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Subject: Agreements tool updated - date calculator



Fair Work
Commission

Agreements tool updated – date calculator

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, the changes to genuine agreement requirements will alter some requirements around timeframes for agreement making.

To help you comply with the relevant timeframes we have updated our [Date calculator for single enterprise agreement](#).

The date calculator is designed to be used alongside the information in [Make an enterprise agreement](#). It is not comprehensive, nor a substitute for reading the specific provisions of the *Fair Work Act 2009* and the [Statement of principles](#).

On commencement of the new provisions, we will apply different tests when approving your agreement. The [timeframes](#) that apply will depend on when you started bargaining and when the agreement was made. Use the [Understand the tests that apply to agreements](#) tool to see what timeframes and tests apply to your agreement.

Support and tools

Parties can continue to lodge online agreement approval applications using the online Form F16 – *Application for approval of an enterprise agreement (other than a greenfields agreement)* and attach the paper-based Form F17- Employer declaration.

On 6 June 2023 we will update the [Create the NERR](#) tool to ensure you provide your employees with the correct Notice of employee representational rights in accordance with schedule 2.1 to the *Fair Work Regulations 2009*.

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

- 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 \(docx\)](#)]
- [Understand the tests that apply tool](#) to link to the forms that apply in your circumstances.

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 [subscribe to our announcements](#) and [follow us on LinkedIn](#) to keep up to date.

Useful links:

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

Related links

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