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The Parliament of the
Commonwealth of Australia
THE SENATE

Fair Work Bill 2008

(Government)

(1) Clause 12, page 11 (lines 8 and 9), omit “or 177(b)”.

(2) Clause 12, page 12 (line 5), omit “sections 176 and 177”, substitute “section 176”.

(3) Clause 172, page 162 (line 3), at the end of subparagraph (2)(b)(ii), add “and will be covered by the agreement”.

(4) Clause 172, page 162 (line 19), at the end of subparagraph (3)(b)(ii), add “and will be covered by the agreement”.

(5) Clause 175, page 165 (line 13) to page 166 (line 10), to be opposed.

(6) Clause 177, page 168 (lines 3 to 17), to be opposed.

(7) Clause 178, page 168 (line 32), omit “; and”.

(8) Clause 178, page 169 (lines 1 to 4), omit paragraph (2)(c).

(9) Clause 182, page 172 (lines 24 and 25), omit “will be covered by the agreement”, substitute “the agreement is expressed to cover (which need not be all of the relevant employee organisations for the agreement)”.

[greenfields agreements]
(10) Clause 182, page 172 (lines 26 to 30), omit subclause (4).

(11) Clause 185, page 174 (after line 11), after subclause (1), insert:

(1A) Despite subsection (1), if the agreement is a greenfields agreement, the application must be made by:

(a) an employer covered by the agreement; or
(b) a relevant employee organisation that is covered by the agreement.

(12) Clause 187, page 177 (after line 23), at the end of the clause, add:

Requirements relating to greenfields agreements

(5) If the agreement is a greenfields agreement, FWA must be satisfied that:

(a) the relevant employee organisations that will be covered by the agreement are (taken as a group) entitled to represent the industrial interests of a majority of the employees who will be covered by the agreement, in relation to work to be performed under the agreement; and

(b) it is in the public interest to approve the agreement.

(13) Clause 193, page 181 (lines 19 to 22), omit all the words from and including “that” to the end of subclause (3), substitute “that each prospective award covered employee for the agreement would be better off overall if the agreement applied to the employee than if the relevant modern award applied to the employee”.

(14) Clause 207, page 196 (line 4), after “concerned”, insert “and are covered by the agreement”.

(15) Clause 219, page 203 (line 20), after “concerned”, insert “and are covered by the agreement”.