

Working Knowledge

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Of the 11.5 million people working in Australia today, around 1.9 million are aged between 15 and 24.

Many of these young workers are in their first jobs as apprentices, trainees, part-time or casual employees.

No matter what their role - no matter where they work - young people have rights at work - and are entitled to be paid every cent they're owed from day one.

Young workers can be vulnerable in the workplace, simply because they are often not aware of their workplace rights.

The best defence for a young person is to make an effort to find out about their job classification and entitlements.

While most employers try to do the right thing, mistakes can and do occur.

Unfortunately, we regularly come across instances of young workers missing out on penalty rates, annual leave entitlements and travel and meal allowances.

If the hourly rate is incorrect, the flow-on effect can leave a young worker out-of-pocket by hundreds, if not thousands, of dollars if the problem goes unchecked over time.

It's in everybody's interest that young people enjoy their first job and they are treated fairly in the workplace.

As we approach the end of the university/school year, here are some useful tips for young people about to enter the workforce:

You have rights at work, get to know them!

It doesn't matter whether it's your first, second or third job - you have rights and entitlements at work and it pays to know them. A good starting point is www.fairwork.gov.au or our national Infoline 13 13 94.

Don't be short-changed

Not all pay rates are the same: you get paid differently for being a junior, casual, part-time or full-time worker, or if you're a trainee or apprentice. Wages may also be different depending on the type of job you do, whether you work in a shop, at a bakery, or in a cafe.

Keep a diary

Keep a simple diary of the days and hours you work. Jot down the days you work, start and finishing times, meal breaks and the name of your supervisor.

Labour is currency

You should be paid for all the hours you work. Don't immediately agree if someone asks you to work for free "to see how you go" - there's a difference between volunteering, work experience, a proper internship and free labour. It's ok to be asked to demonstrate a particular skill, such as making a coffee or touch typing, but if you're asked to do productive work, you have to be paid. You should also be paid for work you perform before opening and after closing, training courses and staff meetings.

Holidays

If you're a full-time or part-time employee, you start to accrue annual leave and personal leave as soon as you commence your employment, and subject to agreement from your employer, need not wait a full 12 months before you can take a holiday. If you're a casual employee, you are probably not entitled to annual leave or personal leave. However, if you're a casual employee you are still entitled to some unpaid leave under the National Employment Standards. This includes unpaid carers', unpaid compassionate and community service leave, as well as parental and pre-adoption leave in some circumstances.

Payroll deductions

Your employer cannot make deductions from your wages to cover cash register discrepancies, customer breakages and people who leave without paying their bills.

Trainee? Show me the paperwork!

To be employed and paid as a trainee, your employer must negotiate and lodge a registered training contract. You cannot be paid as a trainee just because you are young or new to a job.

Sick days

Your employer is entitled to ask you for evidence that would satisfy a reasonable person that you took the day off for a proper reason. You can choose to provide them with a medical certificate but a statutory declaration or other evidence may also be OK.

Pay slips

You must receive a pay slip within one working day of pay-day. This can be a paper or electronic pay slip, such as a link sent via email.

Employee v contractor

Just having an ABN does not automatically make you an independent contractor. Determining whether you should be classified as an independent contractor or an employee must be based on fact and law. If you are classified incorrectly you could miss out on a number of employee entitlements like annual and personal leave.

- Nicholas Wilson, Fair Work Ombudsman

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Contact us

Fair Work Online: www.fairwork.gov.au

Fair Work Infoline: 13 13 94

Need language help?

Contact the Translating and Interpreting Service (TIS) on 13 14 50

Hearing & speech assistance

Call through the National Relay Service (NRS):

For TTY: 13 36 77. Ask for the Fair Work Infoline 13 13 94

Speak & Listen: 1300 555 727. Ask for the Fair Work Infoline 13 13 94

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