

Fair Work Amendment (Small Business – Penalty Rates Exemption) Bill 2012

Introduced into the Senate on 16 August 2012

By: Senator Xenophon

Response received: 23 November 2012

Committee view

1.2 The committee thanks the Senator for his response.

1.3 The committee notes that this bill is currently being considered by the Senate Education, Employment and Workplace Relations Legislation Committee, which is due to report on 12 March 2013.

1.4 The committee has decided to defer finalising its views on this bill to take account of the Senate Education, Employment and Workplace Relations Legislation Committee's report.

Purpose of the bill

1.5 The bill amends the *Fair Work Act 2009* to exclude employers in the restaurant and catering or retail industries that employ fewer than 20 full-time equivalent staff from being required to pay penalty rates under an existing or future modern award unless an employee has worked more than ten hours in a 24-hour period or more than 38 hours in a week.

1.6 The Senator's response can be found in Appendix 1.