

ALERT

29 November 2012

Fair Work Amendment Bill 2012 passed by the Senates

The Fair Work Amendment Bill 2012 (**Bill**) has been passed by the Senate without amendment.

The Bill introduces the first stage of amendments to the *Fair Work Act 2009* (**Act**) announced by Mr Shorten on 15 October 2012 in response to the Fair Work Act Review Panel's report ([click here to view our earlier alert](#)).

In addition to implementing a number of recommendations of the Review Panel, the Bill also:

- aligns the timeframes for unfair dismissal and adverse action claims to 21 days;
- renames Fair Work Australia to the 'Fair Work Commission';
- creates two new Vice President positions;
- establishes an expert panel to conduct the annual minimum wage review and to determine the most suitable funds to be listed as default funds in modern awards; and
- makes a number of other technical and clarifying amendments such as prohibiting opt-out clauses in enterprise agreements ([click here to view our earlier alert](#)).

It is expected that further amendments will follow next year. Bill Shorten has suggested that these amendments were the 'less contested recommendations' of the Review Panel and that he intended to 'consult further on the rest'.

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