

SUBJECT	LEGAL CHANGE	ACTION REQUIRED
Casual employment		
'Double dipping'	<p>A Fair Work Commission decision could allow some casual employees to 'double dip' by claiming for leave entitlements, despite having received a pay uplift in lieu of those entitlements. This is often when the contract does not make clear that a casual uplift is paid.</p> <p>It is unclear what will happen in 2019. A Federal Court application is pending seeking clarification on a similar case.</p> <p>The Federal Government has also said it will regulate against 'double dipping'.</p>	<p>(1) Review your contracts and work practices to ensure employees are properly characterised as casuals and that a casual uplift is made clear in the contract.</p> <p>(2) Watch for developments from the Federal court and/or Government</p>
Family		
The Fair Work Amendment (Family and Domestic Violence Leave) Bill 2018	<p>A new law allows employees 5 days' unpaid family and domestic violence leave. This is an important to change to employee benefits in 2019.</p> <p>Effective date: December 12, 2018</p>	<p>(1) Ensure HR are familiar with the new rules and update relevant policies.</p> <p>(2) Refer to the leave in The Fair Work Information Statement, which employers must provide to new joiners.</p>
Representation		
Changes to approval process for enterprise agreement	<p>A new law removes the Fair Work Commission's ability to enforce strict compliance with the Notice of Employee Representational Rights in the enterprise bargaining process. The Commission still has capacity to approve agreements despite minor procedural / technical errors, provided the errors do not disadvantage employees.</p> <p>Effective date: December 12, 2018</p>	<p>(1) If enterprise bargaining is relevant to you, become familiar with the changes.</p> <p>(2) Although the Commission should be more lenient in approving agreements, still take care. Errors during enterprise bargaining will not be overlooked if they "disadvantage" employees.</p>
Hiring in Victoria and Queensland		
New schemes for labour hire licensing	<p>The new schemes require providers of labour hire schemes to hold a license and be listed on a public register. The schemes also require those who host workers to use only licensed providers. There are significant fines for non-compliance.</p> <p>Effective dates: Immediate (Queensland). November 1, 2019, unless proclaimed earlier (Victoria).</p>	<p>Review your operations to see if you need a labour hire license and ensure compliance where applicable.</p>
Whistleblowing		
Amendments to "whistleblower" protections	<p>The Treasury Laws Amendment (Enhancing Whistleblower Protections) Bill 2018, will, if passed, consolidate and broaden the existing protections for corporate and financial sector whistleblowers. The Bill also introduces specific whistleblower protection for people who expose misconduct in tax affairs.</p>	<p>No action required at present but keep abreast of how this develops.</p>

This is a high level general update only. Legal advice should be obtained on specific circumstances.