

Part-time Job – Fair Work – Your Rights!

This written with 15 to 18 year old students in mind, seeking their first part-time job. If you are older and unsure of your rights, definitely go to the Fair Work website listed below.

Things to be careful of:

- **Unpaid trials are usually unlawful** - you should be paid for all hours you work, including trial shifts or probation periods, meetings, training and opening and closing the business.
- **Money can't be taken out of your pay** - if customers leave without paying, if the cash registers are short, or if you accidentally break something.
- You should receive a **pay slip** within one day of pay day.
- It's a good idea to keep your own record of the hours you work, meal breaks and pay. This will enable you to check that you've been paid properly and will help to settle disputes.
- If you are paid in cash, check your pay slip to make sure you have received your minimum legal entitlements and that tax has been taken out of your pay. 'Cash in hand' is a term used to describe when you are paid in cash, without tax being taken from your earnings. **Being paid 'cash in hand' is against the law.**
- Your employment can't be terminated for asking your employer about your pay and entitlements, or for contacting the Fair Work Ombudsman.
- Your employer cannot put undue pressure, or use undue influence, to get you to sign an agreement or agree to certain arrangements.


Getting paid

Your minimum pay and conditions may be set by an award, agreement or contract of employment. These are legal documents which set out your employer's obligations to you and your responsibilities as an employee.

The pay and conditions you are entitled to, may depend on whether your job is defined as full-time, part-time or casual.

Depending on your age, you may be paid a junior rate. Different rates also apply for apprentices and trainees.

You should be paid on a set day and you must also get a pay slip from your employer within one day of being paid.

Ask your employer which award or agreement applies to your job, so that you can find out how it affects you. You can also call us or chat online with our  [Live Chat](#) adviser.

If an agreement or an award does not apply, laws in Australia will provide basic minimum pay and conditions. Check what you should be getting paid with [PayCheck Plus](#).

N.B.! Everything above (∧) is copied directly from the Fair Work Ombudsman website. Anything below (∨) is personal commonsense advice.

Fair Work Ombudsman 13 13 94 (8am. to 6pm.) – Follow the prompts, be patient, they are there to help you and are very helpful, especially if you have a genuine complaint.

Go to their website www.fairwork.gov.au click on the Employment tab, on the right is the Young Workers tab, click on this to find loads of good information.

Most employers will do the right thing. As keen as you are to get the job, you have rights!

- Everything above is technically correct. In smaller businesses a little flexibility and negation is OK.
- Make sure you clearly understand the hourly rate, penalty rates if any and shift length, especially in fast food chains.
- When should I get paid? Usually a week in arrears. If you're not paid on time, politely follow up and don't let it drag on.
- Be aware, clean-up and lock-up is all part of your shift.
- If working in a hazardous environment (e.g. Fast food - Butcher) check on OH&S standards and training.
- Control your hours, let them know up front what you can do. Two shifts is expected, any more it's OK to say no.
- If asked to sign forms for work-place agreements or Government subsidised schemes, take them to your parents or careers coordinator. If asked to sign up for a Government subsidised scheme or Apprenticeship, ask how many people have successfully completed the program and/or been kept on.
- If taking a full-time job or apprenticeship, make sure you get a letter of offer with all entitlements included.
- Look to add value, especially in big chains who like to lay you off when you turn 17 or 18. Good staff are kept on!
- If you want to leave, give notice and resign formally. You might need a reference, they need to replace you.
- Remember they have given you an opportunity to run part of their business. Always try to do the right thing but equally make sure they are doing the right thing by you.
- N.B. Certificate courses like, Barista, RSA and First Aid offered through school are cheaper and look good on CV's. P.S. – Good luck, have fun, part-time work is great.

NB! – This information is a guide only. Just to give you a heads up, for detailed legally correct and up to date information, always go the Fair Work website or telephone them.

Good luck in your next interview, James E Lynch