

Outworkers

Do you need information about workplace rights and obligations during coronavirus in your own language? While we're working on expanding our in-language services, use our website translator to read essential information about [workplace laws during coronavirus in your language \(www.fairwork.gov.au/about-us/news-and-media-releases/website-news/translate-coronavirus-and-australian-workplace-laws-information-into-your-language\)](http://www.fairwork.gov.au/about-us/news-and-media-releases/website-news/translate-coronavirus-and-australian-workplace-laws-information-into-your-language) .

Outworkers are people who work at home or at a place that isn't a typical business premises (for example, a garage attached to a person's house).

On this page:

- [Understand your entitlements](#)
- [Outworkers employed in another industry](#)
- [Help with workplace issues](#)

Understand your entitlements

Outworkers in the textile, clothing and footwear (TCF) industry work from their home, a residential garage or other place not usually considered a business premises. Their work typically involves:

- making clothing, bags and footwear
- cutting, sewing, or finishing work such as embroidery or sewing tags onto apparel
- manufacturing buttons and textiles

TCF outworkers can be engaged as employees or contractors. Outworkers engaged as contractors are often considered to be employees for the purposes of most protections under the Fair Work Act 2009 (FW Act).

Most outworkers work in the TCF industry and are covered by the [Textile Award \(http://awardviewer.fwo.gov.au/award/show/MA000017\)](http://awardviewer.fwo.gov.au/award/show/MA000017) .

The Textile Award is a legal document that provides for wages and other conditions for outworkers, including:

- [information you must be given](#)
- [minimum pay and conditions](#)
- [written agreements](#)
- [work records](#)

Outworker terms and conditions in the Textile Award usually still apply even if there is an enterprise agreement in place that covers the outworker.

Regulation of outworkers under the FW Act and the Textile Award needs to be considered together with any state or territory regulation of outworkers.

Visit our [Language help page \(www.fairwork.gov.au/language-help\)](http://www.fairwork.gov.au/language-help) for information about workplace conditions in multiple languages including Vietnamese and Traditional Chinese.

Information outworkers must be given

As an outworker in the TCF industry, your employer or principal (if you are a contract outworker) must give you a copy of [Schedule F \(http://awardviewer.fwo.gov.au/award/show/MA000017#P2009_183708\)](http://awardviewer.fwo.gov.au/award/show/MA000017#P2009_183708) of the Textile Award. This information must be in a language that you understand.

Schedule F includes an information sheet that sets out some of the entitlements you must get, including:

- pay rates
- hours of work
- leave and public holidays.

Minimum pay and conditions

Schedule F of the Textile Award says outworkers need to:

- be engaged on a full-time or regular part-time basis
- receive at least the minimum award pay rate for the appropriate classification, even if you are a pieceworker
- get overtime, certain allowances and penalties
- get the minimum entitlements in the [National Employment Standards \(www.fairwork.gov.au/employee-entitlements/national-employment-standards\)](http://www.fairwork.gov.au/employee-entitlements/national-employment-standards) .

If you are a contract outworker, some provisions of the Textile Award don't apply to you. A full list of these provisions can be found in [clause F.5.8 of Schedule F of the Textile Award \(http://awardviewer.fwo.gov.au/award/show/MA000017#P2007_183570\)](http://awardviewer.fwo.gov.au/award/show/MA000017#P2007_183570) .

Written agreements

When any new arrangement is made for work to be done, your employer or principal must enter into a written agreement with you before you start the work. The agreement must say whether you will be provided with work on a full-time or part-time basis.

If you are a part-time outworker, the agreement should also include information about:

- the agreed number of hours you will work each week (which must be at least 15 hours per week or 10 hours per week with the consent of the relevant union)
- whether the hours will be averaged over a longer period of up to 4 weeks.

The agreement must be clear and simple, and given to you in a language that you understand. Your employer must give you a copy of the agreement and allow you time to read and understand the agreement before you sign it.

Work records

Your employer or principal must give you a work record before you start the work.

This record must contain information such as:

- your employer's or principal's name and address and business details
- your name and address
- the address where you will perform the work
- the time and date for starting and finishing the work, including delivery and pick up times
- a description of the work required and the garments, articles or material to be worked on (including diagrams where available and details of the type of article, seam and fabric, and how it is to be made)
- the number of garments, articles or materials you need to complete in the timeframe
- details of the time standard used to decide how much time is needed for work on each item, which must be fair and reasonable (including providing more time for work to be performed than the time standard set for comparable work in a workshop or factory and providing reasonable additional time to perform related tasks such as bundling and unbundling, sorting and packing)
- the price to be paid for each garment, article or material you complete
- the number of working hours you have to complete the work
- the number of hours or days within the ordinary working week needed to complete the work
- the total amount to be paid to you.

[Back to top](#)

Outworkers employed in another industry

Outworkers employed in an industry other than the TCF industry are entitled to the same pay and conditions as other employees covered by the relevant award. You can find your award and pay rates with our [Pay Calculator \(https://calculate.fairwork.gov.au/findyouraward\)](https://calculate.fairwork.gov.au/findyouraward) .

[Back to top](#)

Help with workplace issues

We're here to help you. Tell us about your workplace issue by making an online enquiry in My account. If you already have a [My account \(www.fairwork.gov.au/my-account/fwosignin.aspx\)](http://www.fairwork.gov.au/my-account/fwosignin.aspx) with us, use the [enquiries form \(www.fairwork.gov.au/my-account/fwosignin.aspx?RedirectURL=%2fmy-account%2fsubmit-a-new-enquiry\)](http://www.fairwork.gov.au/my-account/fwosignin.aspx?RedirectURL=%2fmy-account%2fsubmit-a-new-enquiry) .

Don't have an account yet? [Register for My account now. \(www.fairwork.gov.au/my-account/registerpage.aspx\)](http://www.fairwork.gov.au/my-account/registerpage.aspx)

If you think your employer has made a mistake with your pay or entitlements, visit [Help resolving workplace issues \(www.fairwork.gov.au/how-we-will-help/how-we-help-you/help-resolving-workplace-issues\)](http://www.fairwork.gov.au/how-we-will-help/how-we-help-you/help-resolving-workplace-issues) for practical steps on how to fix the problem.

You can also contact us to make [an anonymous report in English \(www.fairwork.gov.au/how-we-will-help/how-we-help-you/anonymous-report\)](http://www.fairwork.gov.au/how-we-will-help/how-we-help-you/anonymous-report) , or you can make a report in your language using our translated [Anonymous report form \(www.fairwork.gov.au/how-we-will-help/how-we-help-you/anonymous-report\)](http://www.fairwork.gov.au/how-we-will-help/how-we-help-you/anonymous-report) .

What to do next

- Use our [Pay Calculator \(https://calculate.fairwork.gov.au/FindYourAward\)](https://calculate.fairwork.gov.au/FindYourAward) to check pay rates
- Use the [Record My Hours app \(https://www.fairwork.gov.au/how-we-will-help/how-we-help-you/record-my-hours-app\)](https://www.fairwork.gov.au/how-we-will-help/how-we-help-you/record-my-hours-app) to track your time at work
- Do you engage outworkers? Check our [Engaging outworkers \(https://www.fairwork.gov.au/find-help-for/outworkers/engaging-outworkers\)](https://www.fairwork.gov.au/find-help-for/outworkers/engaging-outworkers) page for more information about your obligations.

Help for small business

- Find tools, resources and information you might need on our [Small business page \(www.fairwork.gov.au/Find-help-for/Small-business/default\)](http://www.fairwork.gov.au/Find-help-for/Small-business/default) .

Page reference No: 9406

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

The Fair Work Ombudsman is committed to providing advice that you can rely on. The information contained on this website is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or workplace relations professional. Visitors are warned that this site may inadvertently contain names or pictures of Aboriginal and Torres Strait Islander people who have recently died.