



## Certified Agreements

The following details describe the key aspects of Certified Agreements available under the Federal industrial relations system.

- A Certified Agreement is negotiated between a Union or the Employee's and an Employer.
- It can be comprehensive or be specific to particular issues and operate along side the award. That is, it could replace the whole Award or specific provisions and operate along side the Award.
- All employees need to be informed and consulted about the content and consequences of the agreement.
- There is access to limited sanction free bargaining period - which allows the parties to take industrial action when negotiating.
- The Australian Industrial Relations Commission (AIRC) can order the parties to negotiate in good faith. It can also terminate the bargaining period which takes away the right to take industrial action.
- For certification by the AIRC, the agreements must:
  - Include dispute-settling procedures
  - Be for a specified period
  - Not disadvantage workers' when the terms and conditions as a whole are considered
  - Not unreasonably or unfairly exclude particular employees.
- Any breach of the agreement attracts substantial penalties.
- The parties need to review the agreement to assess progress, measure change and have information sharing/consultation processes.
- As the agreement nears the end of its term review it and negotiate a new agreement.
- The old agreement continues to be binding until it is replaced or varied.