

Merry Christmas

New WA Government to Review IR System.

Mr. Troy Buswell, WA Minister for commerce has announced a major review of the State's IR system. In particular he will be looking closely at the state's unfair dismissal laws in the Industrial Relations Act. He will also review the state agreement making provisions in the current state legislation which he said were of "almost no practical application" in view of the federal laws.

Mr. Buswell said that the review was needed because the State IR system was not suited to contemporary society and that small businesses needed to be carefully considered in the making of any changes.

The State's Industrial Relations Commission role would also need to be reviewed as its work load had been substantially reduced since the introduction of WorkChoices.

Mr. Buswell confirmed that he had spoken to Ms. Julia Gillard in relation to the future of IR in WA and he had told her that it was highly unlikely that WA would refer any of its industrial relations powers to Canberra. However, the WA Government was going to wait and see what "Fair Work Australia" would be like and that a number of the elements of the Federal system were likely to be incorporated into the State system.

Enjoy your Christmas Celebrations ... *but be careful*

Christmas is not far away and you and your employees will be looking forward to your Christmas party.

For most businesses the staff Christmas party is an enjoyable occasion, but employers should be aware that the employer remains responsible for the well being and safety of their employees during these celebrations. It is essential to make sure that staff abide by appropriate standards of behaviour and safety in order to avoid legal claims.

Sexual harassment is one of the most common problems that arises out of the staff Christmas party. If an incident of sexual harassment occurs whether at the worksite or off site, if it is work-related then the employer can be held responsible. Make sure that a copy of the company policy on sexual harassment is well-known to all employees.

Over indulgence in alcohol is generally the cause of Christmas workplace problems. Sometimes disagreements occur due to excessive drinking and they have been known to end up in physical fights.

Here are some tips to assist employers to manage the Christmas celebrations:

- Tell your employees, in writing, that you want everyone to have a good time and that you expect them to behave responsibly. Warn employees that they should exercise caution in regard to the consumption of alcohol. Consider making cab vouchers available for staff to get home from the party or call for volunteer drivers amongst staff who don't drink alcohol.
- Do not allow anyone from your Company to serve alcohol to staff, and advise bartenders not to serve anyone who seems intoxicated.
- Make sure there are plenty of soft drinks available, and make sure that food is served.
- Do not make the function compulsory, and don't insist that staff have an alcoholic drink as part of their "networking obligations". This could be seen as part of the job requirements and the employer may be liable if there is any accident on the way home.

Providing your employees with a few simple reminders will ensure that everyone has a good time during their festive celebrations.

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