

COMMENCEMENT OF MAJOR FAIR WORK AMENDMENTS

07 June 2023

To: ALL AADA MEMBERS

Please be advised that yesterday 6 June 2023, significant amendments to the *Fair Work Act 2009* commenced.

These include:

- **Flexible work** - new obligations relating to requests for flexible working arrangements and dispute resolution procedures through the Fair Work Commission (**FWC**);
- **Unpaid parental leave** - new obligations relating to requests for extensions of unpaid parental leave and dispute resolution procedures through the FWC;
- **Single interest authorisations** - major expansions to the single interest stream of enterprise agreements;
- **Supported bargaining** - expansions of the low-paid bargaining stream, renamed the “supported bargaining” stream;
- **Cooperative workplaces** - expansions of the multi-employer bargaining stream, renamed the “cooperative workplaces” stream;
- **Better off overall test** - changes to the application of the better off overall test;
- **Bargaining disputes** - new powers for the FWC to resolve disputes which arise during enterprise bargaining;
- **Enterprise agreement approvals** - changes to the FWC’s satisfaction of genuine agreement, including the introduction of the Statement of Principles; and
- **Industrial action** - changes to the conduct of protected action ballots and notice requirements.

For further information on the non-bargaining changes, please refer to the AADA and Australian Chamber of Commerce and Industry (ACCI) [Employer Guide](#).

This guide is intended to help employers navigate these changes and offer practical advice for complying with new obligations. It does not cover every single aspect of the legislative changes, but rather the substantive provisions. Further advice should always be sought for the resolution of specific issues.

You can also view the changes at the [Fair Work Commission website](#).

If you have any questions or need further information, please contact:

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