

**Table 1 (Appendix 4)**

<b>State/Territory</b>	<b>Awards</b>	<b>Legislation</b>	<b>Commentary</b>
New South Wales	New standards in state awards apply from 19 December 2005		The NSW Industrial Relations Commission has now varied all private and public sector awards in accordance with the General Order handed down on 19 December 2005. The NSW General Order included some modification to the Orders of the AIRC to suit NSW circumstances. In particular, the use of sick leave for caring responsibilities remain uncapped under NSW awards.
Victoria		Incorporated in Equal Opportunity Act 1995	The Victorian Government amended its <i>Equal Opportunity Act 1995</i> to provide workers with a right to request flexible work arrangements to accommodate responsibilities that they have as a parent or carer. The changes came into effect 1 September 2008. Guidelines for employers and employees have been developed to assist with implementation of the amendments. The amendments put Victoria ahead of Queensland in providing work-life balance for parents and carers.
Northern Territory	NT Government Union Collective Agreements (UCA) override award conditions		NT Government Union Collective Agreement's (UCA) have over ridden previous Award conditions. NT Public Sector UCA's have incorporated the Family Provisions matters into leave provisions.
Queensland		Incorporated in Industrial Relations Act 1999.	The unions approached the Queensland Government to implement the decision through legislation rather than awards. Following Cabinet approval on 31 October 2005, amendments to the Industrial Relations Act 1999 were prepared and introduced into Parliament on 29 November 2005. The amendments were passed by Parliament on 15 February 2006 and commenced on 22 February 2006. After being in place for 3 years, the QIRC is in the process of reviewing the provisions.
Western Australia	Parental leave, incorporating the new standards, is provided to public sector employees via a cross-Government circular. Public sector awards are amended on an ad hoc basis to reflect these provisions.	Incorporated in the <i>Minimum Conditions of Employment Act 1993</i> .	The parental leave provisions in the <i>Minimum Conditions of Employment Act</i> were amended in 2006 to give employees a right to request an extension of parental leave and concurrent parental leave (maximum 24 months and 8 weeks respectively), to provide parental leave to long term casuals, and to include the right for employees to request a return to work on a modified basis.
South Australia	Unions lodged an application to vary awards by way of a general order. 109 state awards have been varied to reflect the family provisions test case.	Changes are proposed to the Equal Opportunity Act to include a new provision to cover discrimination on the basis of caring responsibilities	On 26 November 2008, the South Australian Government introduced the <i>Equal Opportunity (Miscellaneous) Amendment Bill 2008</i> into Parliament to update the 1984 Equal Opportunity Act. The Bill proposes a number of changes, including adding caring responsibilities as a new ground of discrimination, to bring SA anti-discrimination laws into line with those of other states and nationally. Debate on the Bill is currently taking place. The new provisions do not provide the strength of the Victorian Equal Opportunity Act to explore disputes with employers over 'reasonable grounds' of refusal.
Tasmania	All state awards have been varied by	No requirement to	On 24 November 2005, Unions Tasmania advised that they will be making an application

	<p>General Order Most public sector awards have now been updated.</p>	<p>amend legislative provisions</p>	<p>to the Tasmanian Industrial Relations Commission for a flow on to both public and private State awards. Unions Tasmania asked for (and were advised they will receive) the Government's support. The orders for the Family Provisions Test Case clauses have now been made for all Tasmanian Private Sector Awards. The operative date was 15 March 2006. Most public sector awards have now been updated to reflect the AIRC Decision and Tasmanian specific circumstances.</p>
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