

| SUBJECT   | LEGAL CHANGE  | ACTION REQUIRED  |
|---|---|--|
| <b>Family</b>   |   |  |
| <b>Paid leave available for those affected by domestic violence</b> | <p>Employees affected by domestic violence will be entitled to 10 days' paid domestic violence leave per year and can request temporary variations to their working arrangements.</p> <p>Effective date: April 1, 2019.</p>   | Ensure HR are familiar with the new rules and update relevant policies.  |
| <b>Trial periods</b>  |   |  |
| <b>90-day trial periods will be limited to bigger businesses</b>    | <p>(1) Businesses with less than 20 employees will not be able to place new joiners on 90-day trial periods.</p> <p>(2) Smaller businesses can still use probationary periods, but different formalities apply when terminating under this regime.</p> <p>Effective date: May 6, 2019.</p>  | <p>(1) Do not hire staff on trial period contracts if you are a small business.</p> <p>(2) Be aware that employees can still claim unjustified dismissal if their contract refers to probation. Immunity from claims is only available under the 90-day trial period regime.</p> |
| <b>Trade Unions</b>   |   |  |
| <b>Changes in union practices scheduled to take place</b>           | <p>(1) Union Delegates will be given reasonable paid time off to represent employees and/or carry out union business.</p> <p>(2) The 'duty to conclude bargaining' will be restored unless there is a 'genuine reason' not to.</p> <p>(3) Employers must provide new employees with specific union information.</p> <p>(4) The first 30 days of employment will automatically be covered by applicable collective agreement terms (if any).</p> <p>Effective date: May 6, 2019.</p> | <p>(1) Where unions are present, update company policies and practices in line with the changes.</p> <p>(2) Ensure collective agreements do not breach the new legislation.</p>  |
| <b>Litigation</b>   |   |  |
| <b>Reinstatement is required where practical</b>                    | <p>Where an employee is successful in an unjustified dismissal claim, courts must provide for reinstatement where practical and reasonable. This is an important change for 2019.</p> <p>Effective date: December 12, 2018.</p>   | Be aware of the increased probability of mandatory reinstatement when dismissing an employee unjustifiably.  |
| <b>Working time</b>   |   |  |
| <b>Mandatory rest breaks have been reinstated</b>                   | <p>Statutory rest and meal breaks are now reinstated, with only limited exceptions.</p> <p>Effective date: December 12, 2019.</p>   | Check and update contracts, policies and internal practices to ensure employees receive the required breaks.   |

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