



Australian Government

WorkChoices

Junior rates

Junior rates are based on the age of the employee and are usually set as a percentage of the wage that would apply to an adult employee, with the percentage increasing in line with the employee's age.

There is a wide diversity of actual wage rates for employees under 21 years of age because the percentage scales used to calculate a junior rate vary considerably across industries and occupations. For example, some pre-reform awards required juniors to be paid full adult rates. Other awards, applied a scale of discounted junior rates to all employees under 18, while some applied a scale of discounted junior rates to all employees under 21.

Junior rates under the new system

Under WorkChoices, junior rates will not fall below the award rates that applied after the increase from the Australian Industrial Relations Commission's 2005 Safety Net Review.

The Australian Fair Pay Commission (Fair Pay Commission) sets and adjusts minimum wages, including junior rates, through new wage instruments known as Australian Pay and Classification Scales (APCSs). The wage provisions of awards and state minimum wages have been preserved in APCSs on the commencement of WorkChoices.

In setting and adjusting minimum wages for junior employees, the Fair Pay Commission must have regard to providing minimum wages that ensure juniors are 'competitive in the labour market'.

The Fair Pay Commission may also establish special Federal Minimum Wages (special FMWs) for junior employees. For example, it could determine a scale of junior rates for juniors who are not covered by an APCS.



WorkChoices and junior rates

Australian Workplace Agreements

Employees under 18 years of age must have the written consent of a parent or other appropriate adult, before signing an Australian Workplace Agreement.

The Office of the Employment Advocate (OEA) is required to encourage parties involved in agreement-making to take account of the needs of workers in disadvantaged bargaining positions, including young people.

Further information from the OEA is available by calling 1300 366 632 or visiting the OEA website at www.oea.gov.au

The Department of Employment and Workplace Relations provides information to employees to assist them to understand their rights

and responsibilities under the new system. The Office of Workplace Services is responsible for undertaking comprehensive compliance and enforcement functions.

Unlawful termination

Under WorkChoices, it will continue to be discriminatory and unlawful to dismiss an employee because of their age.

For more information on unlawful termination, see the 'WorkChoices and termination of employment' fact sheet.

WorkChoices is a new system of workplace relations legislation that covers up to 85 per cent of Australian employees. This series of fact sheets is available to assist workers and employers to understand their rights and obligations under the legislation.

For more information call the **WorkChoices Infoline** on **1300 363 264** or visit the **WorkChoices** website www.workchoices.gov.au

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