



Employment Law 2020



Springvale Monash Legal Service

Supported by the City of Greater Dandenong



Contents

1. Your rights at work
2. Rights of employees
3. Are you working as an employee or a contractor?

1 Your rights at work

What can you talk about at your job

Can I lose my job by asking questions about my wages?

You should never lose your job for asking about wages, superannuation and hours.

People at work treat me badly because of my religion. Should I just quit my job?

You should not be treated badly because of your religion, race, gender or disability.

Will I lose my job if I tell my boss about something dangerous at work?

You should not lose your job for making a complaint about something at work.

What should I do if this happens to me?

There are strict time limits for getting help if something like this has happened to you. Get help from a Community Legal Centre, or the Fair Work Commission as soon as you can.

2 Rights of employees

You don't want to be taken advantage of!

Why should I know about my rights at work?

You don't want to be taken advantage of!

What is minimum wage?

The lowest amount you are allowed to be paid for working in Australia. You should not be paid less than the minimum wage \$19.49/hour.

Sometimes I have to work more than my set hours. Should I get paid for these extra hours?

Yes! You should be paid an overtime wage. If you are paid your normal rate you should also collect leave.

What is superannuation and how do I get it?

'Super' is money that your workplace puts in a 'superfund' each time you get paid. You can get the money when you have retired from work. Everyone should be paid super.

3 Are you working as an employee or a contractor?

Am I a contractor?

Yes, if you have an ABN, you use your own tools and equipment, choose your own hours, and pay your own taxes.

What if I am forced to get an ABN?

Be careful, as this is sometimes done to avoid paying you properly, or protecting you when you are hurt at work. You should get help if you are not sure.

I always find work on Gumtree or Facebook as a painter or tiler. But one time the guy did not pay me.

Before you start the job, get the person's name, work address, email and phone number. Also get them to record (like a text) how much you will be paid and when you will be paid.

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