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Sent: Tuesday, May 16, 2023 4:57 PM

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Subject: New agreement tool released- check which tests apply



Fair Work
Commission

New agreement tool released– check which tests apply

The Secure Jobs Better Pay Act is changing how employers and employees bargain and make agreements. On 6 June 2023, new enterprise bargaining and agreement making provisions will commence. The amendments include:

- changes to the better off overall test (BOOT)
- a Statement of principles on genuine agreement
- changes to multi-enterprise agreements.

See [changes to making agreements](#) for more information.

On commencement of the new provisions, we will apply different tests when approving your agreement. The tests that apply will depend on when you started bargaining and when the agreement was made.

To help you comply with the legislative tests that apply to your application we have developed the '[Understand the tests that apply to agreements](#)' tool. You can enter the relevant timeframes to determine which tests will apply to you. You can [access the new agreement tests tool](#) on our website.

The new tool is a part of our work to assist you in navigating the new provisions. We will update the tool when the forms are finalised. This will provide you with links to the forms that apply in your circumstances.

Support and tools

We will continue to provide you with new and updated resources in preparation of the new provisions commencing. In the coming weeks we will release updates to the:

- [Date calculator for single enterprise agreement](#)
- [Create the NERR tool](#) to align with the amended Fair Work Regulations commence
- pre-approval checklist to reflect the new legislative requirements. This checklist is completed by Commission staff then given to the Commission Member who reviews the application before deciding whether to approve the agreement [See [pre-approval checklist \(docx\)](#)]
- online agreement forms so parties can continue to lodge their applications online from 6 June using the online *Form F16 – Application for approval of an enterprise agreement (other than a greenfields agreement)* and attach the paper-based Form F17

We remain committed to improving service delivery through digital transformation. We will continue to notify you of the pending changes and as resources become available. We recommend you [follow us on LinkedIn](#) to keep up to date.

Related links

- [Secure Jobs Better Pay Act - what's changing](#)
- [Supporting you to bargain and make agreements from 6 June 2023](#)
- [Changes to making agreements](#)

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