

## Schedule 2.1—Notice of employee representational rights

(regulation 2.05)

*Fair Work Act 2009*, subsection 174(1A)

*[Name of employer]* gives notice that it is bargaining in relation to a single-enterprise agreement (*[name of the proposed single-enterprise agreement]*) which is proposed to cover employees that *[proposed coverage]*.

### **What is a single-enterprise agreement?**

A single-enterprise agreement is an agreement between an employer and its employees that will be covered by the agreement that sets the wages and conditions of those employees for a period of up to 4 years. To come into operation, the agreement must be supported by a majority of the employees who cast a vote to approve the agreement and it must be approved by an independent authority, Fair Work Commission.

### **If you are an employee who would be covered by the proposed agreement:**

You have the right to appoint a bargaining representative to represent you in bargaining for the agreement or in a matter before the Fair Work Commission that relates to bargaining for the agreement.

You can do this by notifying the person in writing that you appoint that person as your bargaining representative. You can also appoint yourself as a bargaining representative. In either case you must give a copy of the appointment to your employer.

If you are a member of a union that is entitled to represent your industrial interests in relation to the work to be performed under the agreement, your union will be your bargaining representative for the agreement unless you appoint another person as your representative.

*[If the employee is covered by an individual agreement—include:]*

### **If you are an employee covered by an individual agreement:**

If you are currently covered by an individual agreement (Australian Workplace Agreement (AWA), pre-reform AWA, individual transitional employment agreement (ITEA), preserved individual State agreement or individual Division 2B State employment agreement), you may appoint a bargaining representative for the enterprise agreement.

Individual agreements automatically sunset at the end of 6 December 2023, unless an application to extend the agreement is made to the Fair Work Commission.

Individual agreements can also be terminated or a conditional termination can be made (which provides that if an enterprise agreement is approved, it will apply to you and your individual agreement will terminate).

### **Questions?**

If you have any questions about this notice or about enterprise bargaining, please speak to your employer or bargaining representative, or contact the Fair Work Ombudsman or the Fair Work Commission.