



Australian Government

Workplace Authority

7 December 2007

Agreement number: 073228615



Human Resources Manager
MELBOURNE CRICKET CLUB
PO Box 175
EAST MELBOURNE VIC 8002

Dear Human Resources Manager

Your collective agreement has passed the Fairness Test

The Workplace Authority has previously notified you that the Fairness Test must be applied to the collective agreement named MELBOURNE CRICKET GROUND EVENT EMPLOYEES COLLECTIVE AGREEMENT 2007 (**the Agreement**) lodged by the employer MELBOURNE CRICKET CLUB on 28 August 2007. As previously notified, the Agreement began operating on that day.

What is the Fairness Test?

The Fairness Test applies to collective agreements (including greenfields agreements) lodged on or after 7 May 2007 that change or remove certain protected conditions.

It only applies to agreements which cover employees who work in industries or jobs where a federal award usually applies, or where prior to 27 March 2006 a State award usually applied. It also applies if any employees were covered by a former state award or agreement.

The Fairness Test determines whether in its overall effect on employees covered by the Agreement, fair compensation is provided for changing or removing any of the following protected conditions:

- penalty rates, including for working on public holidays and weekends;
- shift work and overtime loadings;
- monetary allowances for employment related expenses, responsibilities or skills not included in the employee's rate of pay, and disabilities for performing certain tasks or working in particular conditions or locations;
- annual leave loadings;
- public holidays including substituted days and procedures for substitution;
- rest breaks; and
- incentive based payments and bonuses.

Does my Agreement pass?

The Agreement has been assessed, and on the basis of information available to the Workplace Authority, it passes the Fairness Test. The Workplace Authority is satisfied that on balance, the Agreement provides fair compensation for the removal or modification of protected conditions. Your Agreement continues to operate from the date it was lodged with the Workplace Authority.

For the purposes of the Fairness Test, the Entertainment and Broadcasting Industry (Recreation Grounds etc – Victoria) Award 2000 was used in relation to the employees subject to this Agreement.

Other requirements

This notice relates only to whether a workplace agreement passes the Fairness Test. It does not verify that an agreement complies with the other requirements of the *Workplace Relations Act 1996*, for example that it does not contain prohibited content.

Please be aware that the Workplace Authority conducts the Fairness Test on the basis that the minimum entitlements of the Australian Fair Pay and Conditions Standard (**the Standard**) are included in the Agreement. This is because these entitlements apply by law where the Agreement provides a less favourable entitlement. It is the responsibility of employers to ensure that employees receive the entitlements contained in the Standard. More information about the Standard is available from the Workplace Authority.

To ensure that future agreements pass the Fairness Test, it is recommended that employers request pre-lodgement advice from the Workplace Authority. Details about how to do this can be found at www.workplaceauthority.gov.au.

The employer must take reasonable steps to give copies of this letter to all employees whose employment is subject to the Agreement at the time the employer receives this letter. An employer may be liable for a fine of up to \$3,300 (for an individual) or up to \$16,500 (for a corporation) if the employer doesn't do this as soon as they can.

Where a union(s) is a party to the collective agreement, the union(s) will also receive this letter from the Workplace Authority.

If you have any questions concerning this letter, you can get more information about the Fairness Test from www.workplaceauthority.gov.au. You can also call the Workplace Infoline on 1300 363 264 quoting the above Agreement number.

Please retain a copy of this notice for your records.

Yours sincerely



Barbara Bennett
Workplace Authority Director