



# YOUR RIGHTS AT WORK

## 1. Pay

- \* To be **paid in a timely manner** –most employers pay fortnightly. Employers must not allow the pay owed to employees to be more than a month in arrears.
- \* To be paid the **correct amount of pay** – the minimum wage an employer is legally required to pay in Australia is determined by awards in most industries.
- \* Your employer must provide you with a **pay slip** including how much tax you have paid, your name and your job classification.
- \* **Junior Pay Rates** are rates of pay for juniors aged between 15 and 20, which are a proportion of the adult wage.
- \* **Traineeship/Apprenticeship Pay Rates** are rates of pay at a percentage of the fulltime adult wage for those undertaking training.

## 2. Hours of Work

- \* To **work reasonable hours** (in most industries the standard full-time week in New South Wales is 38 hours)
- \* A **meal break** of between 30 and 60 minutes if an employee works for more than five hours straight
- \* Other breaks – most awards have other short breaks such as morning tea included.
- \* **Overtime** – many employers require paid overtime to be worked – rates usually between time and a half or double time loading. You do not have to work overtime hours if they are unpaid.
- \* **Flexible Hours** – including Rostered Days Off, Flexi-time, Time Off In Lieu.

## 3. Rostering

- \* shift work
- \* at least one weeks notice of roster change
- \* 12 hour shifts
- \* **Time off between shifts** – legally more than 12 hours
- \* **Split-shifts**
- \* **Minimum start time** – if you are called into work, they must pay you for at least three hours.

## 4. Leave Entitlements

- \* **Annual Leave** – minimum in New South Wales is four weeks per year. **Holiday pay** generally includes a loading in most industries of 17.5%.
- \* **Long Service Leave** – usually for every ten years of service an employee is entitled to two months ordinary paid leave.
- \* **Sick Leave/Personal Carers Leave** – minimum is 1 week per year – however this varies between awards and agreements. Personal carers leave may be taken as sick leave to care for a sick family member.
- \* **Maternity Leave** – your are entitled to between 6 and 52 weeks leave unpaid. Public Servants are entitled to 3 months paid leave and up to 9 months unpaid leave. It is compulsory to take a six week period maternity leave after the birth of the child.

- \* **Paternity Leave** – you are entitled to up to 52 weeks unpaid leave. Some workers, such as public servants are entitled to a period of payment at the time of the birth. However, this period is reduced by any maternity leave taken for the same child. The father of the child is also entitled to up to one week leave at the time of confinement.
- \* **Adoption Leave** – you are entitled to 52 weeks unpaid leave from the adoption date provided the employer has been notified correctly. You must have worked full-time or part-time for 12 months or more continuously with the same employer. Adoption leave is reduced by an adoption leave taken by the spouse at the time of adoption.
- \* **Family and Community Service Leave**
- \* State Emergency Service Leave
- \* Jury Duty
- \* **Bereavement Leave** – may be taken on the death of a member of their family or member of their household. Full-time and part-time employees are entitled of 2 days paid bereavement leave on the occasion of a death of a family or household member.