

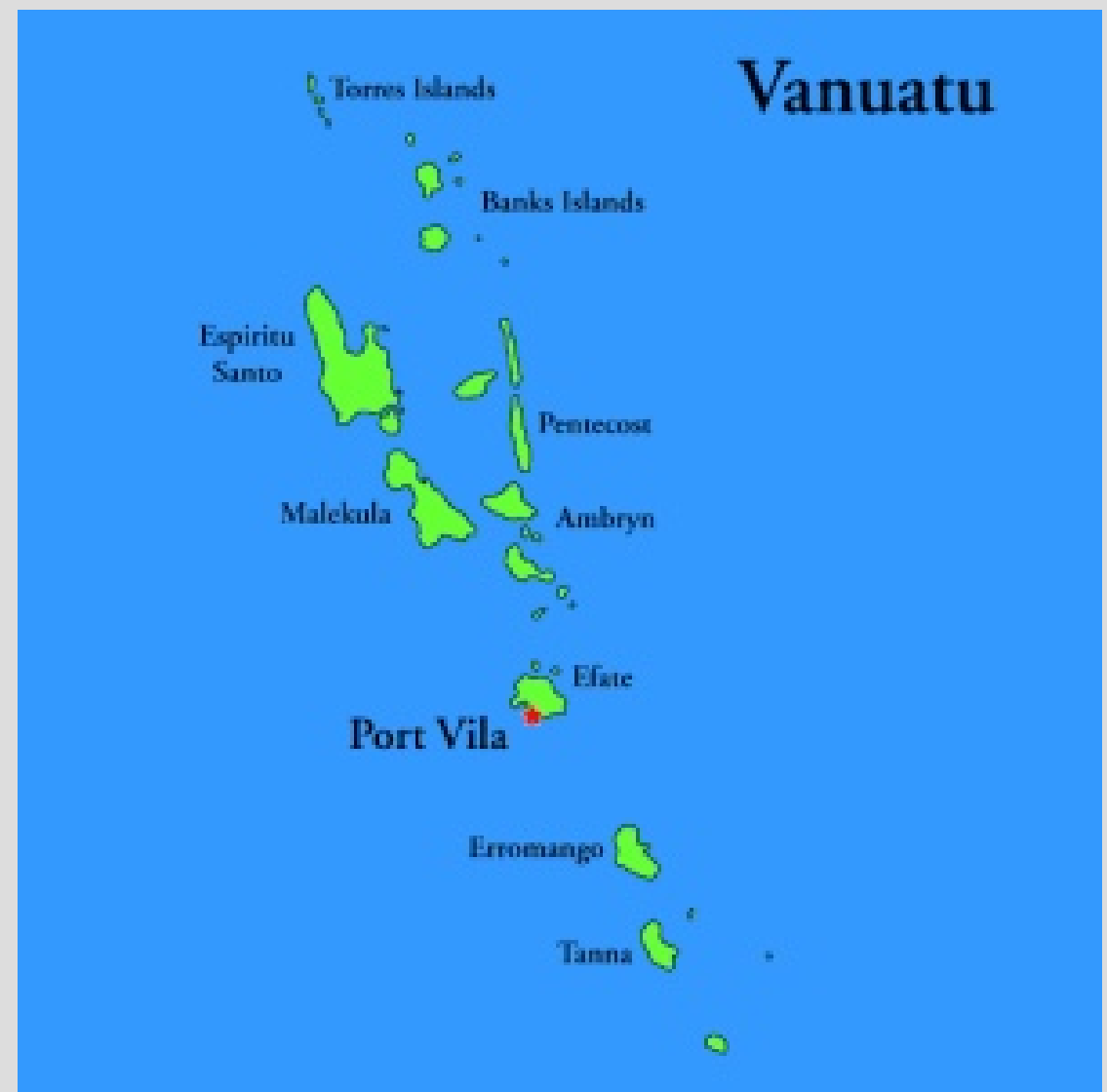
Seasonal Workers

- Rights
- Responsibilities
- Entitlements



Valerie and Jack









a success story



a work in progress



a mountain yet to climb

A Success Story - Superannuation



Employers pay 9.5% of wages
into superannuation



Superannuation is charged 15%
tax on entry and a further 35%
tax on withdrawal



Seasonal workers can claim their
superannuation contributions
once they return home

The system changed

To claim you
complete a six
page online form

Great if you have
access to a
computer, the
internet, electricity

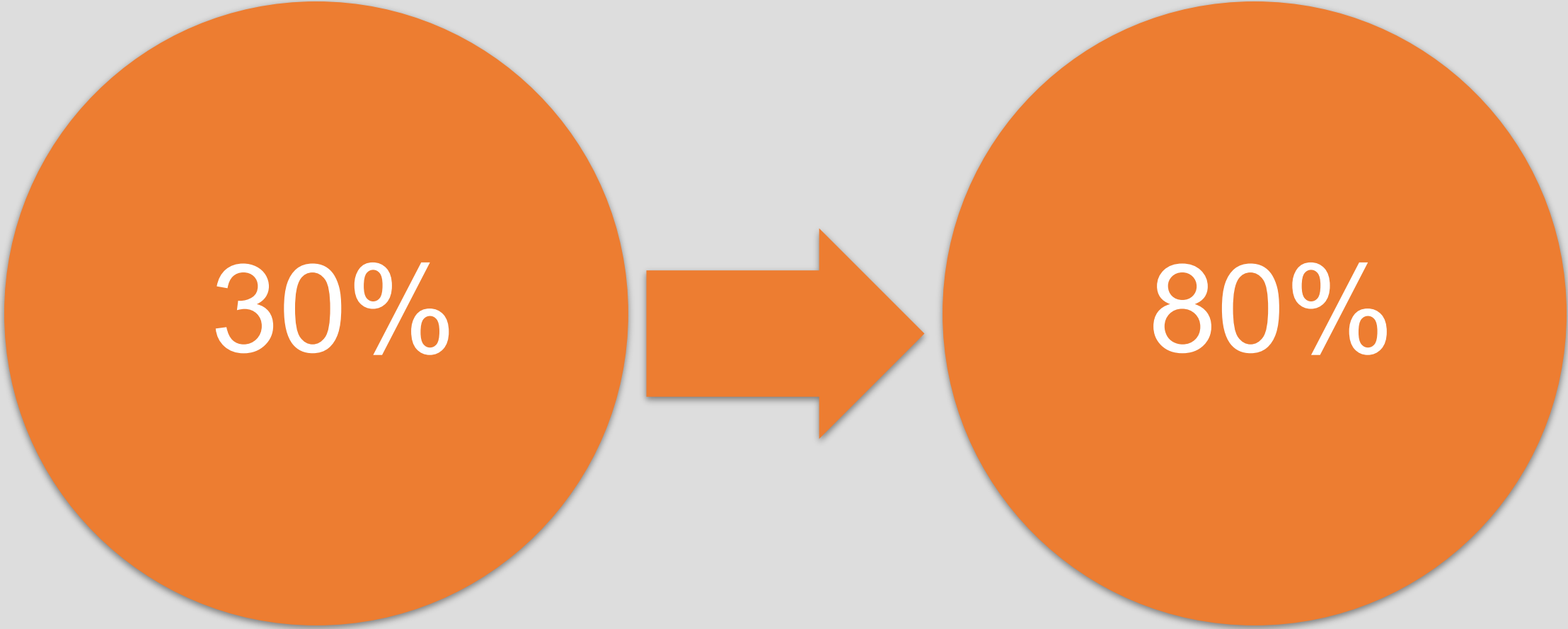
The solution

We merged worker employment records to come up with a one page form that gives each employee the answers to every question in the correct order.



Superannuation information for each worker

Family Name	
First Name	
Middle Names	
Australian Tax File Number	
Date Of Birth	
Assignment	
Home Address	
Phone #	
Email address	
Address in Australia	
Superannuation fund name	
Superannuation fund ABN	
Member account number	
Employer ABN	
Employer name	
Employer Business address	
Period of employment	
Visa dates	
Members BSB and bank account #	



30%

A diagram illustrating a transition or growth. It features two large orange circles on a light gray background. The left circle contains the text '30%' in white. A large orange arrow points from the right side of the left circle to the left side of the right circle. The right circle contains the text '80%' in white.

80%

A work in progress - Payslip Challenges



Worker deductions



Complex pay rates



Layout



Computer software
restrictions

Mxxxxailopa B F FXXXXEE
X Anne St
Mundubbera, QLD 4626

Employee Pay Slip

Payment number:

Pay Period: 28/xx/2019 - 03/xx/2019
Tax Code: 8-No TaxC

Pay Date: 04/xx/2019
Company ID: 41 158 702 xxx

Employee

Maxxxxxxxxxa X X FXXXXXEE, 1 Anne St, Mundabbera, QLD

Employee No.

OPW-1xxx4

4626 Earnings and Hours	Q	ty Rate	YTD Amount		Paid Time Off	YTD Used	Available	Accrued
Current	80.90	6.10	493.49	493.49	Personal	0.00	0.00	0.00
06.50	68.10	6.50	442.65	709.80	Holiday	0.00	0.00	0.00
06.65	41.20	6.65	273.98	273.98	Other 1	0.00	0.00	0.00
07.95		0.00	0.00	155.03	Other 2	0.00	0.00	0.00
09.25		0.00	0.00	265.48	Employer Contributions			
04.70		0.00	0.00	259.44	Current		YTD Amount	
05.55		0.00	0.00	252.53	Sxxsuper (Sxxsuper xxxxxxxxx)		114.96	610.14
06.55		0.00	0.00	217.46	Bank Deposits			
06.80		0.00	0.00	270.64	Account No xxxxxxxx		This Pay	
07.10		0.00	0.00	220.81	655.03			
07.30		0.00	0.00	157.68				
08.50		0.00	0.00	229.50				
03.80		0.00	0.00	222.30				
05.70		0.00	0.00	150.48				
06.20		0.00	0.00	318.68				
07.20		0.00	0.00	231.12				
07.45		0.00	0.00	233.93				
05.35		0.00	0.00	287.30				
06.75		0.00	0.00	234.90				
06.90		0.00	0.00	417.45				
05.50		0.00	0.00	276.65				
05.90		0.00	0.00	251.93				
06.25		0.00	0.00	291.88				
			1,210.12	6,422.46				
Taxes			Current	YTD Amount				
PAYG Tax			-182.00	-963.00				
Adjustments to Net Pay			Current	YTD Amount				
Airfare - SB Mundabbera 2019			-100.00	-500.00				
Cash Advance 2019			-20.00	-100.00				
Medical Insurance 2019			-22.69	-113.45				
Rent 2019			-130.00	-650.00				
Transport 2019			-69.00	-345.00				
Visa Cost 2019			-31.40	-157.00				
First Week - SB Mund 23/xx/19			0.00	-190.02				
TFN xxxxxxxxxxxxxxxx			0.00	-0.01				
			-373.09	-2,055.48				
Net Pay			655.03	3,403.98				



A mountain yet to climb - Worker Contracts



Complex legalese



Size 6 font



Government
mandated



Unable to be altered
by employer



Must be signed by
worker to enter the
country

The job you will do	Crop work
Your main duties	See Job Description at Attachment D
The conditions you will work in	The work you will do is hard and physically demanding. It will involve crop and farm maintenance duties such as picking and packing produce, planting, pruning, weeding, laying irrigation pipe etc. You will be working indoors and need to be fit and in good physical condition.
Hours of Work and Breaks	Your working week will be Monday to Sunday from 5.30 am with sufficient breaks and days off to manage fatigue and to ensure that you are safe at work. Your start and finish times will vary with the season, weather, crop and client requirements. Typically you can expect a 10 minute paid break each morning, an unpaid meal break of 30-60 minutes after 5 hours work and a minimum 10 hour break between finishing work on one day and starting work the next day.
Your job classification	Level 1 Casual employee under the Horticulture Award 2010.

How many hours a week you will work	You will be offered an average of at least 30 hours work per week over your placement. Some weeks you might work less than 30 hours and some weeks more than 30 hours depending on things like weather conditions.
What you will be paid	In your job as a Crop Worker you may be paid either wages at \$24.36 per hour or a piece rate. As a pieceworker you will be paid for how much work you do and not by how many hours you work. By signing this letter you are making a piece work agreement with us. The terms of the agreement are found at Clause 7 on page 10 of this document. It shows the minimum piecework rates of pay for each piece that you pick, pack, prune or make. An 'average competent' worker can expect to earn \$27.28 per hour as a pieceworker under a Piecework Agreement. If you do less work because you are slower, or if you are still learning the skills, your pay will be less.

▪ Minimum rights and entitlements

Workers in Australia are entitled to basic rights and protections at work. If you're in the national workplace relations system, these protections include minimum pay rates and a set of entitlements called the National Employment Standards. You're also likely to be covered by a modern award or enterprise agreement, which may provide you with more entitlements. You might also sign a contract or agreement with your employer. Contracts can set out additional conditions of employment but can't provide less than your minimum entitlements under the National Employment Standards or an applicable award or enterprise agreement.

▪ Minimum pay rates

Your minimum pay rate will usually be set in an award or an enterprise agreement. If there's no modern award or enterprise agreement covering your work, you're still entitled to at least the national minimum wage which, from 1 July 2018, is:

- \$18.93 per hour for full-time and part-time adult employees
- \$23.66 for casual adult employees.

The national minimum wage is reviewed annually. You can find your minimum pay rates by using our Pay Calculator at www.fairwork.gov.au/PACT.

▪ Modern awards

There are 122 industry or occupation awards that cover most people working in Australia. Awards may contain entitlements like minimum wages (pay), penalty rates, types of employment, flexible working arrangements, hours of work, meal and rest breaks, classifications, allowances, annual leave loading, and redundancy. To find out if you're covered by an award, use Find my award at www.fairwork.gov.au/awards.

▪ Enterprise agreements

Enterprise agreements set employment conditions that can apply to a business and their workers or a group of businesses and their workers. Enterprise agreements are negotiated ('bargained') between the employer, their employees and any employee representatives (such as a union or other bargaining representative).

Bargaining for an agreement has to follow set rules. Once approved by the Fair Work Commission, an enterprise agreement is enforceable and provides the terms and conditions of employment that apply at your workplace.

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For information about making, varying, or terminating enterprise agreements visit the Fair Work Commission website at www.fwc.gov.au.

▪ The National Employment Standards (NES)

If the business you work for changes owners or is sold – and you're employed by the new employer within three months of your employment with the old employer ending – some of your entitlements may carry over to the new employer. You can check what you're entitled to at www.fairwork.gov.au/transfer-of-business.

▪ Workplace flexibility

You have the right to request flexible working arrangements under the NES if:

- you're a parent of, or have responsibility for caring for, a child of school age or younger
- you provide personal care, support and assistance to another person who needs it because of a disability, medical condition, mental illness or frailty and age
- you have a disability
- you are 55 or older
- you're experiencing family violence
- you're providing care or support for an immediate family member, or someone you live with, who is experiencing family violence, or
- you're a returning to work after a period of parental or adoption leave and wish to work part-time to care for your child, or the child who you have responsibility caring for.

Your employer can only refuse a request on reasonable business grounds. If they do, they must respond to your request in writing and include details for why they refused your request.

▪ Individual flexibility arrangements

You and your employer can negotiate to change how certain terms in an award or enterprise agreement apply to your situation. An individual flexibility arrangement cannot be a condition of employment – it must be a genuine choice. To find out more see Flexibility in the workplace at www.fairwork.gov.au/flexibility.

▪ Protection from discrimination and other adverse action

You're protected from an employer taking 'adverse action' against you for certain reasons. These protections apply to casual, full-time and part-time employees.

Adverse action can include dismissing you, refusing to employ you, negatively changing your position, or treating you differently for discriminatory reasons. For example, you're protected from adverse action if you make a complaint to an organisation like the Fair Work Ombudsman, or if you take personal leave or request flexible work arrangements, or exercise your right to freedom of association (including becoming or not becoming a member of a union).

You also have the right to be protected from unlawful discrimination because of your race, colour, gender or age; and protection from undue influence or pressure from your employer about entering into an agreement in relation to your employment entitlements.

If you have experienced adverse action, discrimination or undue pressure by your employer you can seek assistance from the Fair Work Ombudsman or the Fair Work Commission. If you have been dismissed, there might be strict timeframes that apply, so make sure you lodge an application with the Fair Work Commission *within 21 days of the date of your dismissal*. See the Fair Work Commission website at www.fwc.gov.au for more information.

Safety
warnings

Culture

Laws

Banking

Driving

Medical

Smoking

