricity, gas and water supply	15	17	15	8
Construction	4	5	3	4
Wholesale trade	14	12	9	21
Retail trade	7	17	7	1
Accommodation, cafes and restaurants	12	3	9	6
Transport and storage	11	11	13	30
Communication services	23	16	19	33
Finance and insurance	44	82	54	77
Property and business services	12	30	9	33
Government administration and defence	15	42	16	13
Education	4	7	6	2
Health and community services	2	2	3	4
Cultural and recreational services	11	18	11	23
Personal and other services	18	63	11	8
<b>All industries</b>	<b>8</b>	<b>20</b>	<b>7</b>	<b>19</b>

Source: DEWR, Workplace Agreements Database.

Performance-related wage clauses were more likely to occur in larger agreements. Public sector CAs and those made directly with employees under section 170LK of the WR Act were also more likely to have such provisions.

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## 2.3 Wage developments for designated groups

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### Introduction

This section compares wage developments in CAs for employees in designated groups with those for non-designated group employees.

Employee numbers for designated groups were available for around 50 percent of CAs certified in 2002-2003 and around 75 per cent of employees covered by CAs certified in 2002-2003. All analysis in this section uses the sample of CAs for which employee data on designated groups is available.

### Women

Table 2.3.1 shows the AAWI per employee for women and men, and for CAs covering with different proportions of female employees. AAWIs were similar for men and women in both years of the reporting period.

Female-dominated CAs and male-dominated CAs also had similar wage outcomes, but CAs certified in 2002 where the gender mix was even had lower wage outcomes than both female- and male-dominated CAs certified in that year.

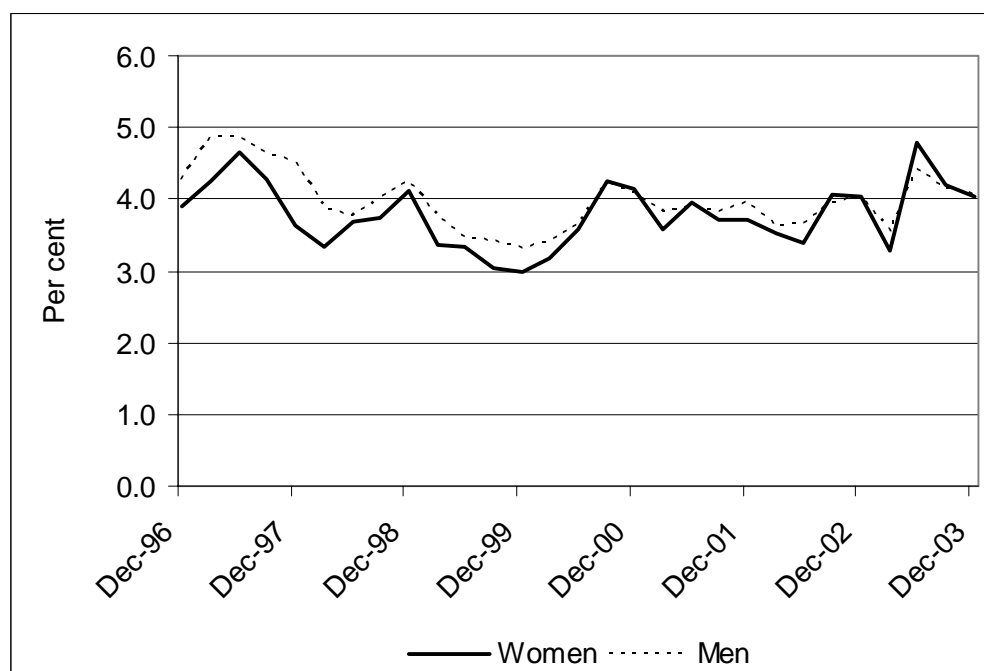
**Table 2.3.1 AAWIs in CAs by gender and by proportion of female employees, 2002 and 2003**

	AAWI per employee (%)	
	2002	2003
Overall		
Women	3.7	4.1
Men	3.8	4.1
Share of employees in CA		
<40% women	4.0	4.1
40-60% women	3.5	4.0
>60% women	3.9	4.1

*Figures are based on CAs for which employee data on designated groups is known.  
Source: DEWR, Workplace Agreements Database.*

Chart 2.3.1 shows the AAWI for men and women for CAs certified between December 1996 and December 2003. The AAWI for women is slightly more volatile than that for men. The gender wage convergence that occurred in the late 1990s has continued, with little difference between the AAWI figure for men and women in the reporting period.

**Chart 2.3.1 AAWIs in CAs certified in the quarter by gender, 1996 to 2003**



Figures are based on CAs for which employee data on designated groups is known.  
Source: DEWR, Workplace Agreements Database.

## Part-time employees

Table 2.3.2 shows that wage outcomes for part-time and full-time employees were similar in the reporting period.

The AAWI for employees in CAs covering no part-time employees was higher than for CAs covering more than 20 per cent of employees in both years, although the difference in 2003 was slight. In 2003, the highest wage outcomes were recorded in CAs covering between 1 and 20 per cent part-time employees.

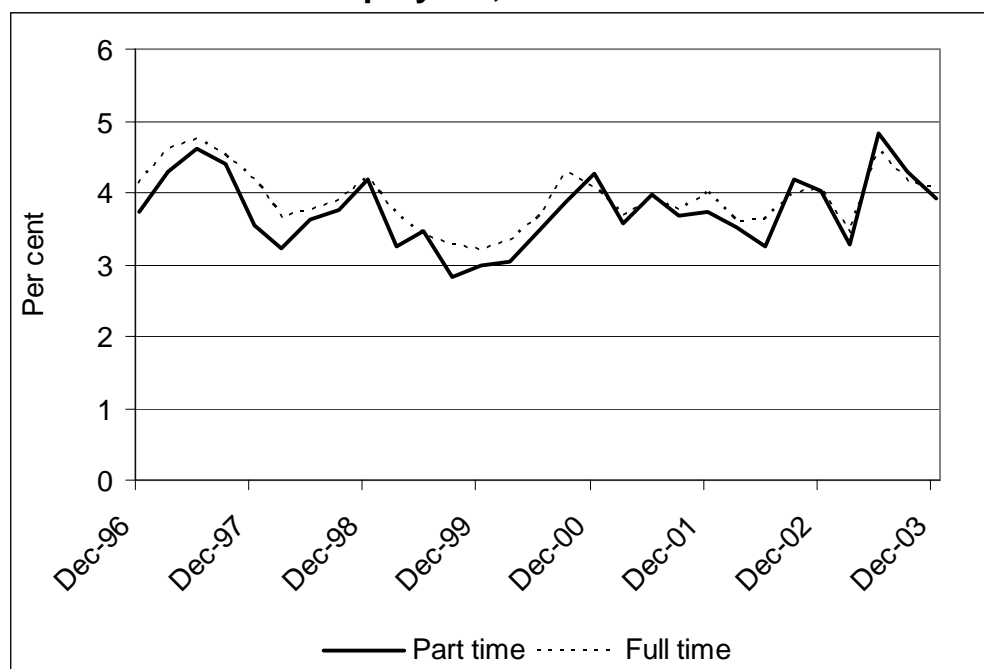
**Table 2.3.2 AAWIs in CAs by part-time status and by proportion of part-time employees, 2002 and 2003**

	AAWI per employee (%)	
	2002	2003
Overall		
Part-time	3.7	4.1
Full-time	3.8	4.1
Share of part-time employees		
None (0%)	4.0	4.0
>0% and <20%	4.0	4.3
20% or more	3.6	3.9

Figures are based on CAs for which employee data on designated groups is known.  
Source: DEWR, Workplace Agreements Database.

Chart 2.3.2 provides quarterly AAWI outcomes for full-time and part-time employees covered by CAs certified between December 1996 and December 2003. AAWIs for part-time employees were generally below that of full-time employees. However, during 2002 and 2003 the outcomes were similar for both groups.

**Chart 2.3.2 AAWIs in CAs certified in the quarter for part-time and full-time employees, 1996 to 2003**



*Figures are based on CAs for which employee data on designated groups is known.  
Source: DEWR, Workplace Agreements Database.*

## Wage developments for NESB employees

Table 2.3.3 shows that wage outcomes for NESB employees were in general similar to, or slightly higher than, those for employees from English speaking backgrounds (ESB).

In 2003, CAs with 20 per cent or more NESB employees had wage outcomes 0.3 percentage points higher than for CAs with no NESB employees.

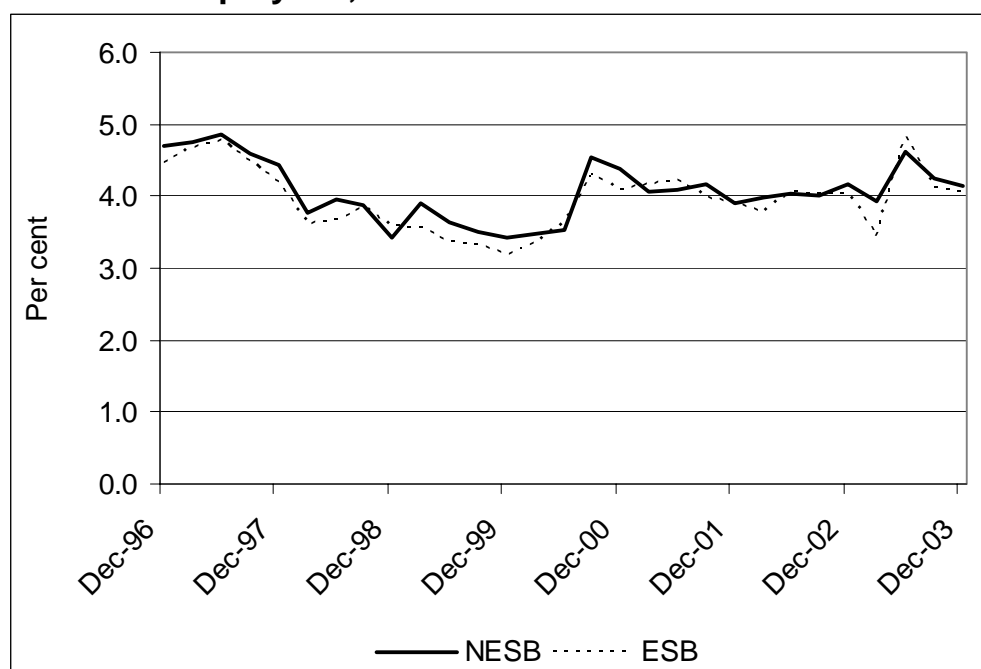
**Table 2.3.3 AAWIs in CAs by NESB status and by proportion of NESB employees, 2002 and 2003**

	AAWI per employee (%)	
	2002	2003
Overall		
NESB	4.1	4.3
ESB	4.0	4.2
Share of NESB employees		
None (0%)	4.0	4.0
>0% and <20%	4.0	4.2
20% or more	3.9	4.3

*Figures are based on CAs for which employee data on designated groups is known.  
Source: DEWR, Workplace Agreements Database.*

Chart 2.3.3 shows that NESB employees generally had wage outcomes higher than or equal to those for employees from English speaking backgrounds during the period from 1996 to 2003. This is also the case in the reporting period.

**Chart 2.3.3 AAWIs in CAs certified in the quarter for NESB and ESB employees, 1996 to 2003**



*Figures are based on CAs for which employee data on designated groups is known.  
Source: DEWR, Workplace Agreements Database.*

## Young employees

Table 2.3.4 shows that young employees experienced lower wage outcomes than those aged 21 years and over in both 2002 and 2003. CAs with 20 per cent or more employees aged under 21 years had wage increases around 1 percentage point lower than CAs with less than 20 per cent of employees aged under 21 years.

This is likely to be explained by the concentration of young employees in industries with relatively low wage outcomes in the reporting period, such as the accommodation, cafes and restaurants, and retail trade industries.

**Table 2.3.4 AAWIs in CAs by age and by proportion of employees under 21 years of age, 2002 and 2003**

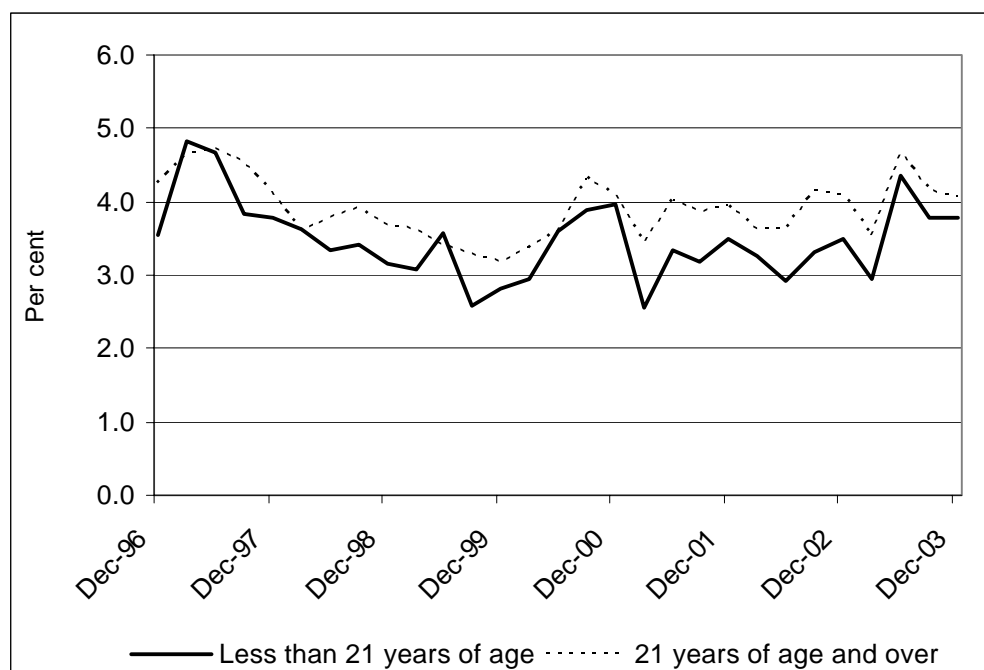
	AAWI per employee (%)	
	2002	2003
Overall		
Under 21 years	3.2	3.4
21 years and older	3.9	4.1
Share of employees aged under 21 years		
None (0%)	4.2	4.1
>0% and <20%	4.0	4.2
20% or more	3.1	3.4

Figures are based on CAs for which employee data on designated groups is known.  
Source: DEWR, Workplace Agreements Database.

Chart 2.3.4 provides quarterly AAWI outcomes for employees aged under 21 and those aged 21 and over covered by CAs certified between 1996 and 2003.

Since 1996, young employees have consistently had lower AAWIs than those aged 21 years and over. The wage gap was highest in 2001 and 2002, and has closed slightly during 2003.

**Chart 2.3.4 AAWIs for CAs certified in the quarter by age, 1996 to 2003**



Figures are based on CAs for which employee data on designated groups is known.  
Source: DEWR, Workplace Agreements Database.

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## 2.4 Conditions developments in collective agreements

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### Introduction

This section reports on developments in a range of conditions of employment provisions in CAs certified in 2002-2003. These include provisions relating to hours flexibility, family-friendly issues, type of employment, training and equity.

Some caution should be exercised in interpreting data on employment conditions. The presence of a particular conditions provision in a CA does not provide information on the content of that provision, and does not necessarily mean that employees make use of the provision. Conversely, the absence of particular employment conditions from a CA does not mean that the condition is not available to employees through other means. These might include specification in a previous agreement or provision through human resource policies and practices.

It is important to recognise that any changes to employment conditions in CAs must be approved by the AIRC having regard to the global no-disadvantage test. Under this test, proposed changes are examined to ensure that there is no overall disadvantage to the employee.

Complete definitions of all conditions provisions are given in Appendix B.

### Main provisions

Table 2.4.1 shows the incidence of main conditions in CAs certified in 2002-2003. Ninety-four per cent of CAs certified during 2002-2003, covering 87 per cent of employees on CAs, included hours of work provisions. The next most prevalent provision was type of employment, which was in 89 per cent of CAs and had the greatest employee coverage of all provisions at 93 per cent.

Other common provisions were training, superannuation, and termination, change and redundancy, all of which were in over 85 per cent of CAs and covered more than 80 per cent of employees on CAs.

The least common provision included in CAs during 2002 and 2003 was parental leave. Although parental leave was only specified in 12 per cent of CAs, 44 per cent of employees had access to parental leave provisions under CAs, an increase of 25 per cent from 2000-2001.

**Table 2.4.1 Main provisions in CAs, 2002-2003**

Provision	% of CA	% of employees covered
Long service leave	66	75
Annual leave	60	76
Personal/carer's leave	80	76
Overtime	76	78
Salary-related matters	61	60
Public holidays	72	71
Employee representation	75	66
Termination, change and redundancy	87	82
Occupational health and safety	85	72
Equity issues	55	66
Consultative arrangements	69	58
Superannuation	87	81
Parental leave	12	44
Type of employment	89	93
Hours of work	94	87
Shift work	46	76
Work organisation/ performance indicators	76	70
Training	88	86

*Source: DEWR, Workplace Agreements Database.*

Changes in the incidence of employment conditions in CAs and their coverage of employees indicate that employment conditions are being negotiated to suit the needs of workplaces.

It is also important to note that, as the reporting period is only two years in length, the data can be affected by changes in the size and industry mix of CAs certified during that time period as compared with the previous reporting period.

Chart 2.4.1 shows that the incidence of most employment conditions increased in 2002-2003 compared with the previous reporting period.

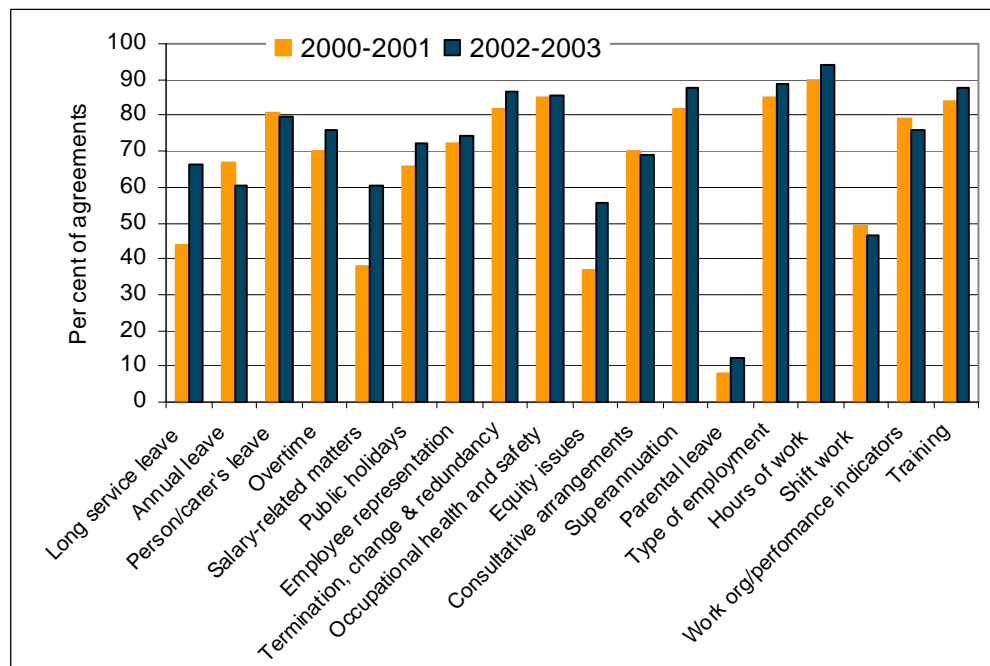
There were large increases in the incidence of provisions relating to salary matters, long service leave, and equity issues in CAs certified during this reporting period.

The incidence of personal/carer's leave in CAs certified in 2002-2003 was 80 per cent, compared with 81 per cent in 2000-2001 and 64 per cent in 1998-1999.

Reduced incidence of personal/carer's leave in the construction, retail, communication services, and health and community services industries was offset by increased incidence in the government administration and defence, manufacturing, transport and storage, and finance and insurance industries.

Despite the marginal decline in 2002-2003, the longer term trend is for increasing provision of personal/carer's leave in CAs.

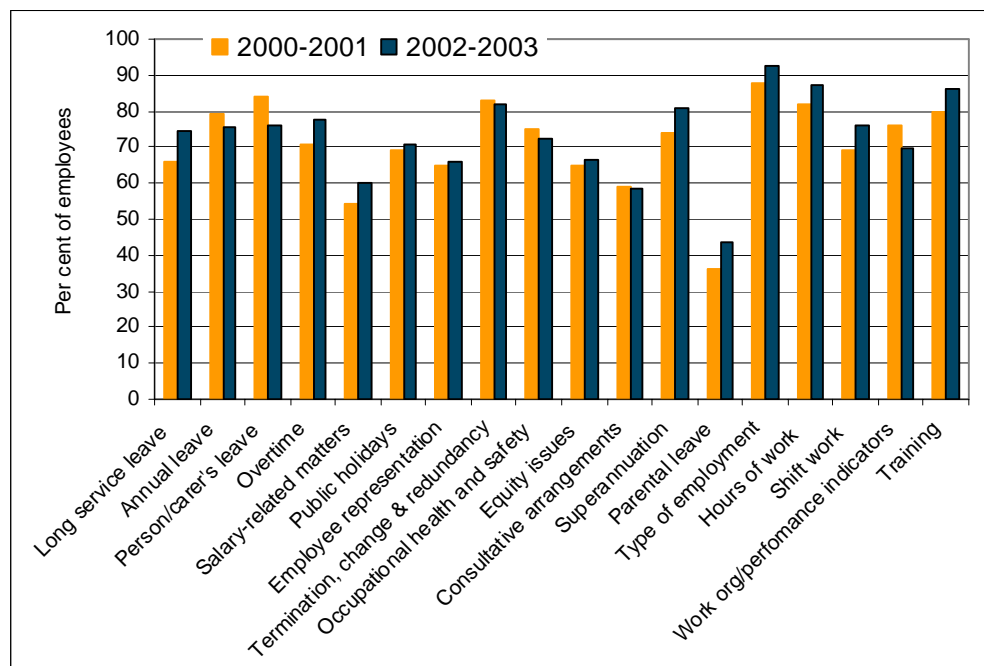
**Chart 2.4.1 Main provisions in CAs, 2000-2001 and 2002-2003**



Source: DEWR, *Workplace Agreements Database and Agreement Making in Australia* under the Workplace Relations Act 2000 and 2001.

Chart 2.4.2 shows the proportion of employees covered by main conditions provisions in the past two reporting periods. There were increases in the proportion of employees covered by provisions relating to long service leave and salary-related matters in 2002-2003 compared with the previous reporting period. More employees also had access to provisions relating to parental leave, overtime and shift work during the reporting period.

**Chart 2.4.2 Employee coverage by main provisions in CAs, 2000-2001 and 2002-2003**



Source: DEWR, Workplace Agreements Database and Agreement making in Australia under the Workplace Relations Act, 2000 and 2001.

There were some noticeable differences between the incidence of some provisions in CAs (Chart 2.4.1) and the proportion of employees covered by them (Chart 2.4.2). The most obvious example is parental leave. Parental leave was included in 12 per cent of CAs covering 44 per cent of employees, indicating that parental leave provisions were more likely to be included in agreements covering large numbers of employees.

### Sector

Table 2.4.2 shows clear differences in conditions between CAs in the public and private sectors. The most common provisions for both sectors were those relating to hours of work, training and personal/carer's leave.

Public sector CAs were more likely to include provisions relating to annual leave, equity issues, salary related matters and parental leave. For example, 53 per cent of public sector CAs had parental leave provisions, compared with 10 per cent of private sector CAs. These represented substantial increases from the previous reporting period when 35 per cent of public sector and 6 per cent of private sector CAs included provisions relating to parental leave.

Private sector CAs were more likely to include provisions relating to public holidays, employee representation, occupational health and safety, termination, change and redundancy, superannuation and type of employment. These outcomes reflected the different industry mix in public and private sector CAs and were particularly influenced by the large proportion of construction industry CAs in the private sector.

**Table 2.4.2 Main provisions in CAs by sector, 2002-2003**

Provision	% of CAs	
	Private sector	Public sector
Long Service Leave	66	67
Annual leave	59	78
Personal/carer's leave	80	83
Overtime	76	77
Salary related matters	60	69
Public holidays	73	62
Employee representation	75	61
Termination, change and redundancy	88	75
Occupational health and safety	86	72
Equity issues	54	73
Consultative arrangements	69	71
Superannuation	88	73
Parental leave	10	53
Type of employment	89	77
Hours of work	94	93
Shift work	46	52
Work organisation/performance indicators	76	77
Training	88	89

*Source: DEWR, Workplace Agreements Database.*

### *Section of the WR Act.*

Table 2.4.3 shows the incidence of main provisions in CAs certified under different sections of the WR Act. The main difference relates to employee representation provisions. These included union-related provisions such as leave for union business or training, and union right of entry. Employee representation provisions were found in 86 per cent of CAs made with unions under section 170LJ of the WR Act, but only 15 per cent of CAs made directly between employers and employees under section 170LK.

The other major differences between agreement types were in consultative arrangements, which include provisions relating to joint consultative committees and other committees to monitor the agreement. CAs made under section 170LJ were almost twice as likely as CAs made under section 170LK to include consultative arrangements.

The large proportion of section 170LJ agreements with consultative arrangements can be explained in part by the industry distribution of these agreements. Construction industry CAs made up 59 per cent of section 170LJ agreements, and 83 per cent of construction industry CAs contained consultative arrangements provisions.

**Table 2.4.3 Main provisions in CAs by section of the WR Act, 2002-2003**

Provision	% of CAs			
	170LJ	170LK	170LL	170LN
Long service leave	68	60	69	63
Annual leave	57	74	67	58
Personal/carer's leave	82	75	73	76
Overtime	79	73	80	58
Salary related matters	69	37	35	48
Public holidays	76	65	75	51
Employee representation	86	15	93	75
Termination, change and redundancy	91	71	84	84
Occupational health and safety	89	68	97	77
Equity issues	60	54	32	39
Consultative arrangements	79	40	32	63
Superannuation	90	78	90	81
Parental leave	11	13	3	23
Type of employment	92	78	96	77
Hours of work	95	91	98	91
Shift work	41	58	85	46
Work organisation/ performance indicators	80	62	74	65
Training	92	70	82	91

*Source: DEWR, Workplace Agreements Database.*

The incidence of employment conditions provisions in CAs differed markedly across industries. The variation reflected the different arrangements of the industries, the diversity of their workforces and the tailoring of provisions to meet the needs of different industries.

Further information on conditions in CAs is provided at Appendix C, which details the incidence of the main provisions in CAs disaggregated by industry.

## Hours of work provisions

Ninety-four per cent of CAs certified in 2002 and 2003 included hours of work provisions, covering 87 per cent of employees under CAs. Table 2.4.4 shows the main hours flexibilities in the 2000-2001 and 2002-2003 reporting periods.

The largest increase in the incidence of hours of work provisions in CAs for 2002-2003 was specified weekly hours provisions. Seventy per cent of CAs certified contained specified weekly hours provisions, an increase of 19 percentage points from the previous reporting period.

The incidence of time off in lieu granted for working on rostered days off increased by 17 percentage points to 26 per cent.

The incidence of banking of rostered days off and provisions relating to hours of work being averaged over an extended period both increased by five percentage points between 2000-2001 and 2002-2003.

Provisions for staggered breaks and negotiable hours of work fell by six percentage points in the reporting period.

**Table 2.4.4 Hours of work provisions in CAs, 2000-2001 and 2002-2003**

Provision	% of CAs	
	2000-2001	2002-2003
Span of ordinary hours and how they are worked		
Average weekly hours <sup>1</sup>	38.1 hrs	37.4 hrs
Specified weekly hours	51	70
Make-up time	7	5
Time off in lieu at ordinary rates	11	11
Time off in lieu at penalty rates	6	4
No restrictions on days to perform ordinary hours	11	12
Ordinary hours of work may be averaged over an extended period <sup>2</sup>	4	9
Compressed week	2	2
Hours of work decided by employee majority	8	5
Hours of work may be negotiated	12	6
Hours of work may be varied by employer after consultation with employees	6	7
Management may alter hours	3	2
Flexible starting and finishing times for ordinary hours of work	3	4
Flexitime	3	2
Shifts and rostered days off		
12-hour shifts	8	8
Rostered days off may be banked/accrued	40	45
Rostered days off may be varied by mutual agreement	40	38
Time off in lieu may be granted for working on a rostered day off	9	26
Public Holidays may be taken on another day by mutual agreement	9	7
Breaks		
Staggered Breaks	14	8
Breaks not to interrupt continuity of work	10	5
Management may alter break	3	2

1. These figures are actual average weekly hours specified in CAs, and are not percentage figures.

2. An 'extended period' in this provision usually means a period longer than a month.

Source: DEWR, Workplace Agreements Database.

The incidence of hours flexibility provisions varied across industries. For example, 17 per cent of CAs in the government administration and defence industry contained flexible start and finishing times, while only 1 per cent of CAs in the accommodation, cafes and restaurant industry contained this provision.

The construction industry contained both the highest and lowest incidences of provisions relating to hours flexibility in CAs. It had the lowest incidence of provisions such as make-up time (1 per cent), time off in lieu at ordinary rates (2 per cent), ordinary hours of work averaged over an extended period (3 per cent) and no restrictions on days to perform ordinary hours (3 per cent).

On the other hand, the construction industry had the highest incidence of provisions for banking/accrual of rostered days off (72 per cent), varying of rostered days off by mutual agreement (68 per cent) and time off in lieu of working for a rostered day off (49 per cent).

There was a low incidence of staggered breaks provisions across most industries, including communication services, cultural and recreational services, education, electricity, gas and water supply, and education. The mining industry had the highest incidence of staggered breaks with 22 per cent of CAs containing such a provision.

Table C.2 in Appendix C shows the main hours flexibilities in CAs, disaggregated by industry.

### *Weekly hours*

Table 2.4.5 shows the incidence of provisions specifying weekly hours of work. There was a notable decline in average weekly hours specified in CAs. Average weekly hours declined for the third reporting period in a row. Average weekly hours fell from 38.6 hours in 1998-1999 to 37.4 hours in the 2002-2003 reporting period.

**Table 2.4.5 Weekly hours in CAs, 1997 to 2003**

	% of CAs with specified weekly hours	Average weekly hours
1997	45	38.6
1998	36	38.8
1999	47	38.3
2000	51	37.9
2001	50	38.4
2002	60	38.3
2003	77	36.9

*Source: DEWR, Workplace Agreements Database.*

An industry breakdown of average weekly hours indicates a peak of 39.3 hours in the agriculture, forestry and fishing industry and 38.4 hours in the electricity, gas and water supply industry. The lowest average weekly hours (37.1) occurred in the mining and education industries.

Over 80 per cent of CAs in the communication services, accommodation, cafes and restaurants, and retail trade industries contained specified weekly hours provisions. CAs in the health and community services industry were least likely to specify hours with only 32 per cent of CAs containing such provisions.

### **Family-friendly provisions**

The principal object of the WR Act is to provide a framework for cooperative workplace relations, which promotes the economic prosperity and welfare of the people of Australia, by (in part): assisting employees to balance their work and family responsibilities effectively through the development of mutually beneficial work practices with employers; and respecting and valuing the diversity of the workforce by helping to prevent and eliminate discrimination on a number of grounds including family responsibilities, pregnancy and marital status.

This focus on work and family is carried through in provisions governing the agreement system, as well as in provisions for minimum entitlements to parental leave and protection from dismissal on family responsibility related grounds.

Flexible working hours are often identified by workers as being a significant factor in enabling them to better balance their work and family responsibilities. The incidence of hours of work provisions in CAs is addressed in the previous section.

It is important to note that many family-friendly initiatives can be delivered through human resource guidelines and organisational policies and practices rather than in CAs.

Family-friendly initiatives, such as the establishment of a child care centre, may not be repeated in successive CAs once they are established. Thus fluctuations in the incidence of family-friendly provisions may not necessarily indicate a reduction of such provisions from one reporting period to another.

Table 2.4.6 shows that the most common family-friendly provisions in CAs were family/carer's leave and part-time work. Each of these were contained in around one quarter of all CAs.

There were few changes in the incidence of most family-friendly provisions between 2000-2001 and 2002-2003, with the exceptions of flexible annual leave and paid maternity and paternity leave provisions, which became more prevalent over the period.

**Table 2.4.6 Family-friendly provisions in CAs, 2000-2001 and 2002-2003**

Provision	% of CAs	
	2000-2001	2002-2003
Flexible annual leave	6	9
Access to single days annual leave	13	11
48/52 career break	3	3
Unlimited sick leave	1	1
All purpose paid leave	3	3
Family/carer's leave	27	25
Access to other leave for caring purposes	19	18
Paid family leave	3	4
Unpaid family leave	9	8
Extended unpaid parental leave	2	3
Paid adoption leave	2	4
Paid maternity/primary carer's leave	7	10
Paid paternity/secondary carer's leave	4	7
Part-time work	25	26
Regular part-time work	7	8
Home based work	1	2
Family responsibilities	3	4
Childcare provisions	1	2
Job sharing	3	3

*Source: DEWR, Workplace Agreements Database and Agreement making in Australia under the Workplace Relations Act: 2000-2001.*

### *Family-friendly provisions by industry*

There was considerable variation in the incidence of most family-friendly provisions across industries.

For example, only 5 per cent of CAs in the communication services industry contained provisions relating to access to single days annual leave, while 32 per cent of CAs in the retail trade industry contained such provisions.

Similarly, over 70 per cent of CAs in the accommodation, cafes and restaurant, finance and insurance and retail trade industries contained family/carer's leave provisions, compared with about 30 per cent of CAs in the transport and storage, manufacturing, and health and community services industries. Most notably, only 8 per cent of CAs in the construction industry contained family/carer's leave provisions.

Construction had the lowest incidence of many family-friendly provisions.<sup>1</sup> Construction recorded the lowest incidences for regular part-time work (1 per cent), flexible annual leave (6 per cent), paid family leave (1 per cent), unpaid family leave (2 per cent) and paid paternity leave (2 per cent).

Part-time work and regular part-time work were most common in the communication services industry, appearing in 81 per cent and 41 per cent of CAs respectively.

The incidence of paid maternity and paid paternity leave were highest in the education (56 and 43 per cent respectively) and finance and insurance industries (52 and 37 per cent respectively). Mining recorded the lowest incidence of paid maternity leave at 2 per cent.

Industries with a high incidence of family-friendly provisions, such as education and health and community services, tended to have a high or above average proportion of female employees.

In contrast, male-dominated industries such as construction and manufacturing had lower incidences of family-friendly provisions.

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<sup>1</sup> Excluding those industries with no agreement provisions.

Detailed breakdowns of the incidences of family-friendly provisions and family-friendly paid leave provisions disaggregated by industry are at Table C.3 and Table C.4 of Appendix C.

### *Multiple family-friendly provisions*

Table 2.4.7 shows the number of CAs with multiple family-friendly and flexible working hours provisions.

Family-friendly provisions include: flexible use of annual leave, access to single days leave, 48/52 career break, unlimited sick leave, all purpose paid leave, paid and unpaid family leave, access to other paid leave for caring purposes, access to maternity, paternity and adoption leave, part-time work, job-sharing, home based work, family responsibilities and childcare.

Flexible hours provisions include: make up time, time-off-in lieu at either ordinary rates or penalty rates, hours averaged over an extended period, compressed hours, flexible start/finish time, flexitime system, negotiable hours of work, hours decided by majority of employees and banking/accrual of rostered days off.

Forty-four per cent of CAs, covering 87 per cent of employees, contained at least one family-friendly provision. Around 82 per cent of CAs, covering 91 per cent of employees, contained at least one family-friendly or flexible hours provision.

**Table 2.4.7 Multiple family-friendly provisions in CAs, 2002-2003**

Number of provisions	CAs with family-friendly provisions		CAs with family-friendly and flexible working hours provisions	
	No. of CAs	% of CAs	No. of CAs	% of CAs
10 or more	63	<1	274	2
9	65	<1	150	1
8	87	<1	240	2
7	226	2	427	3
6	241	2	430	3
5	439	3	564	4
4	751	5	792	5
3	829	6	1123	8
2	1135	8	2159	14
1	2794	19	6111	41
<b>At least one</b>	<b>6630</b>	<b>44</b>	<b>12270</b>	<b>82</b>

Source: DEWR, Workplace Agreements Database.

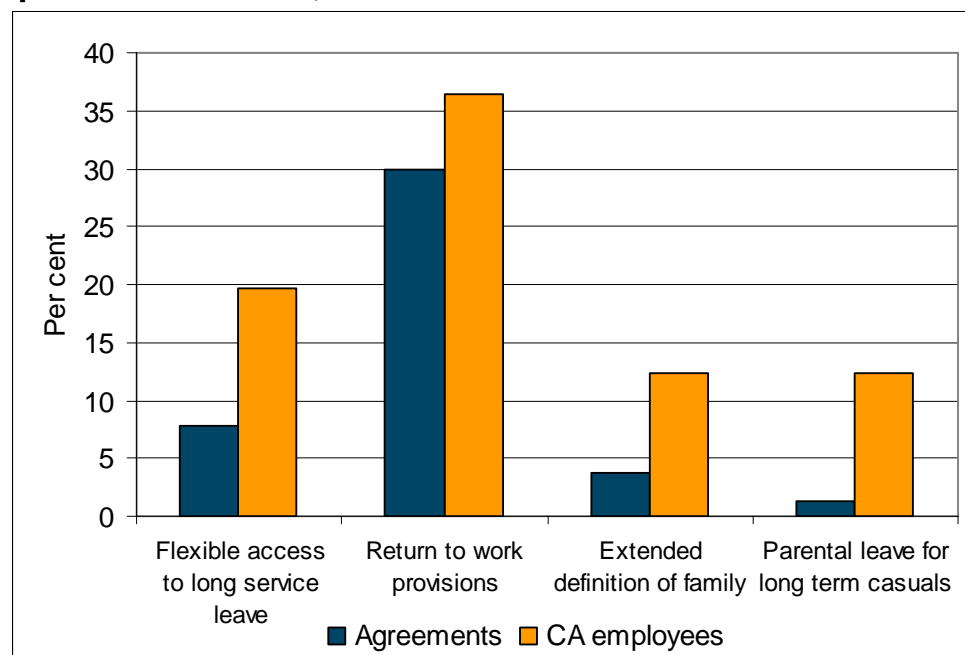
### Other family-friendly provisions

The incidences of a number of other family-friendly provisions in CAs are shown in Chart 2.4.3.

In 2002-2003, return to work provisions were included in 30 per cent of CAs. This was a large increase from the 9 per cent recorded in 2000-2001, and was due to a large number of CAs in the construction industry certified in the reporting period containing this provision.

Flexible use of long service leave can assist employees to balance their work and family commitments. For example, an employee could take leave at half pay for an extended period or take leave for half the period at double pay. Flexible long service leave provisions were found in 8 per cent of CAs certified in the reporting period.

**Chart 2.4.3 Incidence and coverage of other family-friendly provisions in CAs, 2002-2003**



Source: DEWR, Workplace Agreements Database.

## Type of employment provisions

Type of employment provisions include whether a person is employed on a full-time or part-time basis, whether they are a permanent or casual employee, and whether they are on probation. Type of employment provisions were included in 89 per cent of CAs certified during the reporting period, covering 93 per cent of employees. Table 2.4.8 shows the incidence of various type of employment provisions in CAs certified in the past two reporting periods.

The most common type of employment provision in 2002-2003 was casual employment, up slightly from 71 per cent in 2000-2001 to 76 per cent. Employee coverage increased from 72 per cent to 76 per cent.

Large increases were recorded for the number of CAs containing casual hours/quotas/minimum weekly wage and casual loading provisions, up 17 and 19 percentage points respectively.

Between one quarter and one third of all CAs contained provisions relating to contract labour, the proportion of juniors, probation and part-time employment.

Over the reporting period, 4 per cent of CAs provided for AWAs, a slight decrease from 2000-2001. Only 15 per cent of CAs had provisions excluding parties from negotiating or offering AWAs during the life of the agreement, a decrease from 21 per cent in 2000-2001.<sup>2</sup>

Less than one per cent of CAs certified in 2002-2003 had provisions giving regular casuals access to termination, change and redundancy provisions.

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<sup>2</sup> AWAs are available to employees under the WR Act and consequently do not require the existence of such provisions in CAs in order to be available in an enterprise.

**Table 2.4.8 Types of employment provisions in CAs, 2000-2001 and 2002-2003**

Provision	% of CAs	
	2000-2001	2002-2003
Contract labour	35	49
Restricted use of contract labour	17	34
Coverage by other agreement	9	26
Casual employment	71	76
Casual hours/quotas/minimum weekly wage	6	23
Casual loading	29	48
Casuals transferred to permanent status	16	15
Part-time employment	25	26
Part-time hours/quotas/minimum weekly wage	8	5
Probation	26	27
Proportion of juniors, apprentices or trainees	28	33
AWA provisions		
Provision for AWAs	5	4
Exclusion of AWAs	21	15
Fixed-term, short-term or temporary employment	14	17
Restricted use of fixed-term, short-term or temporary employment	5	8

*Source: DEWR, Workplace Agreements Database.*

Casual employment provisions were most common in the communication services, construction, accommodation, cafes and restaurants, and agriculture, forestry and fishing industries, where there is often a need to supplement the core workforce at peak times.

The highest incidence of part-time employment provisions were in finance and insurance, communication services, accommodation, cafes and restaurants, and health and community services CAs. This could reflect the operational needs of these industries and employee preference, particularly for the latter two industries which have a high proportion of female employees.

Construction industry CAs were the most likely to have provisions relating to contract labour, while provisions regarding fixed/short-term employment were most prevalent in the health and community services industry. Almost 63 per cent of construction industry CAs contained provisions relating to proportions of juniors, apprentices or trainees.

Table C.5 in Appendix C provides more detailed data on type of employment provisions and reveals the differences in industry use of these provisions.

## Training provisions

Training provisions were included in 88 per cent of CAs certified in 2002-2003, and covered 86 per cent of employees in CAs.

General training arrangements usually cover all employees and specify skills that need to be developed to conduct everyday tasks. Entry-level training arrangements are tailored to apprentices and trainees.

Table 2.4.9 shows that there was an increase in the incidence of entry-level training provisions and general training arrangements.

The incidence of general training arrangements increased to 79 per cent of CAs in 2002-2003. The most common general training provisions related to training obligations. These specify either the employer's obligation to train or the employee's obligation to participate in training, and were included in 64 per cent of all CAs.

Entry-level training provisions were included in 62 per cent of CAs, up from around half of agreements in the previous reporting period.

Provisions that had a substantial increase in incidence were training costs (up 18 percentage points), types of training (up 17 percentage points), training plan (up 16 percentage points), recognition of prior learning (up 18 percentage points) and how training is provided (up 21 percentage points).

**Table 2.4.9 Training provisions in CAs, 2000-2001 and 2002-2003**

Provision	% of CAs	
	2000-2001	2002-2003
Entry level training	53	62
Apprentice/trainee wage	41	45
Apprentice/trainee other provisions	38	40
General training arrangements	74	79
Training consultative committee	28	35
Skills assessment	18	14
Training obligations	56	64
Training costs	32	49
Types of training	28	45
Training plan	28	45
Recognition of prior learning	12	30
How training is provided	29	50
Training leave	28	26
Trade union training leave	50	57

Source: DEWR, Workplace Agreements Database.

The incidence of training provisions in CAs varied between industries. The incidence of general training provisions was highest in CAs in the construction (89 per cent), government administration and defence (88 per cent), accommodation, cafes and restaurants (75 per cent) and electricity, gas and water supply industries (75 per cent).

Entry-level training provisions were most common in the construction (90 per cent) and accommodation, cafes and restaurants industries (78 per cent).

Two thirds of construction industry CAs contained training and wage provisions for apprentices and trainees. This compared with less than 10 per cent of CAs in the communication services, finance and insurance, agriculture, forestry and fishing, and education industries. This may reflect the outcome of pattern bargaining in the construction industry rather than any industry-specific considerations being tailored through the bargaining process.

Table C.6 in Appendix C provides further data on training provisions in CAs, disaggregated by industry.

## Equity provisions

Many equity-related issues are covered by some form of legislation. For example, the *WR Act*, the *Sex Discrimination Act 1984*, and State workplace relations, equal opportunity and anti-discrimination laws make discrimination in employment unlawful on various grounds, including gender, marital status, age and race. These laws combine with other laws, awards and agreements to protect employees and to create a work environment that is free from discrimination and harassment.

Equity provisions were contained in 55 per cent of agreements, covering 66 per cent of employees. Table 2.4.10 shows the incidence of various equity provisions in CAs certified in the past two reporting periods.

The most common equity provisions during the current reporting period were anti-discrimination and equal employment opportunity, which were included in around 25 and 11 per cent of CAs respectively, covering around 44 and 31 per cent of employees.

**Table 2.4.10 Equity provisions in CAs, 2000-2001 and 2002-2003**

Provision	2000-2001		2002-2003	
	% of CAs	% of employees	% of CAs	% of employees
Individual grievance procedures	3	10	3	4
Equal employment opportunity	18	33	10	31
Affirmative action	10	4	5	2
Anti-discrimination	21	41	24	44
Commitment to pay equity	1	3	1	2
Access and equity for ATSI people <sup>1</sup>	<1	7	3	4
Cultural/ceremonial leave	2	17	2	12
Access and equity for the disabled	4	24	3	27
Training for part-time/casuals	1	8	3	6
English/numeracy training	2	2	2	2

1. ATSI denotes Aboriginal and Torres Strait Islander

Source: DEWR, Workplace Agreements Database.

Eighty per cent of CAs in the accommodation, cafes and restaurants industry contained equity provisions, followed by the education industry where three quarters of CAs contained such provisions. Conversely, only 45 per cent of CAs in the manufacturing, and health and community services industries contained equity provisions.

The highest proportion of employees covered by CAs with equity provisions were found in the retail trade, and government administration and defence industries. Around 17 per cent of employees in both these industries were covered by equity provisions. Less than one per cent of employees in the agriculture, forestry and fishing, and wholesale trade industries were covered by equity provisions.

Table C.7 in Appendix C provides further details.

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## 2.5 Conditions developments for designated groups

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This section compares developments for a range of conditions of employment in CAs for designated group employees with either non-designated group employees or employees as a whole.

The employment conditions compared include main provisions, hours of work, family-friendly provisions, type of employment, training and equity provisions.

The sample used for analysis of conditions for designated group employees only includes those CAs where the numbers of employees of each of the designated groups were known. The sample contains around 50 per cent of all CAs certified in 2002-2003 and around 75 per cent of all employees covered by CAs certified in the period.<sup>3</sup>

Care must be taken in interpreting these data as the size of the sample varies significantly across industries. Further details on the industry composition of the designated group samples are at Appendix E.

### Main provisions

Table 2.5.1 shows the coverage of designated group employees by main provisions in CAs certified in 2002-2003.

#### *Women*

Women were more likely to be covered by almost all of the main provisions than their male counterparts. The highest female employee coverage occurred for type of employment provisions (96 per cent), training (91 per cent), and hours of work provisions (91 per cent).

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<sup>3</sup> Actual employee numbers are known for more than 80 per cent of CAs certified during 2002 and 2003. A modified mean is used to estimate general employee coverage for those CAs where no information is available. However, estimates cannot be used to disaggregate the employee data. Hence, the samples of CAs where information is provided on the designated groups are necessarily smaller than those used for more general analysis. The sample of CAs is slightly different for all the designated groups as are the employee totals used to establish proportional representation.

Women were 10 percentage points more likely to be covered by superannuation and equity provisions than men. In contrast, men were more likely to be covered by parental leave, occupational health and safety, and consultative provisions than women.

### *Part-time employees*

Part-time employees had greater or equal access to the main employment provisions than their full-time counterparts. Part-time employees were 9 percentage points more likely to have shiftwork and salary-related matters in their CAs than full-time employees, and 8 percentage points more likely to have superannuation and parental leave provisions.

Full-time employees were more likely to have occupational health and safety provisions in their CAs than part-time employees.

### *NESB employees*

NESB employees were more likely to have provisions relating to employee representation, occupational health and safety, consultative arrangements and work organisation and performance indicators than their ESB counterparts.

However, NESB employees were less likely than their ESB counterparts to have provisions relating to overtime, public holidays, equity issues, parental leave and shift work.

### *Young employees*

Forty-one per cent of young employees were in the retail trade industry, compared with 19 per cent of all employees. Consequently, outcomes for young employees largely reflect conditions outcomes in that industry.

With the exception of four provisions, young employees had greater coverage by the main employment provisions than adult employees.

The most common provisions covering young employees were superannuation, hours of work, type of employment and training. These were in CAs covering between 96 to 98 per cent of young employees compared to between 80 to 92 per cent of employees 21 years and older.

Coverage of a number of provisions, including annual leave, personal/carer's leave, public holidays and equity issues were around 20 percentage points higher for young employees than for adult employees.

**Table 2.5.1 Coverage of designated group employees by main provisions in CAs, 2002-2003**

Provision	% of female	% of male	% of part-time	% of full-time	% of NESB	% of ESB	% of young	% of adult	% of all
Long service leave	78	71	76	74	70	74	92	72	75
Annual leave	81	77	77	79	74	79	94	77	76
Personal/carer's leave	82	76	79	79	78	79	95	77	76
Overtime	84	79	82	81	72	82	95	79	78
Salary-related matters	64	61	70	61	62	63	33	66	60
Public holidays	78	71	79	73	67	74	93	72	71
Employee representation	71	66	73	67	72	68	90	66	66
Termination, change and redundancy	84	79	87	80	77	82	88	80	82
Occupational health and safety	70	78	68	76	75	74	92	72	72
Equity issues	75	65	72	69	60	70	92	67	66
Consultative arrangements	55	59	52	58	68	56	22	61	58
Superannuation	86	76	87	79	79	80	96	79	81
Parental leave	44	48	53	45	40	47	29	49	44
Type of employment	96	90	96	92	89	93	98	92	93
Hours of work	91	90	92	90	86	91	98	89	87
Shift work	84	76	87	78	72	80	95	78	76
Work organisation/performance indicators	71	73	70	73	80	72	45	75	70
Training	91	89	92	89	85	90	97	89	86

*Figures are based on CAs for which employee data on designated groups is known.*

*Source: DEWR, Workplace Agreements Database.*

## Hours of work

Table 2.5.2 shows the coverage of designated group employees by hours of work provisions in CAs certified in 2002-2003.

### Women

Women were more likely than all employees to be covered by most flexible hours arrangements, including make-up time, time off in lieu, negotiated hours of work, flexible start and finish times, and flexitime.

In contrast, women were less likely than all employees to be covered by flexible rostered day off arrangements, such as banking or varying rostered days off, or taking time off in lieu of working on a rostered day off.

### *Part-time employees*

Seventy-two per cent of part-time employees were covered by CAs which specify weekly hours of work. Part-time employees were more likely to have CAs containing flexible hours arrangements, such as make-up time and time off in lieu, than all employees. Almost half of all part-time employees had CAs that did not restrict the days on which ordinary hours were performed.

### *NESB employees*

Twenty per cent of NESB employees had CAs that specify 12-hour shifts, compared with 16 per cent for all employees. This probably reflected their concentration in the manufacturing and construction industries.

NESB employees were also more likely to be covered by flexitime provisions and to be able to take public holidays on another day by mutual agreement.

NESB employees were more likely than all employees to have restrictions on the days to perform ordinary hours, but less likely to receive time off in lieu at penalty rates.

### *Young employees*

Ninety-three per cent of young employees had specified weekly hours of work in their CAs, compared with 68 per cent of all employees. Almost half of young employees had make-up time, and 59 per cent had time off in lieu at penalty rates. Three quarters had no restrictions on the days to perform ordinary hours.

Young employees' CAs were more likely than all employees' CAs to contain provisions that allow hours of work to be varied by the employer. They were also less likely to contain flexible start and finishing times and flexitime. This probably reflected the industries in which young employees were concentrated, notably accommodation, cafes and restaurants and retail trade. Further details regarding the industry distribution of designated group employees is at Appendix E.

**Table 2.5.2 Coverage of designated group employees by hours of work provisions in CAs, 2002-2003**

Provision	% of female	% of part-time	% of NESB	% of young	% of all
<b>Span of ordinary hours and how they are worked</b>					
Specified weekly hours	73	72	57	93	68
Make-up time	29	33	20	49	22
Time off in lieu at ordinary rates	32	31	29	19	26
Time off in lieu at penalty rates	32	32	15	59	23
No restrictions on days to perform ordinary hours	42	46	20	75	35
Ordinary hours of work may be averaged over an extended period <sup>1</sup>	29	26	17	45	23
Compressed week	6	6	9	6	6
Hours of work decided by employee majority	3	2	4	3	5
Hours of work may be negotiated	18	15	14	17	13
Hours of work may be varied by employer after consultation with employees	10	12	6	17	9
Management may alter hours	9	9	5	12	6
Flexible starting and finishing times for ordinary hours of work	14	11	13	3	11
Flexitime	16	10	16	2	13
<b>Shifts and rostered days off</b>					
12-hour shifts	15	12	20	8	16
Rostered days off may be banked/accrued	11	11	18	9	14
Rostered days off may be varied by mutual agreement	5	4	9	4	7
Time off in lieu may be granted for working on a rostered day off	3	3	3	7	5
Public holidays may be taken on another day by mutual agreement	18	13	17	22	15
<b>Breaks</b>					
Staggered breaks	4	3	7	2	4
Breaks not to interrupt continuity of work	4	3	6	9	4
Management may alter break	6	10	2	15	5

1. An 'extended period' in this provision usually means a period longer than a month.

Figures are based on CAs for which employee data on designated groups is known.

Source: DEWR, Workplace Agreements Database.

## Family-friendly provisions

Table 2.5.3 shows the coverage of designated group employees by family-friendly provisions in CAs certified in 2002-2003.

### Women

Women were in general more likely than all employees to be covered by CAs that included family-friendly provisions. Seventy per cent of women were covered by family/carer's leave and 52 per cent could access other leave for caring purposes. Women were also more likely to have access to paid and unpaid family leave.

Forty-one per cent of women had CAs containing paid maternity/primary carer's leave of seven weeks per year on average. Eighty-nine per cent of women had CAs that specified part-time work, compared with 73 per cent for all employees.

Women were more likely than all employees to have access to a range of flexible working arrangements such as home based work, regular part-time work and job sharing.

### *Part-time employees*

Similarly to women, part-time employees had higher rates of coverage by most family-friendly provisions than other employees.

Part-time employees were more likely than all employees to have family/carer's leave provisions in their CAs, and to have access to paid and unpaid family leave. Thirty-four per cent of part-time employees could use single days of annual leave, compared with 22 per cent of all employees.

### *NESB employees*

NESB employees were less likely than all employees to have access to family/carer's leave or paid family leave, although they are slightly more likely to have access to unpaid family leave.

Twenty-seven per cent of NESB employees had CAs specifying home based work, and 23 per cent had job sharing, compared with 18 per cent of all employees who had both provisions.

NESB employees were less likely to have CAs containing part-time work provisions than all employees.

### *Young employees*

Eighty-eight per cent of young employees had provisions relating to family/carer's leave in their CAs, compared with 57 per cent for all employees. Young employees were also more likely to be able to access other leave for caring purposes and have paid or unpaid family leave.

Only 7 per cent of young employees had CAs that included paid maternity leave, and 4 per cent had paid paternity leave provisions. This compared with 35 per cent and 17 per cent respectively for all employees.

**Table 2.5.3 Coverage of designated group employees by family-friendly provisions in CAs, 2002-2003**

Provision	% of female	% of part-time	% of NESB	% of young	% of all
Flexible annual leave	26	27	18	33	21
Access to single days annual leave	29	34	15	61	22
48/52 career break	29	25	28	5	22
Unlimited sick leave	1	1	1	<1	1
All purpose paid leave	9	5	8	2	7
Family/carer's leave	70	71	52	88	57
Access to other leave for caring purposes	52	58	33	67	41
Days per year	6	6	6	6	6
Paid family leave	28	33	10	53	20
Days per year	4	4	4	4	4
Unpaid family leave	28	27	26	38	22
Extended unpaid parental leave	19	18	11	23	13
Paid adoption leave	23	23	15	3	18
Paid maternity/primary carer's leave	41	40	35	7	35
Weeks per year	7	7	8	7	7
Paid paternity/secondary carer's leave	18	19	16	4	17
Weeks per year	2	2	1	2	1
Part-time work	89	92	62	93	73
Regular part-time work	53	53	34	70	40
Home based work	24	17	27	3	18
Family responsibilities	26	22	18	23	20
Childcare provisions	13	12	9	2	9
Job sharing	23	17	23	4	18

*Figures are based on CAs for which employee data on designated groups is known.*

*Source: Workplace Agreements Database*

## Type of employment provisions

Table 2.5.4 shows the coverage of type of employment provisions for each of the designated groups, and for all employees.

### *Women*

Women were less likely to have contract labour provisions specified in their CAs than all employees. Around 12 per cent of women were covered by provisions that restricted the use of contract labour.

Women were more likely than all employees to be covered by provisions relating to casual, part-time and fixed term/temporary employment arrangements. Around 65 per cent of women had casual loadings specified in their CAs, compared with 56 per cent for all employees. Almost 90 per cent of women had part-time employment provisions in their CAs.

### *Part-time employees*

Part-time employees were less likely than all employees to be covered by provisions relating to contract labour and AWAs, but were more likely to be covered by provisions relating to casual and part-time employment arrangements.

Around 92 per cent of part-time employees had part-time employment provisions in their CAs. While part-time employees were more likely to have provisions relating to fixed term/temporary employment arrangements than all employees, 35 per cent of part-time employees had provisions in their CAs that restricted the use of temporary employment, compared with 24 per cent for all employees.

### *NESB employees*

NESB employees were more likely than all employees to be covered by provisions relating to contract labour, but less likely to have provisions relating to part-time employment. Almost one quarter of NESB employees had provisions allowing casuals to transfer to permanent employment.

### *Young employees*

Young employees were more likely than all employees to be covered by provisions relating to casual, part-time and fixed-term/temporary employment arrangements. Around 95 per cent of young people had provisions relating to casual employment in their CAs, 89 per cent had casual loadings specified and 36 per cent were covered by provisions that allowed casuals to convert to permanent. Seventy-one per cent of young employees had CAs that included probation arrangements, compared with 43 per cent for all employees.

**Table 2.5.4 Coverage of designated group employees by type of employment provisions in CAs, 2002-2003**

Provision	% of female	% of part-time	% of NESB	% of young	% of all
Contract labour	17	18	39	6	24
Restricted use of contract labour	12	13	25	4	15
Coverage by other agreement	4	4	16	2	8
Casual employment	83	86	75	95	76
Casual hours/quotas/min. weekly wage	15	18	17	21	15
Casual loading	65	65	46	89	56
Casuals transferred to permanent status	19	18	24	36	17
Part-time employment	89	92	62	93	73
Part-time hours/quotas/min. weekly wage	38	36	14	65	24
Probation	50	47	49	71	43
Proportion of juniors, apprentices or trainees	1	1	6	2	5
AWA provisions					
Provision for AWAs	24	19	26	4	25
Exclusion of AWAs	12	10	24	4	14
Fixed-term employment <sup>1</sup>	67	70	53	76	57
Restricted use of fixed-term employment	31	35	27	43	24

1. Fixed-term employment includes fixed-term, short-term and temporary employment.

Figures are based on CAs for which employee data on designated groups is known.

Source: DEWR, Workplace Agreements Database.

## Training provisions

### *Women*

Women were slightly more likely to have access to entry level training through their CAs than all employees. Eighty-one per cent of women were covered by general training provisions, compared with 77 per cent for all employees.

Women were also more likely than all employees to have access to training leave (44 per cent) and union training leave (56 per cent).

### *Part-time employees*

Part-time employees had similar training provisions to women. They were slightly more likely than all employees to have access to apprentice provisions and general training provisions.

Forty-four per cent of part-time employees were covered by training leave and 59 per cent by union training leave.

### *NESB employees*

NESB employees were less likely to be covered by entry level training provisions but more likely to be covered by general training provisions, including training consultative committees, skills assessment, and training plans, than other employees.

Thirteen per cent of NESB employees had CAs that included recognition of prior learning, the highest of any designated group.

### *Young employees*

Young employees were far more likely than all employees to be covered by entry level training provisions. Sixty-three per cent had apprentice/trainee wages specified in their CAs, and 77 per cent had other provisions relating to apprentices and trainees.

**Table 2.5.5 Coverage of designated group employees by training provisions in CAs, 2002-2003**

Provision	% of female	% of part-time	% of NESB	% of young	% of all
Entry level training	53	52	45	89	50
Apprentice/trainee wage	28	30	23	63	28
Apprentice/trainee other provisions	38	39	26	77	33
General training arrangements	81	83	80	80	77
Training consultative committee	7	7	15	3	10
Skills assessment	7	5	12	4	9
Training obligations	55	53	63	35	54
Training costs	34	34	31	44	31
Types of training	31	33	38	38	32
Training plan	26	24	39	19	29
Recognition of prior learning	4	4	13	1	9
How training is provided	30	31	35	31	30
Training leave	44	44	36	41	36
Trade union training leave	56	59	47	82	49

*Figures are based on CAs for which employee data on designated groups is known.*

*Source: DEWR, Workplace Agreements Database.*

## **Equity provisions**

Table 2.5.6 shows the coverage of equity provisions in CAs for each of the designated groups.

### *Women*

Women were more likely than all employees to be covered by equal employment opportunity and anti-discrimination provisions. Over half of all women had anti-discrimination provisions in their CAs.

Women were also more likely than all employees to be covered by provisions relating to access and equity for Aboriginal and Torres Strait Islander people.

### *Part-time employees*

Part-time employees had similar equity provisions to women. Equal employment opportunity and anti-discrimination provisions were common in part-time employees' CAs. Ten per cent of part-time employees had training provisions specifically for part-time or casual employees in their CAs, compared with 6 per cent of all employees.

### *NESB employees*

NESB employees were slightly less likely to be covered by equal employment opportunity and anti-discrimination provisions than all employees. Seventeen per cent of NESB employees had access to cultural or ceremonial leave, compared with 12 per cent for all employees. NESB employees were twice as likely to have English or numeracy training provisions in their CAs than all employees, although the incidence of this provision was low.

### *Young employees*

Young employees were almost twice as likely to be covered by equal employment opportunity and anti-discrimination provisions than all employees. They were also more likely to have access to training for part-time or casual employees, but less likely to be provided with cultural or ceremonial leave.

**Table 2.5.6 Coverage of designated group employees by equity provisions in CAs, 2002-2003**

Provision	% of female	% of part-time	% of NESB	% of young	% of all
Individual grievance procedures	4	3	5	1	4
Equal employment opportunity	42	43	28	61	31
Affirmative action	1	1	6	1	2
Anti-discrimination	54	54	39	84	44
Commitment to pay equity	3	3	1	6	2
Access and equity for ATSI people	5	3	7	1	4
Cultural/ceremonial leave	14	10	17	2	12
Access and equity for the disabled	39	40	20	68	27
Training for part-time/casuals	9	10	7	9	6
English/numeracy training	2	2	4	1	2

*Figures are based on CAs for which employee data on designated groups is known.*

*Source: DEWR: Workplace Agreements Database.*

# CHAPTER 1 INDIVIDUAL AGREEMENT MAKING, 2002-2003

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## 3.1 Spread and coverage of AWAs

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### Introduction

This section provides a statistical overview of the trends in the making of AWAs in 2002-2003.

It begins with an analysis of AWA growth, the proportion of AWAs approved by the EA and those approved and refused by the AIRC.

The spread and coverage of AWAs is examined with respect to employer and employee characteristics, including location by State/Territory, industry, sector, workplace size, occupation and employment status.

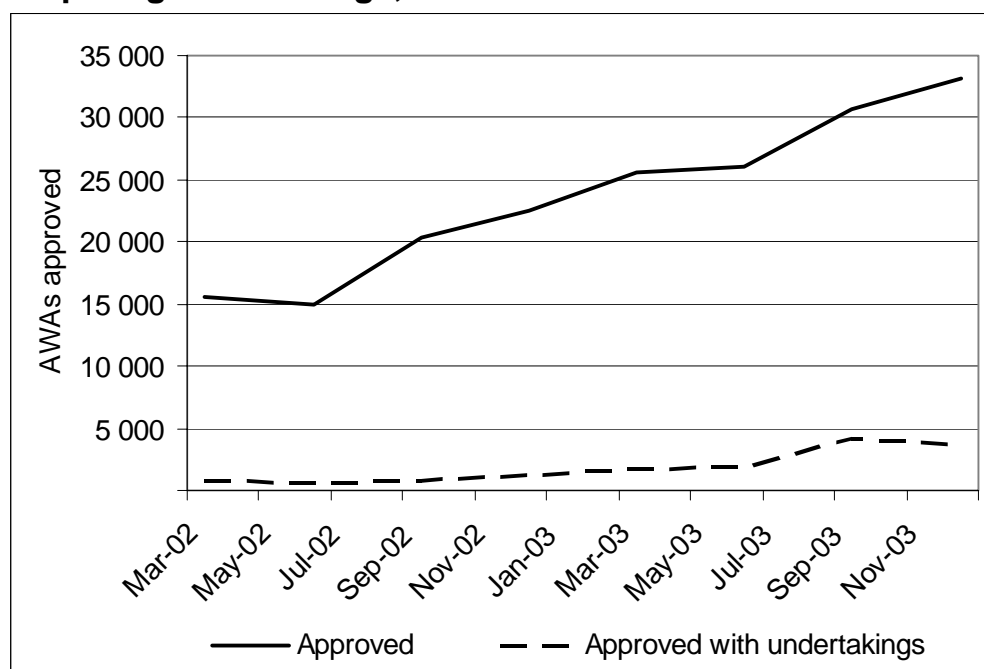
The ABS Employee Earnings and Hours survey is analysed to enable a comparison of wages under AWAs to be made with wages under other industrial instruments. Finally, some results from the OEA Employee Attitudes survey are presented on employee satisfaction with AWAs.

### AWA approvals 2002-2003

As at the end of 2001, over 216 000 AWAs had been approved by the EA. By the end of 2003, the total number of approved AWAs stood at over 424 000. Annual growth in AWA approvals remained strong, with an average growth rate in the last two years of 35 per cent. AWA growth is illustrated in Chart 3.1.1.

Of the total number of AWAs approved in the past two years, the EA approved 99.7 per cent. The remainder were approved by the AIRC. A total of 120 AWAs were refused by the AIRC in this period.

**Chart 3.1.1 Quarterly AWA approvals and approvals requiring undertakings, 2002 to 2003**



Source: OEA, WorkDesk Database and Australian Workplace Agreements Management System.

Just over 7 per cent of AWAs approved by the EA in 2002-2003 required undertakings. These undertakings were sought to ensure that the no-disadvantage test was met.

The proportion of AWAs requiring undertakings rose substantially during the latter half of 2003. Eleven per cent of AWAs approved between July and December 2003 required undertakings. This was primarily as a result of employers in Western Australia moving from State-based individual agreements (which did not have to meet a no-disadvantage test) to AWAs.

During 2003 nearly 52 per cent of all AWAs approved with undertakings came from Western Australia. Over 13 per cent of all AWAs coming from Western Australia during 2003 required undertakings in order for them to be approved.

### *Gender*

Males comprised 60 per cent of employees who had AWAs approved in the two years to December 2003. Gender distribution of approved AWAs remained relatively stable since inception of the OEA in March 1997.

Fifty-nine per cent of all approved AWAs were for male employees. This compares with the composition of the Australian workforce as at December 2003, where male employees comprised 54 per cent of the working population.<sup>4</sup>

### *Employment status*

During 2002-2003 a quarter of all AWAs approved were for employees engaged as casuals. This is slightly lower than the proportion of casuals in the workforce (27 per cent).<sup>5</sup>

### *Sector*

In 2002-2003 nearly 89 per cent of all AWAs approved were for employees working in the private sector. The proportion of public sector AWAs since 1998-1999 has fallen from 34 per cent to 11 per cent. Table 3.1.1 shows the distribution of AWAs by sector.

**Table 3.1.1 AWA approvals by sector, 1998 to 2003**

Sector	1998-1999 (%)	2000-2001 (%)	2002-2003 (%)	Since OEA inception (%)
Public	34	13	11	16
Private	66	87	89	84
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>

*Source: OEA, WorkDesk Database and Australian Workplace Agreements Management System.*

### *State/Territory*

Table 3.1.2 shows the distribution by State/Territory of approved AWAs to the end of 2001, the period 2002-2003, and since the inception of the EA.

<sup>4</sup> ABS Cat. No. 6202.0, *Labour Force Australia*, February 2004, employees only.

<sup>5</sup> Derived from ABS Cat. No. 4102.0, *Australian Social Trends*, August 2002.

**Table 3.1.2 AWA approvals by worksite State/Territory, 1997 to 2003**

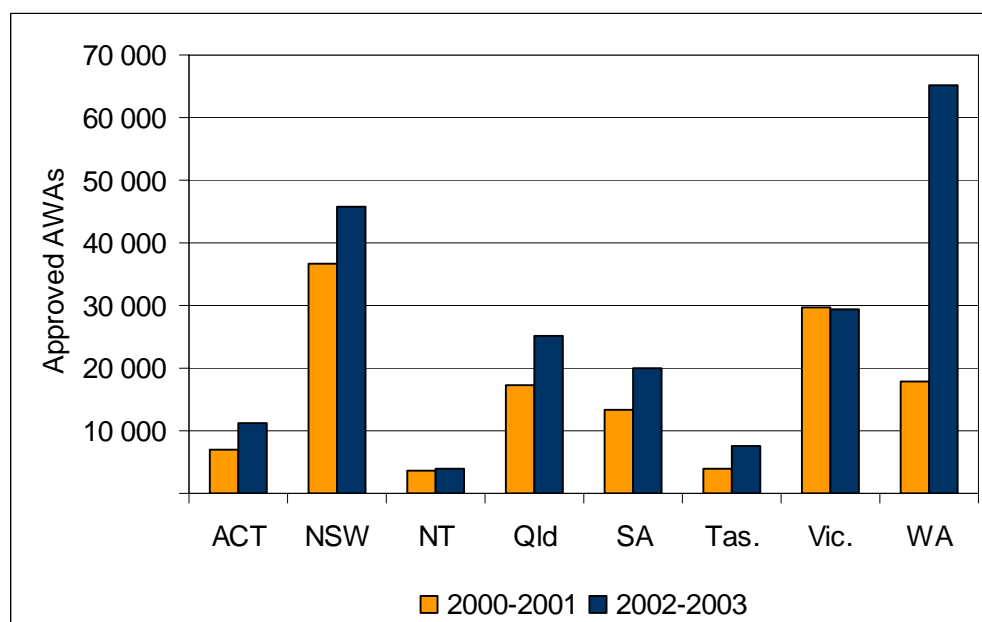
State	1997-2001 (%)	2002-2003 (%)	Since OEA inception (%)
Australian Capital Territory	6	5	6
New South Wales	27	22	24
Northern Territory	2	2	2
Queensland	12	12	12
South Australia	8	10	9
Tasmania	2	4	3
Victoria	32	14	23
Western Australia	12	31	21
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>

Source: OEA WorkDesk Database and Australian Workplace Agreements Management System.

The most striking change to occur in the 2002-2003 period was the influx of AWAs from Western Australia. During this period Western Australia accounted for 31 per cent of all AWA approvals. Prior to 2002, around 12 per cent of all AWAs approved were from Western Australia.

Chart 3.1.2 illustrates the dramatic growth of AWA approvals in Western Australia over the last two years. Steady growth was achieved in all States/Territories except Victoria.

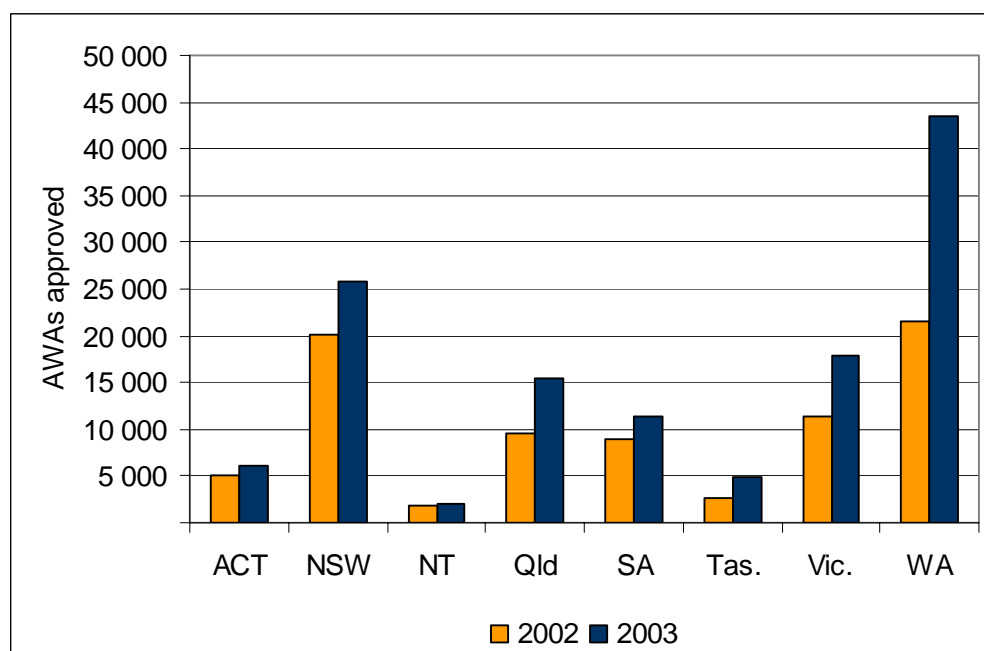
**Chart 3.1.2 AWA approvals by worksite State/Territory, 2000-2001 and 2002-2003**



Source: OEA, WorkDesk Database and Australian Workplace Agreements Management System.

Although there were fewer AWAs from Victoria in 2002-2003 than in 2000-2001, it should be noted that during 2003 approvals for Victoria approached the record numbers achieved in 1998. This arrested a downward trend in AWA approvals in that State. Chart 3.1.3 shows this resurgence in Victoria.

**Chart 3.1.3 AWA approvals by worksite State/Territory, 2002 and 2003**



Source: OEA, WorkDesk Database and Australian Workplace Agreements Management System.

### Industry

During the period 2002-2003 significant shifts in AWA approvals were evident across a number of industry sectors. Most prominent in terms of increasing proportions of AWAs were mining, manufacturing, construction, retail trade, and the property and business services industries. Combined, these sectors accounted for 57 per cent of all AWAs approved in the two years to the end of 2003.

Until the end of 2001, the industries from which the highest proportion of approved AWAs came were government administration and defence (13 per cent), retail trade (11 per cent), and communication services (11 per cent). In the reporting period, a significant shift occurred with the 'top three' sectors now retail trade (17 per cent), manufacturing (14 per cent), and property and business services (13 per cent).

The diminished influence of the government sector on AWA approvals is further highlighted in Table 3.1.3.

**Table 3.1.3 AWA approvals by industry, 1997 to 2003**

Industry	1997-2001 (%)	2002-2003 (%)	Since OEA inception (%)
Agriculture, forestry and fishing	1	1	1
Mining	5	8	7
Manufacturing	9	14	11
Electricity, gas and water supply	2	<1	1
Construction	3	6	4
Wholesale trade	2	2	2
Retail trade	11	17	14
Accommodation, cafes and restaurants	7	8	8
Transport and storage	5	3	4
Communication services	11	8	10
Finance and insurance	6	4	5
Property and business services	10	13	11
Government administration and defence	13	6	9
Education	1	<1	1
Health and community services	5	4	5
Cultural and recreational services	5	3	4
Personal and other services	5	3	4
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>

Source: OEA, WorkDesk Database and Australian Workplace Agreements Management System.

Thirty-eight per cent of employees who had their AWAs approved in the 2002-2003 period were employed in organisations with over 500 employees. In fact, over two-thirds (68 per cent) of AWAs approved in this period were for employees in organisations with more than 100 employees.

Table 3.1.4 illustrates, however, that small-medium organisations made increasing use of AWAs in recent years. The proportion of AWAs made by small employers increased from 5 per cent in 1998-1999 to 10 per cent in 2002-2003.

**Table 3.1.4 AWA approvals by employer size, 1998 to 2003**

No. of Employees	1998-1999 (%)	2000-2001 (%)	2002-2003 (%)	Since OEA inception (%)
Fewer than 20	5	6	10	8
20 - 99	15	19	22	20
100 - 499	42	28	30	32
500+	38	47	38	41
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>

Source: OEA, WorkDesk Database and Australian Workplace Agreements Management System.

## ABS Employee Earnings and Hours data

The ABS publishes a biennial survey of Employee Earnings and Hours (ABS Cat. No. 6306.0). The survey data are drawn from a sample of 53 000 employees in 8000 employer units. The last survey was conducted in May 2002, with final results published in March 2003.

The survey allows for comparisons of the earnings of employees on *Federal Registered Individual Agreements (AWAs)*, *Federal Registered Collective Agreements* and *State Registered Collective Agreements*.

The data show that, as at May 2002, AWA employees in both the public and private sectors earned more on average than employees who were covered by collective agreements. In the private sector, AWA employees earned an average 23 per cent more than their counterparts working under federal CAs.

**Table 3.1.5 Average hourly total earnings by sector and type of agreement, May 2002**

Type of agreement	Private Sector (\$)	Public Sector (\$)	All (\$)
Federal registered collective agreement	21.50	26.40	23.40
Federal registered individual agreement (AWA)	26.50	39.60	30.20
State registered collective agreement	22.40	26.90	25.40
All	23.90	27.20	24.60

Source: ABS Employee Earnings & Hours, Cat. No. 6306.0, May 2002.

Previously unpublished data from the Employee Earnings and Hours survey shows that in nine industry sectors AWA employees had higher earnings than employees covered by federal CAs. These were the manufacturing, construction, retail trade, accommodation, cafes and restaurants, transport and storage, communication services, finance and insurance, property and business services, and government administration and defence industries.

Managers and administrators on AWAs had, on average, 14 per cent higher earnings than those on federal CAs. Table 3.1.6 shows that most groups of non-managerial employees on AWAs also had higher earnings than employees on federal CAs. Intermediate and elementary clerical, sales and service workers, advanced clerical and service workers and associate professionals on AWAs earned more, on average, than equivalent employees on federal CAs.

**Table 3.1.6 Average hourly total earnings by occupation and type of agreement, May 2002**

	Federal registered CA (\$)	Federal registered individual (\$)	All pay setting methods (\$)
Professionals	29.10	31.70	30.00
Associate professionals	26.70	35.50	31.50
Tradespersons & related workers	23.70	21.90	20.30
Advanced clerical & service workers	22.70	26.00	21.40
Intermediate clerical, sales & service workers	19.20	20.20	18.60
Intermediate production & transport workers	21.50	21.00	20.20
Elementary clerical, sales & service workers	15.20	17.60	15.30
Labourers & related workers	18.60	16.20	16.60
<b>All occupations</b>	<b>23.40</b>	<b>30.20</b>	<b>24.60</b>

*Source: ABS Employee Earnings & Hours survey (unpublished data), May 2002*

A gender analysis of the Employee Earnings and Hours data is found in section 3.3 of this report.

### **OEA Employee Attitude Survey – a further analysis**

Data from the OEA's Employee Attitude Survey of 2001 were further analysed, comparing employees on AWAs with employees who were likely to be on collective agreements.

Separate information for employees on collective agreements was not collected in the Employee Attitude Survey. However, a reasonable proxy for employees who were probably on collective agreements can be constructed using data on workplace size and union membership.

Union members in workplaces of over 100 employees are used as a proxy for employees covered by a collective agreement.

ABS Employee Earnings and Hours data (Cat. No. 6306.0, May 2002) show that there is a strong positive correlation between collective agreement coverage and employer size. In addition, Table 2.1.5 shows that 86 per cent of employees covered by federal CAs made with unions under section 170LJ of the WR Act were employed in organisations with 100 or more employees.

Therefore, for the following analysis, "collective employees" refers to employees from the Employee Attitudes Survey who were union members and were employed in workplaces with over 100 employees.

### *Employee satisfaction*

Overall, AWA employees reported higher levels of satisfaction with their hours than collective employees (68 per cent compared with 65 per cent). They also were more satisfied with their level of control over work hours than collective employees (52 per cent compared with 49 per cent).

AWA employees were more satisfied than collective employees about the level of communication (45 per cent compared with 34 per cent); the amount of work they performed (55 per cent compared with 48 per cent); and the amount of training they received (41 per cent compared with 36 per cent). Employees on AWAs were also more likely to be satisfied than collective employees with the recognition their work and effort received (45 per cent compared with 29 per cent).

Greater proportions of collective employees than AWA employees reported satisfaction with pay and conditions (53 per cent compared with 46 per cent). However, AWA employees were more likely than collective employees to report an increase in satisfaction with their pay and conditions over the past two years (38 per cent to 29 per cent).

### *Employee influence*

Similar proportions of AWA and collective employees felt they had, as a minimum, some influence over start and finish times (62 per cent compared with 61 per cent). AWA employees, however, were more likely to report that their influence over start and finish times had increased in the two years prior to being surveyed (25 per cent compared with 19 per cent).

AWA employees also felt they now had greater influence over how they did their work (45 per cent) compared with collective employees (41 per cent) and the pace at which they did their work (40 per cent compared with 32 per cent).

### *Relations with management*

AWA employees generally had a more positive view of management and the relationship with management than collective employees.

A significantly higher proportion of AWA employees than collective employees agreed with the statements “Management does its best to get on with employees” (64 per cent compared with 44 per cent), “Management can be trusted to tell things the way they are” (46 per cent compared with 31 per cent), “Management gives me a say in the way things are run” (39 per cent to 24 per cent) and “Management gives me a say in the way I do my job” (58 per cent to 35 per cent).

#### *Work and family balance*

Forty-five per cent of collective employees reported that balancing work and family life had become harder in the past two years, compared with 39 per cent of AWA employees. Collective employees were also less likely than AWA employees to report that balancing work and family life had become easier in this time period (19 per cent compared with 20 per cent).

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## 3.2 An analysis of AWA content

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### The AWA sample

This section of the report looks at provisions found in AWAs approved during the reporting period.

In order to conduct this type of analysis the OEA supplied the Australian Centre for Industrial Relations Research and Training (ACIRRT) at the University of Sydney with 500 AWAs approved during the 2002-2003 period. These AWAs were randomly selected, with 250 selected from among AWAs approved in 2002, and 250 selected from among AWAs approved in 2003. ACIRRT coded the contents of these AWAs into its Online Awards and Agreements database (OLAA) from which relevant data were then extracted.

It should be noted that the OLAA data on which AWA content analysis has been conducted are not directly comparable with data from the WAD used in Chapter 2 of this report due to differences in the coding frameworks used by the different databases.

It was initially intended that this sample would be proportional to industry distribution at the Australian and New Zealand Standard Industry Classification (ANZSIC) division level. However, due to coding difficulties, a number of the original sample of AWAs was replaced. This resulted in minor variations to the sample industry distribution, but it is unlikely to significantly affect the findings.

#### *Sample characteristics*

Table 3.2.1 illustrates the degree to which the distribution of the sample varies from AWAs approved during 2002-2003 by industry.

**Table 3.2.1 Proportion of AWA approvals by industry, 2002-2003**

Industry	Sample (%)	Overall (%)
Agriculture, forestry and fishing	1	2
Mining	8	8
Manufacturing	12	13
Electricity, gas and water supply	1	<1
Construction	6	6
Wholesale trade	2	2
Retail trade	18	17
Accommodation, cafes and restaurants	4	8
Transport and storage	2	3
Communication	7	8
Finance and insurance	5	4
Property and business services	16	13
Government administration and defence	8	6
Education	<1	<1
Health and community services	4	4
Cultural and recreational services	4	3
Personal and other services	3	2
<b>Total</b>	<b>100</b>	<b>100</b>

*Source: OEA, WorkDesk Database Australian Workplace Agreements Management System.*

The demographic characteristics of employees in the final sample of 500 AWAs was similar to those of employees in the overall AWA population in 2002 and 2003. The proportion of male employees in the sample population was 60 per cent, the same as the proportion of male employees in the overall AWA population.

Sixteen per cent of AWAs in the sample were for employees under the age of 21. This compares to 15 per cent of employees in the overall AWA population.

The proportion of casual workers in the sample (20 per cent) was slightly less than the proportion of casual workers in the overall AWA population (25 per cent).

The proportion of part-time workers (less than 35 hours per week) in the sample was 12 per cent.

Ten per cent of AWAs in the sample were from the public sector, compared with 11 per cent in the overall AWA population.

The proportion of approved AWAs in each State/Territory was relatively close in the sample and the overall AWA population. Table 3.2.2 shows these proportions across the two populations.

**Table 3.2.2 Proportion of AWA approvals by State/Territory, 2002-2003**

State	Sample (%)	Overall (%)
Australian Capital Territory	5	5
New South Wales	26	22
Northern Territory	2	2
Queensland	12	12
South Australia	7	10
Tasmania	2	4
Victoria	14	14
Western Australia	32	31
<b>Total</b>	<b>100</b>	<b>100</b>

Source: OEA, WorkDesk Database and Australian Workplace Agreements Management System.

There were small differences between the sample and overall AWA population when comparing the size of the organisation to which an AWA employee belongs. These are shown in Table 3.2.3.

**Table 3.2.3 Proportion of AWA approvals by employer size, 2002-2003**

No. of Employees	Sample (%)	Overall (%)
Fewer than 20	10	10
20 – 99	21	22
100 – 499	27	30
500+	42	38
<b>Total</b>	<b>100</b>	<b>100</b>

Source: OEA, WorkDesk Database and Australian Workplace Agreements Management System.

## Sample analysis

### *Wages and remuneration*

Specific provision for wage increases was made in 38 per cent of AWAs. Increases were provided as either fixed percentage increases, or were linked to changes in the Consumer Price Index (CPI), safety net adjustments, or performance.

In some cases a combination of factors determined whether a wage increase would apply and the quantum of any such increase.

A fixed percentage increase was provided in 19 per cent of AWAs. Wage increases were linked to performance in 12 per cent of AWAs. Changes in the CPI (6 per cent) and safety net adjustments (9 per cent) were a factor in a smaller proportion of AWAs.

The absence of any such wage increase provision should not be used to infer that wage increases were not paid to these employees. The OEA Employee Attitude Survey of 2001 found that 66 per cent of AWA employees had received a pay rise in the 12 months preceding the survey date; a similar percentage to employees not covered by AWAs.

While performance was a factor in determining wage increases in 12 per cent of AWAs, wage increases were provided solely on the basis of performance in 9 per cent of AWAs.

Where performance was a criterion for a wage increase, 70 per cent of AWAs relied solely on the performance of the individual employee to make a determination. In 22 per cent of cases both individual and organisational level performance was taken into account.

Aside from performance-linked wage increases, 31 per cent of AWAs made provision for bonus and incentive payments.

Table 3.2.4 shows that while a relatively small proportion (3 per cent) of AWAs made reference to piece rates and commissions, a further 28 per cent of AWAs utilised some form of performance bonus arrangement.

These arrangements could include standardised individual and/or group performance bonuses, profit sharing and gain sharing as well as other discretionary bonuses and payments.

**Table 3.2.4 Incidence of performance pay provisions in AWAs, 2002-2003**

Provision	% of AWAs
Piecework and commissions	3
Individual/group performance bonus	13
Profit sharing	2
Gain sharing	3
Other bonuses & payments	10
<b>Total</b>	<b>31</b>

*Some AWAs include one or more of these bonus/incentive payments.  
Source: Online Award & Agreements Database, ACIRRT.*

In 41 per cent of AWAs, one or more loadings, such as penalty rates, shift allowances, overtime and leave loading, were absorbed into the rate of pay. Table 3.2.5 illustrates the areas in which AWAs provide for absorption of loadings.

**Table 3.2.5 Incidence of absorption of loadings provisions in AWAs, 2002-2003**

Payment type	Payment is absorbed (%)	Payment is not absorbed (%)	No provision on this type of payment (%)
Penalty rates	54	44	2
Shift rates	18	82	-
Overtime	25	72	3
Allowances	41	56	3
Annual leave	34	63	4
Annual leave loading	41	57	1
Sick leave	28	68	4
Rostered days off	2	93	4
Other payments <sup>1</sup>	32	65	4

1. Other payments include redundancy, retrenchment, severance, bereavement leave and long service leave payments.

Source: Online Award & Agreements Database, ACIRRT.

### *Employee benefits*

Aside from wages and remuneration and other statutory benefits such as superannuation, 37 per cent of AWAs made express provision for at least one other employee benefit. Benefits in AWAs were distributed as shown in Table 3.2.6.

**Table 3.2.6 Incidence of employee benefits provisions in AWAs, 2002-2003**

Provision	% of AWAs
Salary packaging	12
Salary sacrifice	31
Employee share scheme	3
Discount on company products	15
Private use of company vehicle	9
Medical insurance	5
Income protection insurance	6
Employee accident insurance	3
Employee tuition fees	1
Provision of meals	33
Employer's non-statutory contribution to superannuation	3
Other employee benefits <sup>1</sup>	20

1. Other employee benefits include accident make-up pay, rental subsidies, flu vaccinations, car parking, transfer/relocation assistance.

Source: Online Award & Agreements Database, ACIRRT.

### *Hours of work and flexible work organisation*

Eighty-two per cent of AWAs contained one or more hours provisions. Provisions relating to ordinary work days (44 per cent of AWAs), ordinary weekly hours (36 per cent), span of hours (33 per cent) and variations to working hours (33 per cent) were most common.

The incidence of various hours provisions contained in AWAs is shown in Table 3.2.7.

**Table 3.2.7 Incidence of hours of work provisions in AWAs, 2002-2003**

Provision	% of AWAs
Ordinary weekly hours	36
Span of hours	33
Limit on hours worked	15
Ordinary work days	44
Variation to working hours	33
Averaging of working hours	26
Shift types and hours	10

*Source: Online Award & Agreements Database, ACIRRT.*

In 96 per cent of AWAs with an ordinary weekly hours provision, ordinary weekly hours were specified as 40 hours or less. Forty-nine per cent of all AWAs specified ordinary hours to be 38 per week. Eighty-four per cent of AWAs provided for ordinary weekly hours between 35 and 40 hours.

A span of hours provision was included in 33 per cent of AWAs. A 12 hour daily span was specified in 26 per cent of AWAs, although spans of hours ranged from 2.5 to 24 hours per day.

**Table 3.2.8 Daily span of hours in AWAs, 2002-2003**

Daily span	% of AWAs
Less than 8 hours	1
8 – 10 hours	21
10.5 – 12 hours	34
12.5 – 15 hours	20
16 or more hours	24

*Source: Online Award & Agreements Database, ACIRRT.*

The span of hours provisions in AWAs varied considerably across industries, reflecting the degree to which AWAs can be tailored to suit business types and conditions. For example, 42 per cent of manufacturing industry AWAs specified a daily span of between 8 and 10 hours. In the retail industry, 46 per cent of AWAs contained a span greater than 12 hours.

The property and business services sector provided the greatest diversity of daily span of hours, ranging from 8 to 24 hours. Conversely, construction industry AWAs provided a 12 hour daily span of hours in 50 per cent of cases.

Fifteen per cent of AWAs limited daily hours worked. Of these, 56 per cent set the maximum allowable number of hours worked per day at 12 hours. Only 4 per cent of AWAs set a limit of more than 12 hours per day.

Twenty-six per cent of AWAs contained provisions covering averaging of working hours. The majority (76 per cent) averaged hours over a 1-4 week period, while 15 per cent averaged over 52 weeks.

Work organisation and flexibility provisions promoted the flexible deployment of staff in the workplace and included provisions such as teamwork, multi-tasking and multi-skilling, and the ability to move employees between sections/sites.

The most common of the provisions identified in the AWA sample allowed an employer to direct an employee to carry out duties as required. Other work organisation and flexibility provisions in AWAs are shown in Table 3.2.9.

**Table 3.2.9 Incidence of flexible work organisation provisions in AWAs, 2002-2003**

Provision	% of AWAs
Team based work organisation	3
Task flexibility/multi-skilled employees	9
Removal of demarcation barriers	<1
Employer may direct employees to carry out duties as required	38
Temporary movement of staff to other section/sites	11
Staggered meal breaks/continuous production	1
Performance of reasonable overtime	8

*Source: Online Award & Agreements Database, ACIRRT.*

### *Leave provisions*

Seventy-four per cent of AWAs contained leave provisions. Where there were no provisions relating to annual leave or long service leave, State legislation providing leave would apply.

Annual leave provisions were present in 59 per cent of AWAs. Another 3 per cent referred to relevant provisions in an award.

In 22 per cent of AWAs with annual leave provisions, annual leave did not have to be taken in one single block. Other AWA provisions relating to annual leave are detailed in Table 3.2.10.

**Table 3.2.10 Incidence of annual leave provisions in AWAs, 2002-2003**

Provision	% of AWAs
Option to pay out annual leave during employment	17
Annual leave must be taken	5
Employer may determine when annual leave is taken	17
Additional pay/leave if public holiday falls during annual leave	5

*Source: Online Award & Agreements Database, ACIRRT.*

**Example clause: Cashing out annual leave credits**

*The employee may, with the agreement of the employer, request the cashing out of up to two weeks of their annual leave, provided that the employee maintains a balance of two (2) weeks that must be taken as leave. Upon electing to cash out annual leave credits, the employees will be given the option of either payment in cash or to be paid into the employees Superannuation Fund as an employer contribution.*

The majority of AWAs with sick leave provisions (61 per cent) provided a sick leave entitlement of 10 days per annum. A minimum entitlement of five days per annum was found in 4 per cent of AWAs, while in 5 per cent of AWAs more than 10 days sick leave was available.

Accrual of sick leave from year to year was provided for in 48 per cent of AWAs. One in five of these AWAs provided for payment of unused sick leave, whether during employment or upon termination/resignation.

**Example clause: Paying out accrued sick leave**

*Once per year prior to any shutdown (or at a specified date) the Employer may by agreement with any Employee, pay the equivalent of up to 76 hours (pay in lieu of payment for absence through illness) provided Employees maintain a balance of at least 76 sick leave hours.*

Forty-two per cent of AWAs expressly provided long service leave entitlements. Eighty per cent of these provided entitlements equivalent to statutory obligations or a relevant award. A further 21 per cent of AWAs simply referred to an award or other document in relation to long service leave entitlements.

Five per cent of AWAs made provision for cashing out long service leave.

Additional leave provisions found in AWAs are listed in Table 3.2.11. The majority of these leave provisions were available as paid leave.

**Table 3.2.11 Incidence of other leave provisions in AWAs, 2002-2003**

Provision	% of AWAs	Percentage paid
Cultural/ceremonial/religious leave	1	80
Community service leave	2	75
Study/exam leave	3	82
Other paid/unpaid leave	24	n/a

*Source: Online Award & Agreements Database, ACIRRT.*

### *Family-friendly provisions*

Family-friendly provisions have been grouped as belonging to one of either 'family-friendly leave' or 'family-friendly flexible work arrangements'.

It is important to note that many family-friendly initiatives can be delivered through human resource guidelines and organisational policies and practices.

Over 70 per cent of all AWAs contained at least one provision relating to either family-friendly leave or family-friendly flexible work arrangements. Of these agreements, more than half had three or more such provisions.

Table 3.2.12 shows that AWAs with at least one family-friendly provision were more likely for employees from large organisations.

**Table 3.2.12 Incidence of family-friendly provisions in AWAs by employer size, 2002-2003**

No. of employees	Topic is not covered/No Provision/Not Stated/Unclear (%)	Topic is covered: at least one provision (%)	Proportion of AWAs with one provision having two or more provisions (%)
Fewer than 20	32	68	50
20 - 99	35	65	55
100 - 499	24	76	61
500+	24	76	72

Source: Online Award & Agreements Database, ACIRRT.

Slightly more than half of public sector employees (52 per cent) had family-friendly provisions in their AWAs compared with almost three-quarters of private sector employees (73 per cent).

Of those AWAs including at least one family-friendly provision, private sector AWAs were almost twice as likely as public sector AWAs to have two or more such provisions (64 per cent compared with 34 per cent).

The absence of family-friendly provisions in public sector AWAs may be explained, at least in part, by the provision of maternity leave to Commonwealth public servants under the *Maternity Leave (Commonwealth Employees) Act 1973*. It is not necessary to include maternity leave provisions in AWAs for employees already covered by this legislation for them to have access to maternity leave.

Table 3.2.13 shows the incidence of family-friendly leave provisions. Overall, 59 per cent of all AWAs contained at least one such provision, and 56 per cent contained two or more such provisions.

**Table 3.2.13 Incidence of family-friendly leave provisions in AWAs, 2002-2003**

Provisions	% of AWAs
Bereavement leave	49
Paid bereavement leave	47
Family or carer's leave	25
Paid family or carer's leave	24
Sick leave can be taken as family/carer's leave	17
Parental leave	24
Paid maternity leave	8
Paid paternity leave	5
Paid adoption leave	4
Option for additional maternity leave	1
Additional maternity leave paid at reduced rate	1
Purchased leave scheme	4

*Source: Online Award & Agreements Database, ACIRRT.*

Bereavement leave and paid bereavement leave were by far the most common family-friendly provisions and were included in almost half of all the AWAs in the database.

Close to one quarter of the sample AWAs included provisions which provided for family or carer's leave entitlements. Around one in six AWAs allowed sick leave to be used as carer's leave.

**Example clause: Carer's leave**

*a) You are able to use up to five days sick leave each year as carer's leave. Carer's leave is for the care of any member of your family or household who is sick or injured, and in need of immediate care and attention.*

*b) You will be required to provide the Employer with reasonable evidence of your need for carer's leave, similar to that required for sick leave. Carer's leave is not cumulative.*

Nearly one in four AWAs made specific provision for parental leave. Another 23 per cent of AWAs referred to an award or other legislation in defining entitlement to parental leave.

It should be noted that employees are entitled to parental leave in accordance with the WR Act, whether or not this is referred to in an AWA.

Maternity leave provisions appear in 11 per cent of AWAs. A total of 8 per cent of AWAs provide paid maternity leave.

**Example clause: Maternity leave and bonus payment**

*If you are eligible for parental leave and become pregnant, you shall be entitled to a leave of absence for a period not exceeding 52 weeks. The first six weeks following the commencement of maternity leave will be paid, with the remaining period of leave being unpaid. Payment is based on your average base salary for the three months immediately prior to commencement of maternity leave.*

*If you subsequently return to work and complete six months of service to our company's satisfaction you will be eligible to receive a bonus equivalent to a further six weeks of salary. Payment is based on your average base salary for the three months prior to maternity leave. (Full details regarding the conditions of maternity leave are located on the Intranet).*

Provisions for paternity leave appeared in 7 per cent of AWAs. Five per cent of AWAs contained paid paternity leave provisions.

Adoption leave entitlements were contained in 6 per cent of AWAs, with 4 per cent of AWAs providing paid adoption leave.

Flexibility provisions that focus upon employee interests can also help contribute to the 'family-friendliness' of a workplace. Overall, 34 per cent of AWAs provided at least one provision promoting flexible work arrangements, with 10 per cent providing two or more such provisions.

The most common flexibility provision found in the sample of AWAs was for time off in lieu of payment for overtime. Almost 20 per cent of the AWAs included such a provision.

**Example clause: Time off in lieu of overtime**

*Any work outside the ordinary hours of work is overtime. Where the employee volunteers to work overtime it will be paid at the normal hourly rate of pay. An employee may elect to take time off in lieu of payment of overtime. Time taken will be an hour taken for every hour worked.*

*Where the employer directs the employee to work overtime it will be paid at 1.5 times the normal hourly rate of pay. An employee may elect to take time off in lieu of payment of overtime. Time taken will be at the penalty time – that is for every hour worked one hour and half shall be taken.*

Part-time work arrangements were specified in 11 per cent of AWAs.

**Example clause: Part-time employment**

*(a) Part-time employees will be advised of their core hours on employment.*

*(i) These core hours will be between a minimum of 24 hours and up to a maximum 148 hours per four week cycle.*

*(ii) If a part-time employee works hours in excess of their core hours they shall be paid a loading of 115% for each hour unless or until the Overtime clause comes into operation.*

*Annual Leave and Sick Leave will not accrue on any hours were the 115% loading is paid.*

*(iii) Where necessary [the employer] retain the right to reduce a part-time employees core hours:*

- by up to 20% per year; or*
- in line with the Termination, Change & Redundancy provision; or*
- if the employee requests to the change and [the employer] agree to the request (such agreement may involve a trial operation period); or*
- if the employee agrees to the change.*

### *Training Provisions in AWAs*

Training provisions provide the opportunity for an employee to increase their on-the-job skills, to gain a job-related qualification, or to increase their general level of education. In addition, these provisions might deal with an employee's career and personal development.

As with family-friendly initiatives, arrangements that facilitate employee training and development are often found in human resources guidelines or organisational policies and practices, rather than in industrial agreements such as AWAs.

Employee training was referred to in 34 per cent of AWAs in the sample. Of those AWAs that included at least one training provision, 43 per cent contained two or more such provisions.

Training provisions in AWAs included generalised statements supporting employee training as well as specific provisions outlining the conditions under which training is to be undertaken.

**Example clause: Training provisions**

*The Member Centres will conduct initial employment training and refresher training on a one-to-one basis or in a classroom environment. Training will be conducted within the 38 hour working week or as overtime according to the operational needs of the business. Any training completed as directed overtime shall be paid in accordance with Clause 8 (Overtime).*

*It has been agreed that training will make up 5% per annum of hours worked which equals approximately 1.5 days per month. Such training will include but will not be limited to internal procedures (training in new procedures, products and systems), communication (verbal & written), and customer service (service & sales, courtesy, sales and dispute handling), call coaching and career development modules.*

*It is agreed that our company can expect employees to pre-read training material given a minimum of five (5) days prior notice. Material provided will be of reasonable length. Reasonable length is assessed at being 30 minutes reading time. Should employees be required by our company to perform any reading that is longer than a reasonable length, this will be paid at ordinary rates for a period agreed prior to the commencement of required reading which will be confirmed in writing by our company.*

Nearly one in five of all AWAs included financial support for employee training. Six per cent of AWAs included a workplace training program.

Table 3.2.14 shows that employer size has a bearing on the incidence of training provisions in AWAs. Training provisions were more likely to be found in the AWAs of employees working in larger organisations. Nearly half of all AWAs in organisations of between 100 and 499 employees had at least one training provision.

**Table 3.2.14 Incidence of training provisions in AWAs by employer size, 2002-2003**

No. of employees	No provision (%)	At least one provision (%)
Fewer than 20	77	23
20 – 99	74	26
100 – 499	54	46
500+	60	40

*Source: Online Award & Agreements Database, ACIRRT.*

### 3.3 The impact of AWAs on designated groups

This section reports on earnings and conditions for designated group employees covered by AWAs.

#### Women

Previously unpublished ABS data in Table 3.3.1, show that, as at May 2002, female employees on AWAs earned 32 per cent or more than counterparts on CAs.

**Table 3.3.1 Female earnings by type of agreement, 2002**

Type of agreement	Total weekly earnings (\$)	Total hourly earnings (\$)
Federal registered collective agreement	600.40	21.30
Federal registered individual agreement (AWA)	889.20	28.10
State registered collective agreement	664.70	24.10
State registered individual agreement	420.70	16.70
Other <sup>1</sup>	506.90	20.20
<b>All female employees</b>	<b>554.00</b>	<b>21.10</b>

1. Other includes awards and informal agreements.

Source: ABS Employee Earnings and Hours, Cat No. 6306.0 (unpublished data).

Table 3.3.2 shows that female AWA employees earned 89 per cent of the male AWA employee hourly rate of pay. This compared to a female-male earnings ratio of 85 per cent for employees on federal registered collective agreements, and 77 per cent for all employees.

**Table 3.3.2 Total hourly earnings by gender and type of agreement, 2002**

	Total hourly earnings (\$)	
	Male	Female
Federal registered certified	25.00	21.30
Federal registered individual agreement (AWA)	31.50	28.10
State registered CA	26.60	24.10
State registered individual agreement	22.90	16.70
Other <sup>1</sup>	28.90	20.20
<b>All employees</b>	<b>27.50</b>	<b>21.10</b>

1. Other includes awards and informal agreements.

Source: ABS Employee Earnings and Hours, Cat No. 6306.0 (unpublished data).

Table 3.3.3 shows that 21 per cent of female AWA employees were aged under 21 years, compared with 12 per cent of male AWA employees.

Female AWA employees were also more likely than male employees to be casual or part-time workers. Similar proportions of men and women were employed under AWAs as apprentices or trainees. Women on AWAs were slightly more likely than men to be employed in the public sector.

**Table 3.3.3 Characteristics of employees on AWAs by gender, 2002-2003**

Characteristic	Female (%)	Male (%)
Under 21 years	21	12
Casual status	26	20
Part-time status	18	11
Apprentice/trainee	6	6
Public sector	11	10

*Source: Online Award & Agreements Database, ACIRRT.*

Table 3.3.4 shows that female AWA employees were more likely than male AWA employees to be employed in organisations with fewer than 20 workers, but less likely to be employed in organisations with 20 to 499 workers. Similar proportions of males and females on AWAs were found to be employed in organisations with over 500 employees.

**Table 3.3.4 Proportion of AWAs by gender and employer size, 2002-2003**

No. of employees	Female (%)	Male (%)
Fewer than 20	16	6
20 - 99	19	22
100 - 499	23	30
500+	42	42

*Source: Online Award & Agreements Database, ACIRRT.*

Women's AWAs were more likely to include 'flexible' provisions than men's AWAs. Provisions more likely to be found in women's AWAs included family-friendly flexibility provisions, span of hours provisions and averaging of working hours provisions. Table 3.3.5 details some provisions found in AWAs by gender.

**Table 3.3.5 Incidence of provisions in AWAs by gender, 2002-2003**

Provision	Female (%)	Male (%)
Training provision	31	37
Family-friendly leave provision	52	66
Annual leave entitlement	51	62
Sick leave entitlement	46	59
Long service leave entitlement	33	48
Family-friendly flexibility provision	41	31
Span of hours provision	35	31
Averaging of working hours	30	23
Performance bonus	22	26
Absorption of 'extra' payments	42	41

*Source: Online Award & Agreements Database, ACIRRT.*

## Part-time employees

Part-time employees are defined as those employees working less than 35 hours a week.

Table 3.3.6 details some characteristics of part-time employees. One in four part-time employees on AWAs was engaged on a casual basis. This compared with one in eight employees working at least 35 hours per week.

AWAs appeared to be facilitating part-time employment arrangements for apprentices and trainees. Table 3.3.6 shows that 14 per cent of employees on AWAs working part-time were employed as apprentices/trainees. This compared with 10 per cent of persons working full-time who were employed as apprentices/trainees.

**Table 3.3.6 Characteristics of AWA employees by part-time status, 2002-2003**

Characteristics	Part-time employees (%)	Other employees (%)
Casual	25	12
Apprentice/trainee	14	10
Public sector	8	10

*Source: Online Award & Agreements Database, ACIRRT.*

Table 3.3.7 shows that one third of all part-time employees were employed in organisations with between 20 and 99 employees, and nearly two in five were employed in the largest organisations.

**Table 3.3.7 Proportion of AWAs by part-time status and employer size, 2002-2003**

No. of employees	Part-time employees (%)	Other employees (%)
Fewer than 20	<1	7
20 - 99	33	20
100 - 499	28	28
500+	39	45

*Source: Online Award & Agreements Database, ACIRRT.*

As shown in Table 3.3.8, part-time employees were less likely than other employees to have a training provision or an apprentice or trainee-related provision in their AWAs.

Part-time AWA employees were more likely than full-time AWA employees to be covered by family-friendly flexibility, span of hours and averaging of working hours provisions.

Part-time employees were less likely than other employees to have access to a performance bonus but more likely to be a party to an AWA with absorption of 'extra' payments clauses.

**Table 3.3.8 Incidence of provisions in AWAs by part-time status, 2002-2003**

Provision	Part-time employees (%)	Other employees (%)
Training	29	38
Apprentice/trainee	4	6
Family-friendly leave	63	69
Annual leave entitlement	54	72
Sick leave entitlement	63	65
Long service leave entitlement	29	37
Family-friendly flexibility	46	43
Span of hours	46	40
Averaging of working hours	29	16
Performance bonus	21	34
Absorption of 'extra' payments	58	42

*Source: Online Award & Agreements Database, ACIRRT.*

## Young employees

Sixteen per cent of employees in the AWA sample were aged under 21 years. Table 3.3.9 details some characteristics of young employees in the sample.

Young employees were twice as likely as older employees to be employed on a casual basis. However, young employees were slightly less likely than older employees to be working on a part-time basis.

Employees aged under 21 years were much more likely to be engaged under apprenticeship or traineeship arrangements. Of the 6 per cent of AWA employees who were apprentices or trainees, over half were under 21 years of age. Twenty-three per cent of young employees were apprentices or trainees, compared with only 3 per cent of older employees.

**Table 3.3.9 Characteristics of AWA employees by age, 2002-2003**

Characteristics	Under 21 years (%)	Over 21 years (%)
Casual	40	20
Part-time	12	14
Apprentice/trainee	23	3
Public sector	-	12

*Source: Online Award & Agreements Database, ACIRRT.*

Young employees were much more likely than older employees to be employed in organisations with less than 100 workers (45 per cent compared with 28 per cent). Similar proportions of young and older workers were employed in large organisations.

**Table 3.3.10 Proportion of AWAs by age and employer size, 2002-2003**

No. of employees	Under 21 years (%)	Over 21 years (%)
Fewer than 20	13	9
20 – 99	32	19
100 - 499	16	29
500+	39	42

*Source: Online Award & Agreements Database, ACIRRT.*

Young employees were more likely than older employees to be covered by family-friendly flexibility, span of hours, and averaging of working hours provisions. Younger workers were less likely than other employees to have access to a performance bonus through their AWA. Table 3.3.11 details provisions in the sample of AWAs by employee age.

**Table 3.3.11 Provisions in AWAs by age, 2002-2003**

Provision	Under 21 years (%)	Over 21 years (%)
Family-friendly leave	60	60
Annual leave entitlement	39	64
Sick leave entitlement	41	57
Long service leave entitlement	27	45
Family-friendly flexibility	49	33
Span of hours	42	31
Averaging of working hours	30	25
Performance bonus	17	26
Absorption of 'extra' payments	53	39

*Source: Online Award & Agreements Database, ACIRRT.*

# TECHNICAL NOTES

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## Main information sources in the report

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This report uses on data from several sources. The WAD, maintained by the DEWR, provides information on CAs used in Chapter 2.

The analysis of AWAs in Chapter 3 used four different information sources: WorkDesk; the Australian Workplace Agreements Management System; the OLAA database; and the AWA Employee Attitude Survey.

## Workplace Agreements Database

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The WAD is maintained by DEWR. The database contains information on federal enterprise agreements that have been certified or approved by the AIRC since October 1991.

The database covers general details (such as sector, industry, duration and employees covered), wage details (quantum and timing of increases), and employment conditions. Information entered on the database is drawn from copies of CAs lodged with the Australian Industrial Registry.

The WAD is the largest and most comprehensive database of CAs certified by the AIRC. The main limitation of the database is that, while it contains extensive details on the content and characteristics of CAs, information is not available about actual workplace changes that result from the implementation of the agreement.

The data analysed in this report cover CAs that were certified in the period 1 January 2002 to 31 December 2003. This census of CAs contains information on key characteristics of agreements, including:

- the title of the agreement;
- formal duration;
- the section of the WR Act under which the agreement was certified;
- trade unions involved;
- number of employees covered;
- size and timing of wage increases; and
- incidence of employment conditions.

## **Employee coverage**

Information on the number of employees covered by a CA is drawn from the statutory declarations provided to the AIRC by the parties, along with AIRC transcripts and decisions, and employer or employee organisation contacts.

Actual employee numbers are known for over 80 per cent of all new CAs. Where a CA's employee coverage is not known and the CA replaces an earlier CA where employee coverage is known, the employee coverage of the earlier CA is used.

For those CAs still lacking employee coverage data, a 'modified mean' is used to estimate employee coverage. The modified mean is generated for each industry group for the preceding year by removing the largest 5 per cent and smallest 5 per cent of CAs, and then calculating the mean of the remainder.

By their nature, greenfields agreements made under section 170LL of the WR Act do not include employee numbers. All employee coverage numbers for CAs certified under section 170LL used in the report have been estimated using the modified mean method described above.

## **Coverage of designated groups**

The samples used for analysis of designated groups only include CAs certified within the reporting period where the numbers of employees in each of the designated groups is known.

Data on the numbers of designated group employees covered by CAs are collated from statutory declarations filed by employers who are asked to identify the number of women, part-time, NESB and young employees covered by the agreements. The statutory declarations do not provide employers with parameters defining part-time or NESB employees.

While overall employee numbers are estimated for CAs where this is unknown, accurate estimates cannot be made for numbers of designated group employees covered by CAs where this information is not provided.

The samples of CAs where information is provided on the number of employees in each of the designated groups are necessarily smaller than the database used for more general analysis. The designated groups samples contain about 50 per cent of CAs certified in the reporting period, and about 75 per cent of employees covered by CAs certified in the reporting period.

Further information about the size and industry coverage of the designated group samples is at Appendix E.

### **Duration of agreements**

The WAD uses the 'effective duration' of each CA rather than formal duration (that is, the period from certification to expiry) to measure agreement duration.

The effective duration of a wage agreement is the difference in months between: (1) certification and expiry date; (2) commencement and expiry date; or (3) the date of the first wage increase and expiry date, whichever period is the greatest.

### **Measuring agreement coverage**

CAs contain the terms and conditions of employment for a group of employees. Both the number of CAs and the number of employees they cover can be examined.

This report primarily focuses upon CAs made in the two year period between 1 January 2002 and 31 December 2003. These agreements are referred to as 'agreements certified during the reporting period'. However, because CAs often have a duration in excess of two years, a significant share of those in paid employment over the past two years had their terms and conditions regulated by CAs that were formalised prior to 2002. Combining these continuing CAs with CAs certified during the reporting period that have not yet expired creates a category of CAs referred to in this report as 'current CAs'.

### **Average annualised wage increases**

AAWI estimates are calculated for those CAs that paid quantifiable wage increases. Wage agreements for which an average percentage increase could not be quantified (for example, those introducing a new salary structure) are excluded from these estimates.

For quantifiable wage agreements, the AAWI per agreement is calculated by:

- (1) summing the percentage wage increases to give a total percentage wage increase for each CA (flat dollar increases are converted to a percentage using average weekly ordinary time earnings for the relevant ANZSIC industry division and quarter); and
- (2) annualising the total percentage wage increase by dividing it by the effective duration and multiplying it by 12. For the few CAs with duration of less than one year, a twelve-month duration is assumed when calculating AAWI.

AAWI per agreement provides only a simple unweighted average and tends to overstate the average wage increase received by employees. For this reason the AAWI per employee is most often used. This is calculated by weighting the AAWI per agreement by the number of employees covered by that CA.

Estimates of AAWI generally exclude increases paid in the form of conditional performance pay, one-off bonuses, profit sharing or share acquisition, because these data cannot readily be quantified or annualised. This, along with the use of a simple rather than compound percentage wage increase, may result in a small under-estimation of average wage increases.

### **Employment conditions**

The data that are recorded in the WAD have evolved over successive years to better reflect the content of CAs. When compared with previous reports, there are no changes to employment conditions issues reported on for the 2002-2003 reporting period, though a few provisions have been modified or renamed in the interests of greater accuracy.

### **Comparisons with previous reporting period**

Comparisons with the previous reporting period (2000-2001) throughout the report in relation to conditions of employment provisions have been derived from two different sources. Where possible, comparisons have, in the first instance, been made using data extracted from *Agreement making in Australia under the Workplace Relations Act: 2000 and 2001*. The data used for this report were also obtained from the WAD.

Where the 2000-2001 report did not include comparable data, the WAD was further interrogated and new data obtained for that period. The total number of CAs on which this second set of data is based differs from the number of CAs that were used in relation to the 2000 and 2001 report. The differences are accounted for by the fact that the data on the WAD is continually reviewed, cleaned and updated to ensure continual improvement and accuracy. Any differences are unlikely to be statistically significant.

## Awards and legislation

The majority of CAs with conditions of employment provisions are not comprehensive in nature (only 7 per cent of CAs certified in 2002-2003 were comprehensive).<sup>1</sup> That is, the CAs are not the only documents providing the basis of conditions of employment for employees covered by the CAs.

Other conditions of employment may be contained in federal and State awards or legislation. In most cases it will be a combination of both.

Many CAs rely on awards and legislation for core conditions of employment such as sick leave, parental leave, weekly hours of work, overtime and penalty rates but include a range of provisions providing additional flexibility over and above that prescribed by the award or legislation.

The data can also be affected by changes in awards that lead to a greater or lesser reliance on award provisions and to an increased or reduced incidence of such provisions in CAs.

This may have occurred, for example, where provisions have been removed from awards as part of the award simplification process, inserted through a test case, or introduced by legislative reform. For example, parental leave for long-term casual employees was introduced into awards following the test case decision of 31 May 2001.<sup>2</sup>

## Mix of industries

A key part of agreement making is the ability to tailor employment conditions to the specific needs of different employers and employees. As a result, the incidence of particular employment conditions provisions can vary significantly between industries, depending on their different operational requirements and on the type of employees who tend to work in the industry.

Changes to the mix of industries from one reporting period to the next can significantly impact on the incidence of particular employment conditions in those periods. For example, the relative predominance of CAs in an industry where there is generally a greater focus on work and family provisions could boost the incidence of those provisions in that reporting period compared with others.

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<sup>1</sup> Section 2.1 provides analysis of comprehensive agreements

<sup>2</sup> Print PR904631

Of particular note is the increase in the proportion of construction industry CAs, from 45 per cent of all CAs in 2000-2001 to 51 per cent of all CAs in 2002-2003. This means that the content of construction industry CAs had a substantial impact on data concerning the incidence of provisions in all CAs in this reporting period.

Another notable change was the decrease in the proportion of manufacturing industry CAs (from 23 per cent to 20 per cent of all agreements) between 2000-2001 and 2002-2003.

### **Agreement size**

Agreement size (number of employees covered) can also vary significantly within an industry sector and across the board from reporting period to reporting period. Employment conditions outcomes vary significantly between small and large CAs, in part reflecting the different needs of such workplaces. In particular, larger agreements tend to be more comprehensive, with a greater number of provisions than smaller agreements.

Therefore, it is important to note the potential impact of agreement size in analysing industry outcomes. This is particularly important in the construction, agriculture, forestry and fishing, mining, manufacturing, and wholesale trade industries which have low average agreement sizes (11 to 77 employees), and in the communication services, finance and insurance, and retail trade industries, which had large average agreement sizes in 2002-2003 (839 to 3580 employees).

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### **WorkDesk**

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WorkDesk is the workflow/document management system used by the OEA to file and assess AWAs. The WorkDesk database holds the following information about employers and employees covered by AWAs:

- Industry (by ANZSIC code);
- Occupation (by Australian Standard Classification of Occupations (ASCO) code);
- Sector;
- Size of employer (by number of employees);
- Location of employer and employee;
- Hours worked by employee (full-time and part-time);
- Type of employment (casual/permanent);

- Trainees/apprentices
- Junior employees (under 21 years old);
- Gender of employees;
- Employer association name; and
- Franchise name.

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### **Australian Workplace Agreements Management System**

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The Australian Workplace Agreements Management System (AWAMS) is a workflow/document management system formerly used by the OEA in the filing and assessment of AWAs. AWAMS has been utilised to provide the yearly AWA data up to the end of 1999 and the cumulative AWA data in the following areas:

- Industry (by ANZSIC code);
- Occupation (by ASCO code);
- Sector;
- Size of employer (by number of employees);
- Location of employer and employee;
- Hours worked by employee (part-time/full-time);
- Type of employment (casual/permanent); and
- Gender of employees.

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### **Online Awards and Agreements database**

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The OLAA was used to analyse conditions provisions in AWAs approved in the reporting period.

The OEA supplied ACIRRT at the University of Sydney with 500 AWAs approved during the 2002-2003 period. These AWAs were randomly selected, with 250 selected from among AWAs approved in 2002, and 250 selected from among AWAs approved in 2003.

AWA information provided to ACIRRT comprised the randomly selected AWA and, where relevant, other correspondence including undertakings. In addition, the accompanying Employer Filing

Application forms (Part 1 – Employer Details and Part 2 – Employee Details) were provided.

ACIRRT coded the contents of these AWAs and related information into the OLAA database, from which relevant data were extracted.

It should be noted that the data from which AWA content analysis has been conducted is not directly comparable with data from the WAD due to differences in the coding frameworks used in the two surveys.

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### **AWA Employee Attitude Survey**

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The AWA Employee Attitude Survey was conducted during May/June 2001. NCS Pearson conducted the telephone survey of over 2000 wage and salary earners on behalf of the OEA. Half of these wage and salary earners were sourced from the OEA as employees with AWAs and half were randomly selected from the Australian White Pages. Paul Gollan from the London School of Economics reported on the survey findings in September 2001.

The AWA Employee Attitude Survey canvassed the views of employees on a range of issues relating to the workplace, with particular emphasis placed on change. Included in the survey were questions about satisfaction, influence, change, remuneration, work-life balance, stress and relations with management. The data has been weighted by occupation.

Data from the survey was further analysed in the latter half of 2003 to enable comparisons to be made between AWA employees and employees covered by collective agreements.

## CODING FRAMEWORK FOR WORKPLACE AGREEMENTS DATABASE

VARIABLE NAME	DEFINITION
<b>Long service leave and annual leave</b>	
Long service leave	The agreement contains one or more long service leave provisions.
Annual leave	The agreement contains one or more annual leave provisions.
Flexible annual leave	The use of and access to annual leave is not limited by the agreement; or access to annual leave or any change over access to leave is negotiated between the employer and employee.
Access to single days annual leave	The agreement provides for some annual leave to be taken as single days rather than as a block.
48/52 career break	The agreement provides for employees to purchase additional annual leave by way of salary sacrifice (eg increasing four weeks leave to eight weeks in return for receiving only 48 weeks pay for the 52 weeks of the year); or the agreement provides for employees to take career breaks (eg an employee can elect to be paid four years salary over a five-year period and have the fifth year off).
<b>Personal/carer's leave</b>	
Personal/carer's leave	The agreement has one or more of a number of personal/carer's leave provisions including: sick leave, family/carer's leave, compassionate or bereavement leave, and parental leave.
All purpose paid leave	The agreement does not differentiate between types of leave – ie sick, bereavement and carer's leave are combined as all purpose leave or form part of a paid time off account.
Unlimited sick leave	The agreement does not limit the number of days of sick leave available to the employee.
Family/carer's leave	The agreement contains one or more family carer's leave provisions (eg paid family leave, access to other leave for caring purposes, or make-up time).
Paid family leave	The agreement provides for paid family/carer's leave (leave to care for a member of the employee's family or household who is ill).
Unpaid family leave	The agreement provides for unpaid leave for employees to care for a sick family member.
Access to other leave for caring purposes	Employees are able to access their sick leave, annual leave or all purpose paid leave to care for a family member or some other person. In 1998, this provision was defined as employees being able to access their sick leave entitlement only.
Compassionate/bereavement leave	The agreement provides for paid or unpaid leave for bereavement purposes and/or access to other leave entitlements.

<b>Overtime</b>	
Overtime	The agreement contains one or more overtime provisions.
Time-off-in-lieu at ordinary rates	The agreement allows employees time-off-in-lieu of paid overtime and the time-off-in-lieu accumulates at a rate of time-for-time, that is one hour off for every one hour worked.
Time-off-in-lieu at penalty rates	The agreement allows employees time-off-in-lieu of paid overtime and the time-off-in-lieu accumulates at a rate greater than time-for-time, for example 1.5 hours off for every 1 hour worked.
Penalty rates apply	Rather than taking time off, employees are paid for overtime at penalty rates of pay, for example at time and one half, double time etc.
<b>Salary-related matters</b>	
Salary-related matters	The agreement contains one or more provisions dealing with non-wage salary-related issues.
Annualised salary	The agreement incorporates payments which are additional to the employee's salary – such as penalty rates, overtime payments and allowances – into an annualised salary.
Allowances absorbed	Allowances (regular payments of amounts in excess of minimum rates of pay) are absorbed or incorporated into base rates of pay.
Salary packaging	The agreement allows employees to elect to give up part of their salary for non-cash benefits such as the lease of a motor vehicle or additional superannuation benefits.
<b>Public holidays</b>	
Public holidays	The agreement contains one or more provisions concerning public holidays.
Public holidays may be varied by mutual agreement	The agreement contains provisions allowing the parties (i.e. the employer, employee and/or union) to mutually agree to change the day that a public holiday will be taken, or whether or not an employee will work on that day.
Union picnic day	The agreement designates the union picnic day as an additional public holiday.
<b>Employee representation</b>	
Employee representation	The agreement contains one or more employee representation provisions.
Trade union training leave	The agreement provides for trade union training leave. Trade union training leave is time off for any employee, whether a trade union representative or not, to attend a trade union training course.
Trade union business leave	The agreement provides for trade union business leave. Trade union business leave is time off for any employee, whether a trade union representative or not, to attend to trade union business.
Union preference	The agreement requires the employer to give preference to union employees in recruitment, promotion or retrenchment.
Union encouragement	The agreement requires the employer to encourage trade union membership in the workplace.
Right of entry	The agreement gives union officials the right to enter a place of work in order to conduct union business and/or inspect time/wages record books.
<b>Termination, change and redundancy</b>	
Termination, change and redundancy	The agreement contains one or more termination, change or redundancy provisions.
Redundancy/income protection scheme	The agreement has provisions for payments to be made to redundancy schemes for employees.

Access to termination, change and redundancy provisions for regular casuals	The agreement provides casual employees with access to termination and/or redundancy provisions.
<b>Occupational health and safety</b>	
Occupational health and safety	The agreement contains one or more occupational, health and safety provisions including general commitment to occupational health and safety, reference to relevant State legislation, occupational health and safety training, protective clothing and top-up pay and workers' compensation.
<b>Equity issues</b>	
Equity issues	The agreement contains one or more provisions whose objective is to provide equity at the workplace, including those listed below.
Individual grievance procedure	The agreement includes mechanisms for resolving group or individual staff complaints about workplace issues such as unfair or discriminatory treatment. This mechanism is above and beyond the formal dispute settling procedure that parties are required to follow to resolve their differences.
Equal employment opportunity	The agreement includes management policies and practices that promote equal employment opportunity for women and members of disadvantaged groups (for example Aboriginals and Torres Strait Islanders, people from a non-English speaking background and people with disabilities).
Affirmative action	The agreement has provisions that are designed as a systematic means of eliminating discrimination and achieving equal opportunity for women.
Anti-discrimination	The agreement has policies that aim to achieve a workplace culture that eliminates discrimination.
Commitment to pay equity	The agreement contains commitments or a program of action to ensure that two or more groups who do the same work receive equal pay for work of equal value.
Family responsibility	The agreement provides, or will consider, measures that allow employees to better balance family and work responsibilities
Childcare	The agreement contains employer based or funded/subsidised childcare arrangements.
Return to work	The agreements provides for measures that assist people returning to the workforce (eg people returning from parental leave, extended sick leave, carers leave and the long-term unemployed).  Note: This provision was not coded for in the 2000 coding framework.
Extended definition of family	The agreement contains a definition of family that extends beyond the traditional definition (eg it may recognise same-sex couples or indigenous kinship systems).  Note: This provision was not coded for in the 2000 coding framework.
Access and equity for Aboriginal and Torres Strait Islander people	The agreement has provisions that recognise the particular circumstances of Aboriginal and Torres Strait Islander people, eg for recruitment, conditions of employment and promotion.
Cultural/ceremonial leave	The agreement recognises and allows leave for cultural/ceremonial purposes for Aboriginal and Torres Strait Islander people or other distinct cultural/religious groups.

Access and equity for the disabled	The agreement has provisions that recognise the special needs of people with disabilities (eg provisions for supported wages or for reasonable adjustment in the workplace to allow greater accessibility for people with disabilities).
Training for part-time/casuals	The agreement has provisions which note that training will be provided for part-time, casual or seasonal workers.
English/numeracy training	Training arrangements that specifically provide for training in literacy, numeracy or the English language.
<b>Consultative arrangements</b>	
Consultative arrangements	The agreement contains one or more provisions on consultative arrangements (eg a joint consultative committee or a specific committee to monitor the agreement).
<b>Superannuation</b>	
Superannuation	The agreement contains one or more superannuation provisions (eg prescribed or voluntary employee contributions, choice of funds, or the contribution of the employer).
<b>Parental leave</b>	
Parental leave	The agreement contains one or more parental leave provisions (i.e. leave associated with childbirth or adoption).
Extended unpaid parental leave	The agreement provides for a period of unpaid leave beyond the award standard of 52 weeks.
Parental leave for long-term casuals	The agreement provides for paid or unpaid parental leave for long-term casuals. It may either make specific provisions for casuals or may not exclude them from the parental leave clause in the agreement.  Note: This provision was not coded for in the 2000 coding framework.
Paid maternity/primary carer's leave	The agreement includes paid maternity leave or paid leave for the 'primary care giver' of a child/children. Agreements may stipulate maternity leave as time off work for a woman to have and be the primary care giver for her child. Other agreements are not gender-specific and use the term primary care giver.
Paid paternity/secondary carer's leave	The agreement includes paid paternity leave or paid leave for the 'secondary care giver' of child/children. Agreements may stipulate paternity leave as time off work for a man, at the time of the birth of his child, to be the secondary caregiver or, provider of partner support. Other agreements may be not gender-specific and use a term such as 'secondary care giver'.
Paid adoption leave	The agreement includes paid adoptive leave. Adoptive leave is time off work for an employee to adopt and provide primary care for an adopted child.
<b>Type of employment</b>	
Type of employment	The agreement contains one or more type of employment provisions.
Contract labour	The agreement contains contract labour provisions. Contract labour is defined as labour contracted on a fee for service basis, generally through a third party.
Restricted use of contract labour	The use of contract labour is restricted or reduced by the agreement.

Coverage by other agreement	The agreement covers employees who may be 'contracted or hired out' to another company and are then entitled to coverage by the contracting company's enterprise agreement conditions. Alternatively, the agreement may provide that employees may be covered by more than one agreement – i.e. a framework agreement and site-specific agreements coexist.
Probation	The agreement includes a period of probation during which an employee may be dismissed before becoming a member of the workforce. This includes apprentices and trainees.
Part-time employment	The agreement contains one or more part-time employment provisions. A part-time employee is defined as a continuing employee who works fewer than full-time hours, and is entitled to permanent employment benefits such as sick leave and annual leave on a pro-rata basis.
Part-time hours/employee/wage quotas	The agreement subjects part-time work to any form of minimum or maximum limit or other restriction on the number of hours that may be worked on a weekly basis, the number of employees who may be employed as part-time employees, or minimum or maximum wages.
Regular part-time work	The agreement contains a commitment to and/or provisions that encourage regularity and stability in part-time working hours (eg specified start and finish times for each day, the days on which those hours are to be worked, and change of hours by agreement).
Casual employment	The agreement contains one or more casual employment provisions. A casual employee is defined as someone who is not entitled to permanent employment benefits, such as leave, but usually receives an additional loading in lieu of these benefits. Casual employees may work full-time or part-time and are engaged on a day-by-day basis.
Casual hours/employee/wage quotas	The agreement sets a quota of the minimum/maximum hours that casual employees can work on a weekly basis and/or limits the number of casual employees who can be engaged and/or limits the minimum or maximum wages awarded to casual employees.
Casual loading quantum	The agreement specifies an extra hourly rate that must be paid to casual employees which is over and above the normal hourly award rate. Casual loading is to compensate for not accruing leave entitlements or being guaranteed work. The percentage loading is in addition to the ordinary rate of pay that casuals are entitled to.
Provision to transfer long-term casuals to full-time status	The agreement includes a process whereby casuals, after a period of time, are transferred to permanent status or are eligible to become permanent.
Fixed/short-term employment	The agreement contains provisions relating to fixed-term employment, short-term employment or temporary employment.
Restricted use of fixed/short-term employees	The use of fixed-term, short-term or temporary employees is restricted or reduced by the agreement.
Seasonal employment	The agreement includes one or more seasonal employment provisions. A seasonal employee is defined as someone who is hired to meet seasonal and peak workloads.
Job sharing	The agreement contains job-sharing arrangements or a commitment to introduce/discuss the introduction of job-sharing during the life of the agreement. Job-sharing is where two (or more) employees share a job that would normally be performed by one employee.

Home based work	The agreement includes home-based work provisions. Home-based work is where employees are able to perform some or all of their work at home during normal working hours.
Proportions of juniors, apprentices or trainees	Provisions that specify how many junior employees, apprentices or trainees can be employed. The number who may be employed is generally specified in relation to the number of adult full-time employees or to fully qualified tradespersons.
Provision for AWAs	The agreement allows an AWA to be negotiated with employees covered by the agreement.
Exclusion of AWAs	The agreement states that the parties to the agreement cannot negotiate or offer an AWA during the term of operation of the agreement.
<b>Hours of work</b>	
Hours of work	The agreement contains one or more hours of work provisions.
Specified weekly hours	The agreement specifies the number of hours that are to be worked weekly.
Average weekly hours	The actual number of hours that are to be worked weekly, as specified in the agreement (eg 40 hours per week).
Make-up time	The agreement allows employees to take time off from work and at a later date make up the lost hours.
No restrictions on days to perform ordinary hours	There is no restriction on the days of the week during which ordinary hours can be worked. Ordinary hours are the hours during which an employee can expect to be rostered for work.
Ordinary hours of work may be averaged over an extended period	The agreement averages weekly hours of work over an extended period (usually longer than a month).
Compressed week	The agreement provides that the hours worked in a day can be increased so that the number of days worked in a week will be less.
Increase in ordinary hours	The agreement allows the number of daily ordinary hours to be increased beyond the previous amount. The hours of work may be increased through compulsory overtime or through accrual of additional time off after working longer hours per week. Note: The 2001 coding framework divided the increase in ordinary hours into two separate provisions: 'increased with compulsory overtime' and 'increased with additional time off'. These two provisions were combined with the 2000 provision 'increase in ordinary time hours' to determine total figures.
Hours of work decided by employee majority	The agreement allows the employees to decide some aspect of the hours they will work by a majority decision (eg employees have a fixed span of hours but can determine their own start/finish times and break times, by the majority decision).
Hours of work may be negotiated	The agreement allows for the employer and employees or union to negotiate the hours that employees will work.
Hours of work may be varied by employer after consultation	The agreement provides that management may change employee hours but only after consultation with employees.
Management may alter hours	The agreement allows management to change the actual hours an employee must work, without consultation.
Flexible start and finish times	The agreement allows individual employees to vary their start and finish times, but not to vary the number of hours worked per day.

Flexitime	The agreement gives employees options regarding the distribution (but not the amount) of hours they work.
Rostered day off	The agreement contains one or more rostered day off provisions. A rostered day off is a day off granted to an employee once per period (often a month or a fortnight). Employees work slightly longer hours for the rest of the period to make up for the day off.
Rostered days off may be banked/ accrued	The agreement allows employees to work on a rostered day off and 'save' the day off for use at a later time. Some agreements allow the accrual of up to five rostered days off which can be taken consecutively at a mutually convenient time. To differentiate from 'time-off-in-lieu for working on a rostered day off', the emphasis here is on providing more choice for the employee.
Rostered days off may be varied by mutual agreement	The agreement requires the employer and employee or union to agree to any change in the days that rostered days off are taken.
Time-off-in-lieu for working on a rostered day off	The agreement allows employees to work on their rostered day off whether by choice or employer compulsion, but in return they receive time off work in the future. To differentiate from 'banking/accrual of rostered days off', the emphasis here is on the organisation's needs.
Breaks	The agreement contains break provisions, eg lunch breaks or tea breaks.
Staggered breaks	The agreement requires employees to take breaks at intervals so that there is always a person working.
Breaks not to interrupt continuity of work	The agreement stipulates that breaks may only be taken in a way that allows for an uninterrupted workflow.
Management may alter breaks	Management may direct employees to delay or shorten their break.
<b>Shift work</b>	
Shift work	The agreement contains one or more shift work provisions.
12-hour shifts	The agreement either provides for 12-hour shifts or states that employees can work up to 12 hours in a shift.
Shift penalties	The agreement provides for shift penalties, either at ordinary rates or penalty rates. Shift penalties may also be absorbed into an annualised salary or a loaded hourly rate.
<b>Work organisation/performance indicators</b>	
Work organisation/performance indicators	The agreement contains one or more work organisation or performance indicators provisions, eg benchmarking, new or revised classification structure, or multi-skilling/flexible deployment of labour.
Multi-skilling/flexible deployment of labour	The agreement contains provisions to broaden the range of tasks that employees perform (often linked to a training structure) to enable employees to work across different functional areas.
<b>Training</b>	
Training	The agreement contains one or more training provisions.
Entry level training	The agreement contains entry-level training provisions.
Apprentice/trainee wage	The agreement records wage arrangements for apprentices or trainees. Apprentices and trainees are employees who are receiving training in association with their employment to achieve a qualification or a level of competence.
Apprentice/trainee other provisions	Any provisions that relate to apprentices or trainees other than those that relate to wage provisions.
General training arrangements	The agreement contains one or more general training arrangement provisions.

Training consultative committee	The agreement provides for a training consultative committee (which deals with training issues and whose membership consists of management and employee and/or union representation).
Skills assessment	The agreement allows a review to be taken of employees' skills. Details from the process may be recorded, for example in a skills register.
Training obligations	The agreement notes the importance of training and/or provides a commitment to training. It may specify employer obligations to provide employees with training and/or may outline the obligation of the employee to participate in training for the benefit of the employer.
Training costs	The agreement specifies that costs incurred by employees will be met by the employer. Provisions may relate to direct purchase of items required for a course, direct payment of costs/fees incurred or procedures for the reimbursement of such costs.
Type of training	The agreement specifies the type or nature of the training that is to be undertaken. This relates to the type of qualification that the training will produce or its relevance throughout an industry.
Recognition of prior learning	The agreement provides for the recognition of prior learning. This is a process whereby an employee's competencies, skills and knowledge are assessed and recognised for the purpose of award classification. This is useful where an employee may not have a formal qualification that identifies their skills, knowledge or competence.
How training is provided	The agreement provides for training and specifies when and where it is to take place (eg on-the-job or off-the-job training, and training within or outside of normal work hours).
Training leave	The agreement provides for (paid or unpaid) leave for an employee to attend training. Provisions might relate to obligations on the employer to release an employee for defined training purposes, training obligations of the employee in relation to their attendance and attention to the training, or provisions may be associated with study/examination leave.
Training plan	The agreement outlines a formalised training arrangement for an organisation. Such provisions tend to relate to a commitment to training (by employees and/or employers), the determination of an organisation's training needs, the development of a training program, how employees are to be selected for training and then be trained, and the conditions under which people will be trained or their employment entitlements while being trained.

**Table C.1 Main provisions in CAs by industry, 2002-2003**

Industry	Number of CAs	Long service leave %	Annual leave %	Personal/carer's leave %	Overtime %	Salary-related matters %	Public holidays %	Employee representation %	Termination, change and redundancy %	Occupational health and safety %
Agriculture, forestry and fishing	104	60	69	68	87	26	73	31	67	82
Mining	229	73	78	85	77	68	73	55	80	88
Manufacturing	2994	71	69	78	61	35	52	67	83	81
Electricity, gas and water supply	91	68	74	71	78	66	58	63	80	85
Construction	7592	64	51	84	88	74	87	91	96	99
Wholesale trade	55	76	82	85	67	42	65	40	82	69
Retail trade	313	74	81	84	81	28	81	48	78	62
Accommodation, cafes and restaurants	146	77	83	88	84	49	82	31	79	62
Transport and storage	909	50	70	73	60	44	53	55	68	78
Communication services	37	70	92	78	86	22	92	27	84	62
Finance and insurance	105	82	87	88	82	58	67	63	90	55
Property and business services	307	55	70	69	76	36	56	47	70	70
Government administration and defence	577	61	75	85	78	77	54	61	84	82
Education	174	89	79	80	60	55	62	49	87	55
Health and community services	978	78	50	56	43	77	50	53	66	35
Cultural and recreational services	152	82	73	74	74	51	76	54	82	66
Personal and other services	227	58	74	77	76	41	67	37	67	75
<b>All industries</b>	<b>14990</b>	<b>66</b>	<b>60</b>	<b>80</b>	<b>76</b>	<b>61</b>	<b>72</b>	<b>75</b>	<b>87</b>	<b>85</b>

Source: DEWR, Workplace Agreements Database

**Table C.1 (continued)**

Industry	Equity issues %	Consultative arrangements %	Super- annuation %	Parental leave %	Type of employment %	Hours of work %	Shift work %	Work organisation %	Training %	Number of employees ('000)
Agriculture, forestry and fishing	63	63	77	13	88	97	65	61	66	5.6
Mining	55	46	83	10	85	95	90	77	79	14.6
Manufacturing	45	63	74	12	80	89	58	74	80	193.0
Electricity, gas and water supply	57	48	77	42	80	93	67	73	87	17.8
Construction	60	83	97	3	96	99	30	81	96	83.6
Wholesale trade	62	40	76	11	85	89	80	73	76	4.2
Retail trade	63	28	85	16	86	93	77	51	75	262.5
Accommodation, cafes and restaurants	79	40	88	17	93	92	90	57	89	14.7
Transport and storage	47	55	78	10	78	88	70	68	75	121.0
Communication services	46	51	70	35	95	95	84	62	76	132.5
Finance and insurance	67	58	86	56	89	91	65	72	82	121.1
Property and business services	46	46	74	16	85	92	63	58	67	42.8
Government administration and defence	70	85	71	46	73	96	42	91	92	252.7
Education	75	44	75	63	82	79	30	61	71	49.3
Health and community services	45	24	86	43	86	84	73	67	86	146.5
Cultural and recreational services	64	61	74	43	81	82	68	62	75	35.4
Personal and other services	58	47	68	22	81	93	68	58	67	18.4
<b>All industries</b>	<b>55</b>	<b>69</b>	<b>87</b>	<b>12</b>	<b>89</b>	<b>94</b>	<b>46</b>	<b>76</b>	<b>88</b>	<b>1515.4</b>

Source: DEWR, Workplace Agreements Database

**Table C.2 Hours of work provisions in CAs by industry, 2002-2003**

Industry	Number of CAs	Specified weekly hours %	Average weekly hours (No. hours)	Make-up time %	TOIL at ordinary rates %	TOIL at penalty rates %	No restrictions on days %	Hours averaging %	Compressed week %
Agriculture, forestry and fishing	104	78	39.3	14	47	8	40	8	3
Mining	229	76	37.1	8	11	--	38	9	3
Manufacturing	2994	61	37.9	11	16	4	15	14	4
Electricity, gas and water supply	91	75	38.4	7	26	8	19	30	1
Construction	7592	79	36.9	1	2	1	3	3	<1
Wholesale trade	55	73	38.1	18	20	4	22	18	--
Retail trade	313	83	38.0	17	17	29	45	32	4
Accommodation, cafes and restaurants	146	84	38.3	11	32	14	36	21	1
Transport and storage	909	58	38.3	8	12	6	24	14	3
Communication services	37	84	37.8	8	35	8	38	27	8
Finance and insurance	105	72	37.5	14	45	9	31	32	2
Property and business services	307	72	38.2	6	20	6	19	14	1
Government administration and defence	577	77	37.7	7	38	20	11	21	3
Education	174	66	37.1	15	26	24	11	7	1
Health and community services	978	32	37.9	4	15	9	17	9	1
Cultural and recreational services	152	61	37.5	4	26	18	38	16	1
Personal and other services	227	75	38.3	12	22	7	24	16	3
<b>All industries</b>	<b>14990</b>	<b>70</b>	<b>37.4</b>	<b>5</b>	<b>11</b>	<b>4</b>	<b>12</b>	<b>9</b>	<b>2</b>

TOIL denotes time off in lieu; No restrictions on days denotes no restrictions on days to perform ordinary hours; Hours averaging denotes ordinary hours of work may be averaged over an extended period (usually more than one month)

Source: DEWR, Workplace Agreements Database

**Table C.2 (continued)**

Industry	Hours of work decided by employee majority %	Hours of work may be negotiated %	Hours of work may be varied by employer after consultation %	Management may alter hours %	Flexible starting and finishing times %	Flexitime %	12-hours shifts %
Agriculture, forestry and fishing	3	7	5	4	4	12	22
Mining	8	3	10	6	3	--	42
Manufacturing	7	7	6	3	7	1	17
Electricity, gas and water supply	9	13	1	1	16	9	25
Construction	6	5	10	1	2	--	2
Wholesale trade	2	9	4	9	2	2	11
Retail trade	2	6	4	9	3	1	9
Accommodation, cafes and restaurants	3	3	6	10	1	2	38
Transport and storage	3	6	3	4	8	2	16
Communication services	11	11	--	14	14	5	5
Finance and insurance	2	10	7	4	14	10	10
Property and business services	2	8	2	3	3	4	21
Government administration and defence	4	16	4	5	17	27	5
Education	1	6	5	1	8	11	1
Health and community services	1	3	2	1	3	4	4
Cultural and recreational services	5	8	3	3	13	15	11
Personal and other services	2	5	3	4	4	2	21
<b>All industries</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>2</b>	<b>4</b>	<b>2</b>	<b>8</b>

Source: DEWR, Workplace Agreements Database

**Table C.2 (continued)**

Industry	RDOs may be banked/ accrued %	RDOs may be varied by mutual agreement %	TOIL for working on an RDO %	Public holidays varied by mutual agreement %	Staggered breaks %	Breaks not to interrupt continuity of work %	Management may alter break %	Number of employees ('000)
Agriculture, forestry and fishing	10	4	1	24	7	10	1	5.6
Mining	5	3	3	20	22	21	3	14.6
Manufacturing	19	10	3	11	12	8	4	193.0
Electricity, gas and water supply	38	10	5	9	--	2	1	17.8
Construction	72	68	49	4	9	4	1	83.6
Wholesale trade	18	18	5	15	5	13	5	4.2
Retail trade	15	6	3	14	3	9	5	262.5
Accommodation, cafes and restaurants	8	8	3	14	2	10	5	14.7
Transport and storage	20	7	3	8	5	7	3	121.0
Communication services	11	<1	3	8	--	5	5	132.5
Finance and insurance	10	6	1	15	--	1	4	121.1
Property and business services	18	8	2	8	6	5	3	42.8
Government administration and defence	28	13	6	8	3	2	1	252.7
Education	4	3	1	9	1	2	1	49.3
Health and community services	4	1	<1	5	1	2	1	146.5
Cultural and recreational services	4	2	1	14	1	6	3	35.4
Personal and other services	15	5	1	7	5	4	2	18.4
<b>All industries</b>	<b>45</b>	<b>38</b>	<b>26</b>	<b>7</b>	<b>8</b>	<b>5</b>	<b>2</b>	<b>1515.4</b>

RDO denotes rostered day off; TOIL denotes time off in lieu

Source: DEWR, Workplace Agreements Database

**Table C.3 Family-friendly provisions in CAs by industry, 2002-2003**

Industry	Number of CAs	Flexible annual leave %	Access to single days annual leave %	Access to 48/52 career break %	Unlimited sick leave %	All purpose paid leave %	Family/ carer's leave %	Access to other leave for caring purposes %	Paid family leave %	Unpaid family leave %
Agriculture, forestry and fishing	104	15	11	3	2	2	54	39	5	14
Mining	229	17	16	--	3	1	42	27	4	13
Manufacturing	2994	9	16	<1	2	3	36	24	4	12
Electricity, gas and water supply	91	12	7	8	3	2	44	34	5	20
Construction	7592	6	9	<1	<1	1	8	4	1	2
Wholesale trade	55	9	11	--	--	2	49	36	9	24
Retail trade	313	14	32	1	<1	3	71	58	17	30
Accommodation, cafes and restaurants	146	10	16	1	1	7	71	52	8	28
Transport and storage	909	13	11	1	1	5	37	26	8	17
Communication services	37	8	5	8	3	8	68	51	11	24
Finance and insurance	105	20	15	24	2	8	72	56	20	27
Property and business services	307	15	9	3	2	7	39	31	5	11
Government administration and defence	577	21	8	34	1	9	61	44	9	12
Education	174	13	18	21	2	7	68	60	14	33
Health and community services	978	9	9	14	<1	5	32	27	4	11
Cultural and recreational services	152	16	8	14	1	9	61	43	16	17
Personal and other services	227	14	17	4	<1	3	41	33	6	20
<b>All industries</b>	<b>14990</b>	<b>9</b>	<b>11</b>	<b>3</b>	<b>1</b>	<b>3</b>	<b>25</b>	<b>18</b>	<b>4</b>	<b>8</b>

Source: DEWR, Workplace Agreements Database

**Table C.3 (continued)**

Industry	Extended unpaid parental leave %	Paid adoption leave %	Paid maternity leave %	Paid paternity leave %	Part-time work %	Regular part-time work %	Home-based work %	Family responsibilities %	Childcare provisions %	Job sharing %	Number of employees ('000)
Agriculture, forestry and fishing	8	3	7	3	60	17	4	5	3	6	5.6
Mining	9	1	2	2	31	13	<1	2	--	1	14.6
Manufacturing	4	2	9	6	32	12	1	2	<1	3	193.0
Electricity, gas and water supply	4	25	40	27	40	16	12	16	5	7	17.8
Construction	<1	1	2	2	4	1	<1	1	<1	<1	83.6
Wholesale trade	4	4	5	5	60	22	--	2	--	--	4.2
Retail trade	12	1	4	2	75	40	1	10	1	3	262.5
Accommodation, cafes & restaurants	7	1	11	3	81	29	--	8	--	1	14.7
Transport and storage	3	2	6	3	43	15	2	2	<1	5	121.0
Communication services	5	5	32	16	81	41	11	11	--	8	132.5
Finance and insurance	9	27	52	37	81	31	12	23	12	36	121.1
Property and business services	7	4	10	6	49	17	4	3	1	4	42.8
Government administration & defence	9	16	44	25	61	20	24	25	21	34	252.7
Education	17	33	56	43	75	21	4	15	14	14	49.3
Health and community services	7	24	40	29	80	13	4	11	9	4	146.5
Cultural and recreational services	15	16	33	20	63	19	10	11	11	16	35.4
Personal and other services	7	11	18	12	55	16	3	4	2	4	18.4
<b>All industries</b>	<b>3</b>	<b>4</b>	<b>10</b>	<b>7</b>	<b>26</b>	<b>8</b>	<b>2</b>	<b>4</b>	<b>2</b>	<b>3</b>	<b>1515.4</b>

*Paid maternity leave includes paid primary carer's leave; paid paternity leave includes paid secondary carer's leave*

*Source: DEWR, Workplace Agreements Database*

**Table C.4 Paid family leave provisions in CAs by industry, 2002-2003**

Industry	Number of CAs	Paid family leave		Access to other leave for caring purposes		Paid maternity/primary carer's leave		Paid paternity/secondary carer's leave	
		% of CAs	Days	% of CAs	Days	% of CAs	Weeks	% of CAs	Weeks
Agriculture, forestry and fishing	104	5	4.5	39	6.6	7	8.3	3	2.0
Mining	229	4	2.6	27	5.6	2	6.3	2	1.8
Manufacturing	2994	4	5.2	24	5.6	9	6.5	6	1.8
Electricity, gas and water supply	91	5	5.0	34	8.8	40	9.3	27	1.3
Construction	7592	1	3.8	4	4.9	2	5.4	2	1.1
Wholesale trade	55	9	3.0	36	5.0	5	4.7	5	1.1
Retail trade	313	17	3.4	58	5.0	4	6.0	2	1.2
Accommodation, cafes and restaurants	146	8	4.4	52	5.1	11	6.3	3	1.0
Transport and storage	909	8	4.5	26	5.8	6	6.6	3	1.3
Communication services	37	11	3.5	51	4.7	32	5.8	16	1.3
Finance and insurance	105	20	4.9	56	6.1	52	7.5	37	2.7
Property and business services	307	5	4.2	31	5.4	10	7.7	6	1.9
Government administration and defence	577	9	4.5	44	5.5	44	10.5	25	1.7
Education	174	14	5.3	60	8.0	56	10.3	43	1.9
Health and community services	978	4	4.6	27	6.1	40	5.2	29	1.1
Cultural and recreational services	152	16	3.9	43	5.1	33	10.4	20	1.2
Personal and other services	227	6	4.4	33	5.4	18	6.4	12	1.1
<b>All industries</b>	<b>14990</b>	<b>4</b>	<b>4.4</b>	<b>18</b>	<b>5.7</b>	<b>10</b>	<b>7.2</b>	<b>7</b>	<b>1.5</b>

Source: DEWR, Workplace Agreements Database

**Table C.5 Type of employment provisions in CAs by industry, 2002-2003**

Industry	Number of CAs	Contract labour %	Restricted use of contract labour %	Coverage by other agreement %	Casual employment %	Casual employee quotas %	Casual employee loading quantum %	Casuals transferred to permanent status %	Part-time employment %
Agriculture, forestry and fishing	104	14	3	1	80	7	40	11	60
Mining	229	37	14	7	62	3	46	7	31
Manufacturing	2994	38	16	10	73	10	39	19	32
Electricity, gas and water supply	91	36	15	8	58	5	48	5	40
Construction	7592	70	55	47	82	38	57	17	4
Wholesale trade	55	20	13	2	75	4	49	11	60
Retail trade	313	7	3	1	74	9	51	11	75
Accommodation, cafes and restaurants	146	12	8	1	82	8	55	10	81
Transport and storage	909	19	7	2	68	6	45	13	43
Communication services	37	19	8	5	92	5	57	11	81
Finance and insurance	105	9	2	--	75	11	53	9	81
Property and business services	307	21	9	6	68	8	43	8	49
Government administration and defence	577	19	10	2	49	3	24	5	61
Education	174	10	4	1	66	9	39	6	75
Health and community services	978	27	25	1	66	4	28	7	80
Cultural and recreational services	152	16	4	2	72	2	57	8	63
Personal and other services	227	12	4	3	70	12	45	16	55
<b>All industries</b>	<b>14990</b>	<b>49</b>	<b>34</b>	<b>26</b>	<b>76</b>	<b>23</b>	<b>48</b>	<b>15</b>	<b>26</b>

Source: DEWR, Workplace Agreements Database

**Table C.5 (continued)**

Industry	Part-time hours/quotas/minimum weekly wage %	Fixed/short-term employment %	Restricted use of fixed/short-term employment %	Seasonal employment %	Probation %	Proportions of juniors, apprentices or trainees %	Provision for AWAs %	Exclusion of AWA during CA %	Number of employees ('000)
Agriculture, forestry and fishing	15	59	2	11	12	30	5	22	5.6
Mining	3	44	1	6	2	39	13	<1	14.6
Manufacturing	8	36	6	5	35	25	9	4	193.0
Electricity, gas and water supply	7	43	7	9	16	33	21	1	17.8
Construction	<1	17	63	1	10	2	1	<1	83.6
Wholesale trade	24	51	7	11	18	22	11	5	4.2
Retail trade	39	61	6	7	7	37	18	4	262.5
Accommodation, cafes and restaurants	45	71	6	4	4	25	7	8	14.7
Transport and storage	12	48	3	6	12	28	10	3	121.0
Communication services	32	54	--	54	8	51	14	5	132.5
Finance and insurance	22	43	1	38	5	43	11	1	121.1
Property and business services	8	37	2	10	12	23	7	3	42.8
Government administration and defence	9	27	<1	19	10	41	16	3	252.7
Education	12	49	1	3	6	57	22	2	49.3
Health and community services	5	19	<1	6	13	54	40	2	146.5
Cultural and recreational services	14	42	1	21	6	38	15	5	35.4
Personal and other services	8	53	<1	5	7	26	15	2	18.4
<b>All industries</b>	<b>5</b>	<b>27</b>	<b>33</b>	<b>4</b>	<b>15</b>	<b>17</b>	<b>8</b>	<b>2</b>	<b>1515.4</b>

Source: DEWR, Workplace Agreements Database

**Table C.6 Training provisions in CAs by industry, 2002-2003**

Industry	Number of CAs	Entry-level training %	Apprentice/trainee wage %	Apprentice/trainee other provisions %	General training arrangements %	Training consultative committee %	Skills assessment %
Agriculture, forestry and fishing	104	37	7	8	55	8	10
Mining	229	29	16	16	71	12	15
Manufacturing	2994	42	18	18	72	12	14
Electricity, gas and water supply	91	41	19	20	75	7	11
Construction	7592	90	75	66	88	60	16
Wholesale trade	55	45	7	11	58	4	15
Retail trade	313	57	20	25	49	2	5
Accommodation, cafes and restaurants	146	78	48	40	75	1	8
Transport and storage	909	21	9	8	70	11	9
Communication services	37	19	3	--	59	--	5
Finance and insurance	105	26	3	4	72	1	6
Property and business services	307	30	14	16	59	6	9
Government administration and defence	577	26	12	12	88	10	17
Education	174	14	7	6	59	5	6
Health and community services	978	12	7	3	68	1	5
Cultural and recreational services	152	38	20	14	66	11	11
Personal and other services	227	26	7	14	62	7	8
<b>All industries</b>	<b>14990</b>	<b>62</b>	<b>45</b>	<b>40</b>	<b>79</b>	<b>35</b>	<b>14</b>

Source: DEWR, Workplace Agreements Database

**Table C.6 (continued)**

Industry	Training obligations %	Training costs %	Types of training %	Training plan %	Recognition of prior learning %	How training is provided %	Training leave %	Trade union training leave %	Number of employees ('000)
Agriculture, forestry and fishing	38	17	19	20	4	26	14	17	5.6
Mining	52	17	30	25	3	20	21	22	14.6
Manufacturing	52	25	20	24	2	25	17	48	193.0
Electricity, gas and water supply	62	29	26	24	2	24	27	45	17.8
Construction	77	75	66	63	57	73	23	78	83.6
Wholesale trade	40	9	25	15	--	22	7	22	4.2
Retail trade	32	11	15	10	1	16	15	34	262.5
Accommodation, cafes and restaurants	41	27	25	20	--	47	29	19	14.7
Transport and storage	50	29	24	23	1	26	21	28	121.0
Communication services	32	16	11	24	19	11	22	14	132.5
Finance and insurance	52	29	26	18	2	18	43	43	121.1
Property and business services	43	18	14	18	2	25	12	25	42.8
Government administration and defence	71	41	25	46	2	32	47	42	252.7
Education	38	21	17	24	3	18	49	32	49.3
Health and community services	56	11	42	32	7	35	65	15	146.5
Cultural and recreational services	49	25	14	19	3	18	34	32	35.4
Personal and other services	48	22	27	19	2	26	26	22	18.4
<b>All industries</b>	<b>64</b>	<b>49</b>	<b>45</b>	<b>45</b>	<b>30</b>	<b>50</b>	<b>26</b>	<b>57</b>	<b>1515.4</b>

Source: DEWR, Workplace Agreements Database

**Table C.7 Equity provisions in CAs by industry, 2002-2003**

Industry	Number of CAs	Individual grievance procedures %	Equal employment opportunity %	Affirmative action %	Anti-discrimination %	Commitment to pay equity %	Access and equity for ATSI people %
Agriculture, forestry and fishing	104	4	7	5	51	1	1
Mining	229	1	10	1	38	--	--
Manufacturing	2994	1	17	4	32	3	<1
Electricity, gas and water supply	91	8	16	1	30	1	1
Construction	7592	3	5	7	13	<1	5
Wholesale trade	55	2	11	2	55	--	--
Retail trade	313	2	18	3	50	3	1
Accommodation, cafes and restaurants	146	1	7	3	73	--	--
Transport and storage	909	4	10	1	35	<1	<1
Communication services	37	5	11	0	32	--	--
Finance and insurance	105	5	25	3	39	1	1
Property and business services	307	3	10	2	30	--	--
Government administration and defence	577	7	45	1	37	1	3
Education	174	24	21	7	51	--	10
Health and community services	978	2	5	1	33	<1	1
Cultural and recreational services	152	11	25	4	41	1	1
Personal and other services	227	3	19	1	44	--	--
<b>All industries</b>	<b>14990</b>	<b>3</b>	<b>10</b>	<b>5</b>	<b>24</b>	<b>1</b>	<b>3</b>

ATSI denotes Aboriginal and Torres Strait Islander

Source: DEWR, Workplace Agreements Database

**Table C.7 (continued)**

Industry	Cultural/ceremonial leave %	Access and equity for the disabled %	Training for part-time/casuals %	English/numeracy training %	Number of employees ('000)
Agriculture, forestry and fishing	2	2	--	5	5.6
Mining	--	--	--	1	14.6
Manufacturing	1	5	2	3	193.0
Electricity, gas and water supply	4	2	4	3	17.8
Construction	<1	<1	<1	1	83.6
Wholesale trade	--	13	2	--	4.2
Retail trade	1	25	2	1	262.5
Accommodation, cafes and restaurants	1	5	2	3	14.7
Transport and storage	1	6	3	1	121.0
Communication services	8	--	--	--	132.5
Finance and insurance	5	9	8	--	121.1
Property and business services	7	6	<1	1	42.8
Government administration and defence	22	16	2	4	252.7
Education	27	7	2	1	49.3
Health and community services	5	4	32	1	146.5
Cultural and recreational services	20	5	1	--	35.4
Personal and other services	5	11	<1	<1	18.4
<b>All industries</b>	<b>2</b>	<b>3</b>	<b>3</b>	<b>2</b>	<b>1515.4</b>

Source: DEWR, Workplace Agreements Database

**Table D.1 Main provisions in CAs by section of the WR Act and sector, 2002-2003**

Section	Sector	Long service leave	Annual leave	Personal/carer's leave	Overtime	Salary-related matters	Public holidays	Employee representation	Termination, change and redundancy	Occupational health and safety
170LJ	Private	CAS 6772	5559	8208	7871	6971	7642	8708	9198	9045
	Employees ('000)	600.6	596.0	639.3	586.0	397.1	562.2	641.1	672.3	601.6
	Public	CAS 373	465	439	427	358	380	378	387	385
	Employees ('000)	281.9	334.5	272.9	320.7	294.8	292.6	215.2	282.9	271.7
170LK	Private	CAS 1300	1594	1616	1588	768	1394	318	1546	1491
	Employees ('000)	94.2	97.1	100.6	94.6	50.0	89.8	18.8	95.1	79.3
	Public	CAS 83	95	98	86	79	89	22	91	77
	Employees ('000)	19.3	20.7	21.5	20.0	17.2	20.1	6.4	19.3	20.8
170LL	Private	CAS 552	536	590	646	285	606	745	671	781
	Employees ('000)	10.7	10.6	11.2	12.6	5.5	11.3	13.2	12.7	14.8
	Public	CAS --	--	--	--	--	--	1	1	--
	Employees ('000)	--	--	--	--	--	--	<100	<100	--
170LN	Private	CAS 655	592	756	558	415	565	816	887	806
	Employees ('000)	63.0	32.1	45.2	53.7	54.1	29.8	31.9	65.2	36.1
	Public	CAS 181	185	254	223	222	122	182	230	220
	Employees ('000)	62.1	57.1	60.4	91.3	94.6	68.2	70.0	91.9	68.7

Source: DEWR, Workplace Agreements Database

**Table D.1 (continued)**

Section	Sector	Equity issues	Consultative arrangements	Super-annuation	Parental leave	Type of employment	Hours of work	Shift work	Work organisation/ performance indicators	Training	Total
170LJ	Private	5853	7945	9084	827	9241	9507	3996	8077	9236	10026
	Employees ('000)	524.9	394.8	658.2	230.3	711.1	697.5	617.1	482.8	674.0	764.0
	Public	440	357	415	385	445	486	341	372	482	533
	Employees ('000)	263.4	284.2	326.2	255.0	386.6	339.1	303.8	295.6	340.9	415.5
170LK	Private	1155	843	1716	253	1704	1987	1280	1340	1507	2179
	Employees ('000)	78.0	39.0	98.0	42.1	102.7	106.6	87.0	81.9	87.2	117.8
	Public	82	65	82	47	87	105	49	88	87	112
	Employees ('000)	22.0	17.3	19.3	16.3	22.0	22.4	8.3	21.2	21.1	22.8
170LL	Private	260	256	721	28	771	783	684	598	655	802
	Employees ('000)	6.1	4.1	13.7	1.3	14.7	14.8	12.6	11.1	11.8	15.4
	Public	--	--	1	--	--	1	--	--	--	1
	Employees ('000)	--	--	<100	--	--	<100	--	--	--	<100
170LN	Private	352	595	892	232	840	929	507	598	935	1032
	Employees ('000)	47.8	54.0	66.7	44.2	66.8	45.8	39.4	64.1	69.6	74.9
	Public	173	253	197	75	196	293	107	272	278	305
	Employees ('000)	63.1	91.7	46.0	72.6	98.4	96.3	86.0	101.7	103.9	105.0

Source: DEWR, Workplace Agreements Database

**Table E.1 Population samples for designated groups, 2002-2003**

Industry	No. CAs where female population is known	as a % of all CAs	No. employees in CAs where female population is known ('000)	as a % of all employees	No. CAs where part-time population is known	as a % of all CAs	No. employees in CAs where part-time population is known ('000)	as a % of all employees
Agriculture, forestry and fishing	77	74	4.7	93	48	46	3.1	63
Mining	87	38	8.0	63	70	31	6.2	49
Manufacturing	1779	59	156.3	88	1283	43	116.4	66
Electricity, gas and water supply	57	63	16.7	99	51	56	16.3	96
Construction	1949	26	30.5	48	1824	24	27.1	43
Wholesale trade	40	73	3.6	96	26	47	2.3	61
Retail trade	225	72	256.2	99	179	57	251.9	97
Accommodation, cafes and restaurants	120	82	12.8	100	91	62	11.1	86
Transport and storage	505	56	105.4	90	415	46	98.5	84
Communication services	25	68	43.5	52	18	49	42.5	51
Finance and insurance	87	83	118.1	99	81	77	117.9	99
Property and business services	180	59	35.1	94	152	50	32.7	88
Government administration and defence	475	82	238.5	97	418	72	239.1	97
Education	148	85	46.3	98	127	73	45.6	96
Health and community services	819	84	85.4	63	784	80	84.5	62
Cultural and recreational services	123	81	32.9	96	109	72	32.0	94
Personal and other services	144	63	14.1	87	124	55	13.0	81
<b>All industries</b>	<b>6840</b>	<b>46</b>	<b>1208.0</b>	<b>87</b>	<b>5800</b>	<b>39</b>	<b>1140.1</b>	<b>82</b>

Source: DEWR, Workplace Agreements Database

**Table E.1 (continued)**

Industry	No. CAs where NESB population is known	as a % of all CAs	No. employees in CAs where NESB population is known ('000)	as a % of all employees	No. CAs where youth population is known	as a % of all CAs	No. employees in CAs where youth population is known ('000)	as a % of all employees
Agriculture, forestry and fishing	47	45	3.3	66	62	60	4.2	84
Mining	69	30	6.1	48	78	34	6.9	55
Manufacturing	1684	56	139.2	78	1514	51	138.2	78
Electricity, gas and water supply	43	47	12.7	75	49	54	15.8	93
Construction	2105	28	32.4	51	2358	31	38.5	61
Wholesale trade	23	42	1.4	38	30	55	3.0	79
Retail trade	111	35	45.8	18	205	65	256.1	99
Accommodation, cafes and restaurants	81	55	10.1	79	107	73	12.5	97
Transport and storage	417	46	89.5	76	412	45	98.7	84
Communication services	20	54	43.3	52	17	46	41.5	50
Finance and insurance	40	38	50.5	42	73	70	117.6	99
Property and business services	145	47	28.1	75	152	50	34.3	92
Government administration and defence	315	55	213.1	87	366	63	234.6	95
Education	103	59	18.1	38	79	45	42.5	90
Health and community services	558	57	59.0	43	534	55	68.1	50
Cultural and recreational services	90	59	22.4	66	101	66	31.4	92
Personal and other services	107	47	12.1	75	113	50	11.9	74
<b>All industries</b>	<b>5958</b>	<b>40</b>	<b>787.1</b>	<b>57</b>	<b>6250</b>	<b>42</b>	<b>1155.7</b>	<b>83</b>

Source: DEWR, Workplace Agreements Database