



Workplace determinations

These amendments provide certainty for employers and workers by including an express interaction rule in the *Fair Work Act 2009* that once a workplace determination made by the Fair Work Commission commences, the previous enterprise agreement ceases to apply.

What has changed?

The *Fair Work Legislation Amendment (Protecting Worker Entitlements) Act 2023* amends the *Fair Work Act 2009* (the Act) to include an express interaction rule for workplace determinations and enterprise agreements.

This amendment provides certainty for employers and workers by confirming that an enterprise agreement applying to employees in relation to particular employment would cease to apply when the Fair Work Commission makes a replacement workplace determination that covers the employees in relation to the same employment.

What do these changes mean?

This is a minor and technical amendment that confirms the common understanding of how workplace determinations and enterprise agreements interact. Existing workplace determinations continue to operate on the basis that they replaced previous enterprise agreements (if any).

When will these changes come into effect?

The amendments commence on 1 July 2023.

For more information on the Protecting Worker Entitlements package visit:
www.dewr.gov.au/protecting-worker-entitlements