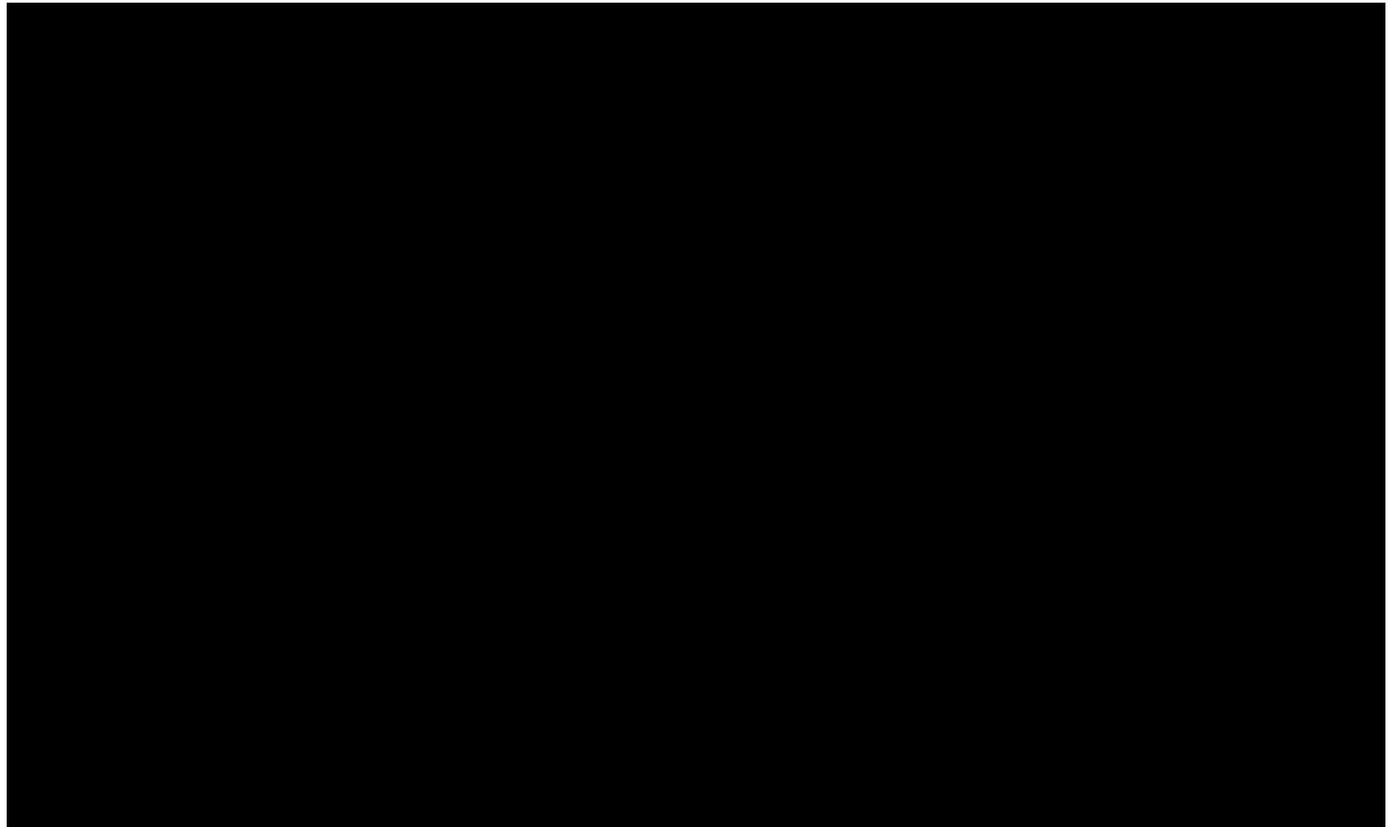


## Myths and tips for young workers

When you start a new job, you might get told or asked to do things that don't seem quite right.

Watch a short video busting some common work myths and read more below to find out what to look out for.



### Look out for

#### **Myth 1: paying low, flat rates of pay for all hours worked is OK if the worker agrees**

Fact: Minimum lawful pay rates are mandatory. In many jobs, penalty rates must be paid for evening, weekend, public holiday and overtime work. Calculate minimum rates using our [Pay Calculator \(https://calculate.fairwork.gov.au/findyouraward\)](https://calculate.fairwork.gov.au/findyouraward) .

You and your employer may agree to enter into an individual flexibility arrangement to vary penalty and overtime rates, as long as you are better off overall. This agreement needs to be in writing and signed by you and your employer. If you are under 18 years of age, it must also be signed by a parent or guardian. Learn more about [Individual flexibility arrangements \(www.fairwork.gov.au/employee-entitlements/flexibility-in-the-workplace/individual-flexibility-arrangements\)](http://www.fairwork.gov.au/employee-entitlements/flexibility-in-the-workplace/individual-flexibility-arrangements) .

#### **Myth 2: lengthy unpaid work trials and unpaid work placements and internships are OK for all inexperienced young workers looking to get a foot in the door**

Fact: Unpaid work trials are only OK for as long as needed to demonstrate the skills required for the job. Depending on the nature of the work, this could range from an hour to one shift. Internships or unpaid work placements can be lawfully unpaid when they are part of an approved job training or work experience program or vocational placement and the work is done in accordance with the relevant program or placement. Read more on our [www.fairwork.gov.au/pay/unpaid-work/unpaid-trials](http://www.fairwork.gov.au/pay/unpaid-work/unpaid-trials) Unpaid trials page ([www.fairwork.gov.au/pay/unpaid-work/default](http://www.fairwork.gov.au/pay/unpaid-work/default)) .

#### **Myth 3: employees don't need to be paid for time spent opening and closing a store**

Fact: Employees must be paid for all hours they dedicate to work and this includes time spent opening or closing a store. For example, if an employee is required to be at work at 7.45am to prepare for an 8am store opening, they need to be paid from 7.45am.

#### **Myth 4: employees don't need to be paid for time spent at meetings or training outside their paid work hours**

Fact: If it is compulsory, then it is work. Employees are entitled to be paid for the time they are required to spend at any meeting or training.

#### **Myth 5: employers can make deductions from an employee's wages to cover losses arising from cash register discrepancies, breakages and customers who don't pay**

Fact: Unauthorised deductions from an employee's pay are unlawful. Deductions can be made only in very limited circumstances. Find out more on [Deducting pay and overpayments \(www.fairwork.gov.au/pay/deducting-pay-and-overpayments\)](http://www.fairwork.gov.au/pay/deducting-pay-and-overpayments) .

#### **Myth 6: employees are obliged to buy store produce such as clothing or food**

Fact: Employers cannot require staff to purchase store produce. This includes any items for which the worker may receive a staff discount. For example, an employer cannot require workers to purchase the particular clothing stocked in a retail outlet.

#### **Myth 7: employers can pay young workers as 'trainees' or 'apprentices' without lodging any formal paperwork**

Fact: Employers must negotiate and lodge a registered training contract for an employee in order to lawfully be able to pay trainee or apprentice rates. An employer cannot pay an employee trainee rates just because they are young or new to the job. Read more about [Apprentices and trainees \(www.fairwork.gov.au/find-help-for/apprentices-and-trainees/default\)](http://www.fairwork.gov.au/find-help-for/apprentices-and-trainees/default) .

#### **Myth 8: paying employees with goods such as food or drink is OK**

Fact: Payment-in-kind is unlawful. Employees must be paid wages for all work performed. Find out more about being paid on our [Paying wages page \(www.fairwork.gov.au/pay/paying-wages\)](http://www.fairwork.gov.au/pay/paying-wages) .

#### **Myth 9: if a worker has an Australian Business Number (ABN) they are an independent contractor and minimum pay rates don't apply**

Fact: Having an ABN does not automatically make a worker an independent contractor. Fair Work inspectors apply tests of fact and law to determine whether a worker's correct classification is as an independent contractor or an employee. Whether an employer has labelled a worker as a contractor and required them to obtain an ABN may not be relevant. Read more about being an [independent contractor \(www.fairwork.gov.au/find-help-for/independent-contractors\)](http://www.fairwork.gov.au/find-help-for/independent-contractors) .

#### **Myth 10: pay slips aren't mandatory – employers only need to give employees pay slips if they ask for them**

Fact: Employers must give all employees a pay slip within one working day of pay-day. Employers can give employees paper or electronic pay slips, such as a link sent via email. Find out more about [pay slip requirements \(www.fairwork.gov.au/pay/pay-slips-and-record-keeping/pay-slips\)](http://www.fairwork.gov.au/pay/pay-slips-and-record-keeping/pay-slips) .

Our Record My Hours app makes it quick and easy for employees to record and store the hours they work, plus other information about their employment. Find out more about our [Record My Hours app \(www.fairwork.gov.au/how-we-will-help/how-we-help-you/record-my-hours-app\)](http://www.fairwork.gov.au/how-we-will-help/how-we-help-you/record-my-hours-app) .

#### **You might also be interested in**

- [Public holidays \(www.fairwork.gov.au/leave/public-holidays/default\)](http://www.fairwork.gov.au/leave/public-holidays/default)
- [Uniforms, vehicle and travel entitlements \(www.fairwork.gov.au/employee-entitlements/uniforms-vehicle-and-travel-entitlements\)](http://www.fairwork.gov.au/employee-entitlements/uniforms-vehicle-and-travel-entitlements)
- [Types of employees \(www.fairwork.gov.au/employee-entitlements/types-of-employees/default\)](http://www.fairwork.gov.au/employee-entitlements/types-of-employees/default)

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#### **Contact us**

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Fair Work Infoline: 13 13 94

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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