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Prime Minister John Howard's Plan for Australian Workplaces

While much of the detail is yet to be announced, a Bill is expected about August or September, with the new legislation in place by the end of the year.

The main features as we understand them at the moment are Wages and Conditions will be decided by a new Australian Fair Pay Commission, with the legislation itself setting basic minimums that cover annual leave, personal/carer's leave, parental leave and maximum ordinary hours.

- Current Awards to be rationalised, and matters included in awards reduced - specifically the removal of clauses on notice of termination, long services leave, superannuation and jury service.
- Agreement making will continue but under the vetting of the Office of the Employment Advocate, thus discontinuing the current role of the Industrial Relations Commission.
- Unfair Dismissal claims will not be available where the employer has less than 100 employees. It is not clear if 'grouping' of related employers will apply in calculating this number. (We do fear an increase in claims under 'unlawful' and 'discriminatory' issues as a result.)
- Abolition of State Industrial Relations Systems. That is, all States will be asked to follow the path Victoria has already taken. If the States do not agree to this, the Government plans to proceed anyway, relying on different constitutional powers that allow laws with respect to financial, trading and foreign corporations, therefore capturing some 85 per cent of employees.
- Australian Industrial Relations Commission dispute resolution process will continue, with strengthened powers to deal with industrial action. However the Commission's powers in regard to vetting Agreements, setting safety net wages, and unfair dismissal claims for small employers, will be removed.
- Independent contractors will have legislation making it easier for them to operate without being dragged into the workplace relations system.

Our advice to members is to sit tight, ring us if you have any questions, and don't fall prey to the many 'expert consultants' who will now appear to sell you a service. Any service that you may desire out of these new laws will be available to you from this office as part of your MGAV membership. We are watching and reviewing every step and it will be some months before anything concrete is available. Most certainly we are already developing new tactics to offer employers with the Master Grocers.

Jennifer Flanagan

National Wage Case Decision Grants \$17pw

On June 7 the Australian Industrial Relations Commission handed down a decision that grants base award employees a \$17per week pay increase.

This will be reported widely in the press. Many of your employees will expect this \$17 in their pay packet this week.

However this is not how it works. Each union will now apply to the Commission to have that decision applied to their particular Award, and the Commission will grant these applications and at the same time set a date of application for the \$17 increase. You will be advised by this office of dates and amounts.

Importantly, stores that are covered by the following agreements are not affected by this decision:

- **Former Franklins Agreement**
- **Former David's Agreement**
- **MGAV and SDA Agreement**
- **MGAV and AMIEU Agreement**

Please ring this office if you have questions. We are happy to assist. Please show your staff this memo if there is any unrest about the \$17 and their entitlement. We will write to all stores that are affected (by direct personal mail), advising the new rates and the date of application. This decision will only apply to sites under the Federal Shops Award (both versions), and those in the Retail Trade Sector and the NSW Awards(or other State awards).

Jennifer Flanagan