

Employment Relations in Australia under the Fair Work Australia 2010 Regime – The Pendulum Swings Again

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In November 2007, a long-serving Government was ousted owing to public outrage concerning its industrial relations package, Work Choices.

It has taken the existing Government some two years to modify and replace this system. On 1 July 2009 and 1 January 2010, the primary components of the Fair Work Australia regime were implemented.

This paper shall overview the new system and its ramifications for Australian workers and businesses who have endured radical shifts in ideology and entitlements in just four years.

Fair Work Australia has, in essence, removed the focus from the individual and re-established the bargaining power of the Collective. The voice of the Unions has been restored after a brief period of silence. The ability of workers to challenge their employer's decision to terminate their employment has also been restored (in part).

The Award ratification process is nearly complete – a process which lies at the core of the nationalised system, and common to both political parties. A new election is looming, and once again, industrial relations has become a hot topic in Australia. Ironically, Fair Work Australia is still in its fledgling stage, not having made its first Anniversary as yet.

How the Nation has adapted to such radical change in such a short space of time is the focus of this paper.