

Our Ref: RM/0026/2000  
Your Ref:  
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#### CIRCULAR TO DEPARTMENTS AND AUTHORITIES NO.4 OF 2001

#### **EMPLOYEE OPTION TO WITHDRAW FROM WORKPLACE AGREEMENT**

This circular replaces Circular 1 of 2001.

In response to a number of enquires, the circular dated 29 May 2001 is amended and reissued to clarify employee choice to withdraw from workplace agreements.

In a Circular to Chief Executive Officers dated 23 February 2001 you were advised that employment in the public sector will be regulated by collective agreements and that workplace agreements will be phased out.

Government has determined that employees working under the terms and conditions of a workplace agreement should now be given the choice to withdraw from the agreement and be covered by the applicable enterprise agreement or award.

Employees who choose to withdraw from a workplace agreement will revert to the terms and conditions of the applicable enterprise agreement or award from the date agreed in writing by the parties in accordance with section 24 (1) of the *Workplace Agreements Act 1993* (the Act).

Agencies should ensure that the cancellation of a workplace agreement is registered with the Office of the Commissioner for Workplace Agreements as required by section 31 of the Act.

Where an employee seeks to withdraw from a collective workplace agreement, please contact your Labour Relations Advisor should you require assistance in complying with the Act.



**JOHN SERICH**  
**ACTING EXECUTIVE DIRECTOR**  
**LABOUR RELATIONS SERVICES**

8 June 2001