

## **Your Rights at Work – The Basics**

### **Basic Rights under Australian Law**

All new employees should be inducted into their place of employment. This means being introduced to expectations about their job and information about the workplace. They should also be provided training in how to do the job and safe work practices.

All employees are entitled to minimum rates of pay:

- Casual staff should receive a loading 25% above the minimum wage as compensation for not receiving other entitlements like sick leave and holiday pay.
- Junior rates of pay apply to those under 21. This is 10% less, for every year the employee is under 21, than the adult wage that applies for that job.

All employees are entitled to expect protection from bullying & harassment. During induction the workplace procedures for receiving complaints about bullying and harassment should be outlined to new employees.

Full-time and permanent part-time staff have leave entitlements under the law – holiday, long service and sick leave

Every employee is entitled to regular breaks. In general breaks should be offered after 5 hours of work (though this may differ depending on the industry).

Everyone in every workplace is entitled to:

- Basic terms & conditions
- Minimum rates of pay
- Penalty rates for working overtime
- Casual rates of pay (if applicable)

You may have a contract over and above the award which has been negotiated directly with the employer.

**You cannot be employed under terms and conditions less than the minimum award. This would be illegal.**

### **What to check when you accept a job**

- Any contract you are offered – make sure you are not forfeiting terms and conditions less than the award
- Check that you are being paid the minimum rate of pay applicable to the job or above
- Make sure there is a systematic way of paying you - ie. into your bank account weekly or fortnightly

For further information or to book an appointment, please contact Student Life on 9286 9891 or email [studentlife@boxhill.edu.au](mailto:studentlife@boxhill.edu.au)

- Check that you will receive payslips
- Ensure that you will receive annual payment summaries or that summaries are loaded into your MyGov account, so you can prepare your tax return at the end of each financial year.
- Make sure that you will be offered opportunities to meet with management if you have any concerns
- Be sure that you will receive superannuation, and that this will be paid into your choice of fund. You are entitled to receive superannuation if you are earning more than \$450 per month and working more than 30 hours per week.

### **What is Illegal**

- Unpaid trials
- Being paid cash in hand
- Unpaid training (including online)
- Not offering award wages
- Not paying superannuation
- Not paying a wage according to duties eg. supervising staff but not being paid extra

### **Where to get help and information**

#### **The Fair Work Ombudsman**

The Fair Work Ombudsman is the organisation to consult if you feel your workplace rights are being abused. Visit their website for further information: <https://www.fairwork.gov.au/>

An *award* is a legal ruling that sets out the minimum entitlements that an employee can expect. There are various awards that apply to different workplaces and jobs. If you would like to check the award for your job then go to <https://calculate.fairwork.gov.au/>

#### **The Young Workers Centre**

The Young Workers Centre is a great resource for young people who are new to employment. It is a one-stop-shop for young workers who want to learn more about their rights at work or who need assistance in resolving workplace issues. This team of lawyers, organisers, educators and researchers seek to empower young people working in Victoria with the knowledge and skills needed to end workplace exploitation and insecurity.

The Young Workers Centre produces resources aimed at assisting young people to understand their rights at work, such as fact sheets, as well as running training days and social events for young people who want to get more involved in the fight for safe and secure jobs. The Centre also provides

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personalised advice for young people who have come across issues at work such as unfair dismissal, bullying and harassment.

For contact and information, visit their website <http://www.youngworkers.org.au/>

### **Student Life**

If you are suspect you are being treated unfairly at work, are experiencing bullying/harassment or just need to talk to someone – support is available through Student Life. Drop in or make an appointment with a Student Wellbeing Officer for a confidential discussion about your situation.

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