

AMENDMENTS TO FAIR WORK ACT

Amendments to the Fair Work Act received Royal Assent on 4 December 2012.

Practices should be aware that the changes below came into effect on 1 January 2013. In addition to renaming Fair Work Australia the **Fair Work Commission** (the Commission), there are legislative changes amongst other matters in relation to unfair dismissals and general protections. These are detailed below.

Unfair dismissal

The time limit for lodging unfair dismissal applications will increase from 14 to 21 days.

The Commission will be given further powers to dismiss unfair dismissal applications and to make cost orders against parties, lawyers and paid agents in unfair dismissal matters.

General protections

The time limit for lodging a general protections dismissal application will be reduced from 60 to 21 days.

Employees dismissed **prior to 1 January 2013** who wish to lodge an unfair dismissal or general protections dismissal application will still have **14 days** and **60 days** respectively from the date of dismissal to lodge an application.

Employees dismissed **on or after 1 January 2013** will have **21 days** from the date of dismissal to lodge either an unfair dismissal or a general protections dismissal application.

Other changes

There were further changes in relation to Enterprise Agreements, should you require specific information relating to these changes please contact Gary Bucknall via email Gary.Bucknall@amawa.com.au

