



Australian Government

Fair Work
OMBUDSMAN

PALM



Pacific Australia Labour Mobility

The Fair Work Ombudsman is a free Australian Government service to help you with questions about your pay and entitlements.



Do you think you're not being paid correctly or something just doesn't seem right? Contact the Fair Work Ombudsman for free help and information.

You can't get into trouble at work or have your visa cancelled for contacting the Fair Work Ombudsman.

Call us on **13 13 94** or use the Translating and Interpreting Service on **131 450**, if you need an interpreter. You can also visit our website at [fairwork.gov.au/migrantworkers](https://www.fairwork.gov.au/migrantworkers).

Even if you don't have time to read this now, save this information so that you can use it later.



Your workplace rights

- ▶ In Australia, everyone has the same minimum workplace rights, including migrants and visa holders.
- ▶ These rights protect you from things like unfair treatment, harassment or being threatened at work.
- ▶ Your employer can't treat you differently to others at work because of a protected reason including your race, colour, sex, sexual orientation, breastfeeding, intersex status, gender identity, age, religion, pregnancy, family or carer's responsibilities, marital status, physical or mental disability, national extraction, social origin, political opinion or because you are experiencing (or have experienced) family and domestic violence.
- ▶ Your employer also can't take action against you because you are a member of a union or have used your workplace rights, such as making a complaint or taking leave.



Getting paid

- ▶ In Australia, there are laws that set how much you need to be paid for different jobs.
- ▶ You must be paid the correct amount for all the work you do. Sometimes you might get paid extra for the work you do.
- ▶ The Fair Work Ombudsman can help you work out if you're being paid correctly.



Pay slips and keeping records

- ▶ You must receive a pay slip within one working day of getting paid.
- ▶ Your pay slip shows how much money you have been paid and other important information.
- ▶ Your pay slip must show if any money has been taken out of your pay, including tax and deductions.
- ▶ It's a good idea to keep your own personal record of the work you've done each day, including your start and finish times.



Deductions

- ▶ Your employer can only take money out of your pay in some situations. For example, a deduction is allowed if you agree to it in writing and it is mainly for your benefit.
- ▶ You can give your employer permission to make deductions from your pay that are:
 - > either one-off or deducted regularly
 - > for specific amounts or for amounts that change from time to time.
- ▶ Depending on the type of deduction, your written authorisation must include the following information:

One-off deduction	Regular (recurring) deductions
▶ the amount of the deduction	▶ whether the deductions are for one or more specific amounts or for amounts that could change over time
▶ the reason for the deduction	▶ the reason for the deductions
▶ the date the deduction will be made	▶ if the deductions are for specific amounts, what those amounts are
▶ the name of the person who will receive the deduction amount.	▶ the date and frequency of the deductions
	▶ the name of the person who will receive the deductions.

- ▶ Even if a deduction is allowed under an award, registered agreement or employment contract, your employer can't make the deduction if it would benefit them (or someone related to them) directly or indirectly and it is unreasonable in the circumstances.
- ▶ A deduction for an amount that can change from time to time is only reasonable if it relates to goods or services provided by your employer as part of their ordinary business, or for costs incurred through your use of their private property.
 - > However, such deductions are not reasonable if you have to pay more than the general public for the goods or services, or if the goods or services are otherwise provided on less favourable terms.
- ▶ A new written authorisation is needed to change the amount of a deduction if your initial authorisation included the specific amount of the deduction.
- ▶ **Your employer can't force you to agree to a deduction and you can withdraw your authorisation in writing at any time.**



Requirements to spend or pay back money

- ▶ Your employer can't require you to spend your own money or pay money if it benefits them (or someone else) and it's unreasonable in the circumstances.



More information and resources to help you in the workplace

- ▶ Pay Calculator – find the rate of pay you should be getting at [fairwork.gov.au/PACT](https://www.fairwork.gov.au/PACT)
- ▶ Information for workers in the horticulture industry at [fairwork.gov.au/horticulture](https://www.fairwork.gov.au/horticulture)
- ▶ Free Record My Hours app to keep a record of the hours you work – download the app from [fairwork.gov.au/app](https://www.fairwork.gov.au/app)
- ▶ Short videos in your language about Australian workplaces at [fairwork.gov.au/storyboards](https://www.fairwork.gov.au/storyboards)
- ▶ Information about deductions and related issues at [fairwork.gov.au/deductions](https://www.fairwork.gov.au/deductions)
- ▶ Useful information about your workplace rights and entitlements in our Starting a new job online course at [fairwork.gov.au/learning](https://www.fairwork.gov.au/learning)

All these resources and more can be found online at [fairwork.gov.au/palm-scheme](https://www.fairwork.gov.au/palm-scheme).