

# Two Rivers



Industrial Relations

November 2017

## What's New?

### Retail Trading Amendment (Boxing Day) Bill 2017



**The Retail trading Amendment (Boxing Day) Bill 2017 was passed by Parliament on 20 September 2017.**

The Bill removes the sunset clause (which was due to commence on 1 December 2017) and thereby permits shops to continue to be able to trade on Boxing Day and banks to be able to trade on Boxing Day, Bank Holiday and certain other public holidays provided staff have freely elected to work.

Two new offences which were introduced as part of the changes made in 2015 also continue to apply.

In circumstances where a shop has unlawfully traded on any restricted trading day and the shop was staffed by persons who did not freely elect to work, a maximum \$11,000 fine per person may apply.

A similar offence also applies where banks have unlawfully opened their premises on bank close days.

A maximum fine of \$22,000 applies in circumstances where the landlord of a shop has forced a tenant to open on any restricted trading day.

**PLEASE NOTE:** The freely elect to work provisions do not apply to 'small shop's as defined under the Retail Trading Act – generally 'small shops' are a sole business of no more than two owners and employing four or less employees.

[http://www.industrialrelations.nsw.gov.au/oirwww/Boxing\\_Day.page](http://www.industrialrelations.nsw.gov.au/oirwww/Boxing_Day.page)

Welcome to the **November Edition** of the *Two Rivers* newsletter for 2017 from our NSW Industrial Relations Aboriginal Community Engagement Unit.

Our NSW IR Aboriginal Community Engagement Unit helps our Indigenous communities with information and advice about workplace entitlements, rights and obligations.

This month's free online webinar covers **Retail Trading on Boxing Day and Trial work.**

#### Information and Advisory Service

Our Aboriginal Community Engagement Unit conducts workshops for Aboriginal and Torres Strait Islander people on employment issues, Federal and NSW employment laws, minimum standards of employment and best employment practices.

Our service is provided in the Sydney metropolitan area and regional centres throughout NSW.

If you would like us to visit you, call us on **1300 361 968 / (02) 9228 5985**

[ACEU@industrialrelations.nsw.gov.au](mailto:ACEU@industrialrelations.nsw.gov.au)



### AUSTRALIAN-FIRST ABORIGINAL LANGUAGES BILL PASSES

**NSW PARLIAMENT on Wed 18 Oct 2017**

NSW is officially the first state in Australia to pass legislation through Parliament acknowledging the value and importance of language to our country's First Peoples and to the cultural heritage of NSW. The Legislation was developed following extensive consultation at 32 workshops held across NSW.

Working alongside Aboriginal communities, Elders and language experts to develop legislation that acknowledges the importance of Aboriginal languages for past, current and future generations. The legislation establishes an Aboriginal Languages Trust made up of Aboriginal community leaders to oversee the development of a strategic plan that will protect and strengthen Aboriginal languages.

# OUT & ABOUT

## WITH ACEU

Last week the ACEU attended the Aboriginal Affairs 2017 Networking Conference at Aanuka Beach Resort, Coffs Harbour.

### Theme: ON COUNTRY

This was an invaluable opportunity and experience for all staff who attended from across different agencies to strengthen their relationships with each other, undertake reflective practice and participate in cultural activities and experiences with a focus on Aboriginal cultures from the North Coast of NSW.

The aim of the conference was to look at the agencies key areas of policy reform (land based reforms) including:

- ❖ The latest evidence.
- ❖ The reform agenda.
- ❖ The role of the agency.
- ❖ The operating model for Aboriginal Affairs systemic advocacy work and perspectives in Aboriginal culture and lore.



## Free Online Webinars

<http://www.industrialrelations.nsw.gov.au/oirwww/Workshops/Events.page?>

**NSW IR conducts free online webinars in the last week of each month.**

❖ Tuesday	Nov 28th	12:00 PM - 12:45 PM
❖ Wednesday	Nov 29th	10:00 AM - 10:45 AM
❖ Thursday	Nov 30th	2:00 PM - 02:45 PM

**This month's topic will cover – Retail Trading on Boxing Day and Trial work.**

We at NSW Industrial Relations offer a live Webinar focusing on Retail Trading on Boxing Day in NSW.

Our sessions will give retailers information relating to trading on Boxing Day and what their obligations are in terms of asking employees to work on that day.

The second half of our webinar will focus on "trial work".

- ❖ Can you ask an employee to do a trial?
- ❖ Is that trial paid?

The part of the session will also touch on volunteer/unpaid work and internships.

For the answer to these common questions and more, attend our webinar. You also have the opportunity to participate in our live Question & Answers.

### Contact our Education Officers

[ACEU@industrialrelations.nsw.gov.au](mailto:ACEU@industrialrelations.nsw.gov.au)

- ❖ Please call our **NSW Industrial Relations Aboriginal Community Engagement Unit** on **1300 361 968**
- ❖ For **award specific enquiries** please contact the **Fair Work Ombudsman** on **131 394**  
<https://www.fairwork.gov.au/awards-and-agreements/awards/list-of-awards>

- ❖ **Aaron Gow** Ph. (02) 9228 5916
- ❖ **Pamela Smith** Ph. (02) 9228 5975

### Subscription to *Two Rivers* Newsletter

*Two Rivers* is a publication that is written and distributed by NSW IR Aboriginal Community Engagement Unit.

If you have not already done so, you can subscribe to the Aboriginal Community Engagement Unit so that all new information, including *Two Rivers*, can be emailed to you.

To subscribe, please send an e-mail to:

[ACEU@industrialrelations.nsw.gov.au](mailto:ACEU@industrialrelations.nsw.gov.au)

### NSW IR Publications

We have a number of easy to read fact sheets covering topics such as long service leave entitlements, pay slips and keeping employment records, which highlight all the important things you need to know.

You can download these fact sheets from our indigenous people link on our website:

[www.industrialrelations.nsw.gov.au](http://www.industrialrelations.nsw.gov.au)

## Retail Trading on Boxing Day

### Face-to-Face Workshops

We at NSW Industrial Relations offer free face to face information sessions for retailers who have employees. Our information sessions will focus on the obligations of retailers if they choose to open on Boxing Day and the rights of their employees, including voluntary work provisions and information on penalty rates.

Our sessions will give you the chance to meet with our advisers and ask any questions you may have about trading on Boxing Day.

<https://nswir.secure.force.com/Workshop/EventsWorkshopV1?courseId=a166F000005rjglQAA>

