Workplace Relations Amendment (Work Choices) Bill 2005

(Amendments to be moved by Senator Murray on behalf of the Australian Democrats in Committee of the whole to Government amendments (Sheet Number PN 271)

(1) Amendment to Government amendment (160), page 31, Sheet Number PN271, after paragraph (k), insert:

(ka) whether the employee has previously been paid penalty rates by the employer and no longer will be paid penalty rates;

(reasonableness of refusal)

(2) Amendment to Government amendment (164), page 34, Sheet Number PN271, omit subsection 170CE(5E), insert:

(5EA) For the purposes of calculating the number of employees employed by an employer as mentioned in subsection (5E), bodies are taken to be one entity if:

(a) they are related bodies corporate (within the meaning of section 50 of the Corporations Act 2001); or

(b) they carry on a business, project or undertaking as a joint venture or common enterprise.

(anti-avoidance mechanism)