



Band 9s and the New Industrial Relations Framework 26 June 2008

Recently the AFPA met with the AFP National Manager Human Resources and the Coordinator Employee Relations to discuss the employment relationship of band 9 employees under the new industrial relations framework. The AFP has indicated that common law contracts will be introduced to supplement the Collective Agreement for certain band 9 employees.

The Federal Government has started the process of rolling out its “Forward with Fairness” policy. The new laws will have both an immediate and long term impact on employees within the AFP, particularly band 9 employees. For this reason, the AFPA has met with the AFP to discuss these issues and to establish ongoing consultation as the policy becomes law.

AWAs and ITEAs

In accordance with the *Workplace Relations Amendment (Transition to Forward with Fairness) Act 2008*, AWAs can no longer be entered into. Individual Transitional Employment Agreements (ITEAs) are transitional agreements that operate in effectively the same way as AWAs. They are designed to allow employer's to gradually adjust to the new industrial relations framework. ITEAs can only be used for employee's who are already on an AWA or new employees.

The AFP has indicated that current AWAs will be allowed to continue to their nominal expiry. After an AWA has passed its nominal expiry date, it will continue to apply unless it is terminated by either party. The AFP has also stated that they will not be entering into ITEAs.

Common Law Contracts

The AFP has indicated that they intend to introduce common law contracts as the new individual agreement for some band 9 employees. These common law contracts will be supplementary to the terms and conditions guaranteed under the Collective Agreement.

The AFP is willing to facilitate consultation with the AFPA throughout this process and the AFPA is confident that an appropriate and beneficial outcome will be achieved for band 9 employees.

The AFPA will continue to update members about this issue as the consultative process unfolds.

If you have any concerns about the issues raised in this bulletin or other CA 2007 – 2011 queries please contact your local representatives or the AFPA National Office on afpa.industrial@afpa.org.au for more information.