

**Allowable Award Matters**

Ordinary hours;  
Incentive based payments and bonuses;  
Annual leave loadings;  
Public holidays;  
Ceremonial leave;  
Allowances;  
Loadings for overtime;  
Penalty rates;  
Redundancy pay, (genuine, & only is workplace with 15 or more employees);  
Stand down provisions;  
Dispute settling procedures  
Full time, Casual, regular part time and shift work employment.

**Allowable Award Matters (Cont)**

Outworkers conditions;  
Facilitative provisions;  
Incidental & machinery matters;  
Model anti-discrimination clause.

**Preserved Notional Terms**

Annual leave;  
Personal/Carer's Leave;  
Parental Leave;  
Long Service Leave;  
Termination;  
Jury Service;  
Superannuation (to 30/6/08).

**Protected Allowable Award Matters**

Rest Breaks;  
Incentive Payments & bonuses;  
Annual Leave Loadings;  
Gazetted public holidays  
Monetary allowances (expenses, skills & disabilities);  
Shift & penalty loadings;  
Outworker provisions.

**Proscribed Content**

**(Preserved State Awards – Agreements)**

- Terms that prevent AWAs;
- Restricting range and duration of training arrangements;

Note: Also – Clause giving IRC power to intervene.

S106/87  
CS156

**Fair Pay & Conditions Standard**

Annual Leave (2 wks can be traded)

38 Hour week (over 3months)

Personal Leave (10 days paid)

Unpaid parental leave

Basic rates of pay & casual loadings

**Prohibited Content in Agreements**

Bar AWAs;

Failure to pertain to the employment relationship;

Limit the use of independent contractors or labour hire employees;

Permit industrial action during an agreement's nominal term;

Provide for trading union training leave;

Facilitate deduction of union dues from employees;

Allow payment of bargaining fees to unions;

Provide information to unions detailing the names of employees bound by an agreement;

Encourage or discourage union membership/non-membership;

**Prohibited Content in Agreements (Cont);**

Allow paid union meetings;

Require the next agreement to be negotiated with a union;

Mandate union involvement in dispute resolution;

Deal with re-negotiation of the agreement;

Provide for remedies for unfair dismissal;

Allow union right of entry;

Stop those bound by an agreement disclosing its terms;

Allow an employee to forgo annual leave (apart from the cashing out provisions under WorkChoices);

Contain provisions defined as objectionable under s810 of the WorkChoices Act, or that are discriminatory.

**Non-Allowable Award Matters**

Skills based career paths & rates of pay;

Salary systems;

Annual leave;

Long Service Leave;

Jury service;

Notice of termination;

Superannuation;

Personal/carer's leave;

Unpaid parental leave;

Paid maternity leave & other paid parental leave;

Restrictions on range or duration of training arrangements.

**Non-Allowable Award Matters (Cont)**

Enterprise flexibility provisions such as Flexibility for Work and family arrangements;

Restricting use of contractors;

Restricting labour hire;

Union picnic days;

Tallies;

Trade union training;

Mandatory union based dispute resolution;

Dispute resolution training leave;

Core employment numbers, restrictions on casuals etc;

Transfer of employment from one type to another;

Min or max part time hours;

Right of entry;

Matters prescribed by the Regulations.

**United Services  
Union**

**your rights at work**  
worth fighting for