

Being IR Fit in 2018

NSW Industrial Relations



Session Overview

More Knowledge and Understanding

- Being Fit with Wages, Records and Payslips
- Being Fit for Public Holidays
- Being Fit in Workplace Policies
- Moving forward with a Plan
- Where to go for additional Help and Support

Being Fit with Wages, Records and Payslips

Employment Records

Employers are required to make and keep records

- In a form that is readily accessible to appropriately authorised persons
- Legible form and in English
- Be kept for **seven years** and not be altered unless **correcting** an error
- Not be false or misleading
- Must be made available to **current and former** employees on request

Employee Record

Personal information relating to the employment of the employee

- Engagement, training, disciplining or resignation
- Termination of the employment
- Terms and conditions of employment
- Personal and emergency contact details
- Performance or conduct
- Hours of employment
- Salary or wages
- Membership of a professional or trade association
- Trade union membership
- Recreation, long service, sick, personal, maternity, paternity or other leave
- Taxation, banking or superannuation affairs

Records

What you need to keep and how you need to keep them

Hours of Work Records

- Record of hours worked by employee *if casual or irregular part-time*
- Record of overtime hours worked or when employee started and finished overtime
- Any agreement to average hours

Pay Records

- Rate of pay paid to the employee
- Gross and net amounts and any deductions from the gross amount
- Details of any incentive based payment, bonus, loading, penalty rate, or other monetary allowance or separately identifiable entitlement paid

Records

What you need to keep and how you need to keep them

Leave Records

- Leave taken and balance remaining
- Any agreement to cash out leave
see Modern Award

Termination Records

- Was termination by consent, by notice, summarily or other
- Name of the person who initiated termination

Superannuation Contribution Records amount of contributions made and the dates and The period over which the contributions were made and the name of the fund

Pay Slips S536 & Regs

To be issued within one working day of pay day and is to include

- Employer's name *legal entity* and employee's name including ABN
- Date of payment including Pay period e.g. 22/1/18 to 28/1/18
- If paid an hourly rate – the number of hours, hourly rate of pay and the amount at that rate
- If paid an annual rate – the rate to which the payment relates
- Superannuation contributions – amount and fund
- Any deductions including name and/or number, fund or account
- All components of pay – e.g. loadings, allowances, bonuses, incentive-based payments, penalty rates
- Gross and net amount of pay

Permitted Deductions

Employee's wage deductions must be reasonable, and authorised

- In writing by the employee and principally for **their benefit**, or
- By an EA, MA, or FWC order, or
- Under a law or by a court order
- Any deductions to be shown on payslip

How do you get Records Fit in 2018

Get Fit in 2018

What's Your Plan

- **G**et started with checking your current records are complete and up to date; which may be used as evidence in matters of dispute
- **E**xamine a sample of your payslips for accuracy on a regular basis
- **T**imesheets should have starting and ceasing times including breaks and be true and correct
- **F**airwork.gov.au have templates that help manage record-keeping obligations
- **I**dentifying payroll mistakes early and if showing leave accruals on payslips ensure amounts are correct
- **T**aking the time to adopt best practice helps avoid fines for doing the wrong thing

Being Fit in Public Holidays in 2018

NSW Public Holiday

Public Holidays Act 2010

- Holidays for NSW under the *Public Holidays Act 2010*
- Employees have a right to be absent from work on a day or part day that is a public holiday
- Australia Day (26 January) falls on a Saturday or Sunday, there will be no public holiday on that day as the following Monday will be declared a public holiday
- Holiday Act provides for an extra public holiday to be added when New Year's Day, Christmas Day or Boxing Day falls on a weekend

NSW Public Holiday

Public Holidays Act 2010

PUBLIC HOLIDAYS	2018
New Year's Day	Monday, 1 January
Australia Day	Friday, 26 January
Good Friday	Friday, 30 March
Easter Saturday - the Saturday following Good Friday	Saturday, 31 March
Easter Sunday	Sunday, 1 April
Easter Monday	Monday, 2 April
Anzac Day	Wednesday, 25 April
Queen's Birthday	Monday, 11 June
Bank Holiday	Monday, 6 August
Labour Day	Monday, 1 October
Christmas Day public holiday	Tuesday, 25 December
Boxing Day	Wednesday, 26 December

NSW Public Holiday

2017 Local Public Holidays in NSW

- Local public holidays declared after 31 December 2011 are now made under the Public Holidays Act by ministerial order and published on the NSW legislation website
- Includes Walcha Cup, Kangaroo Valley Show, Armidale Cup, Albury Gold Cup, Maclean Show, Scone Cup, Yeoval Show, Nyngan Show, Coonamble Annual Show, Ramornie Race Day, Grafton Cup Day, Coffs Harbour Gold Cup, Trundle Show, Peak Hill Show, Parkes Show, West Wyalong Show, Lismore Cup Day, Jacaranda Thursday and Muswellbrook Cup
- Refer to our website for more details and for all local public holidays www.industrialrelations.nsw.gov.au

NSW Public Holiday

2017 Local Event Days in NSW

- At the request of the council of a local government area the Minister can declare a specified day or part-day to be a local event day in the local government area or in a specified part of the local government area
- Local event day must be published on the NSW legislation website at least 7 days before the local event day, usually a day of special significance to the community in the area concerned
- Declaration of a local event day **does not make the local event day a public holiday**
- Refer to our website for a list of local event days www.industrialrelations.nsw.gov.au

How Do You Get Public Holiday Fit in 2018

Get Fit in 2018

What's Your Plan

- **G**et to know what public holiday's may effect your business normal working days
- **E**nsure you have a leave calendar or a staff log of available staff
- **T**rain and educate your management team on public holidays
- **F**ind out what are the IR implications of staff working on a Public Holiday i.e. loading or penalty
- **I**mplementing a standard practice, that remind employees of business expectations around Public Holidays
- **T**ake time to understanding what additional staffing needs maybe required

Being Fit In Workplace Policies

Workplace Policies

What is a Policy?

- A statement of purpose
- A means for employees to identify acceptable and unacceptable behaviours
- A policy communicates organisational values and expectations of behaviours
- Creates a positive culture

Why have Policies?

Importance of Simplicity

- Meet legislative requirements
- Establish guidelines on key aspects of people management
- Ensure Human Resource issues are dealt with fairly & consistently
- Clarify expectations and requirements
- Risk Management of providing protection in disputes and protecting interests of the business

Workplace Policies

Types of Workplace Policies

- Code of Conduct
- Disciplinary, Termination
- Workplace Bullying and Harassment
- Confidentiality and Intellectual Property
- Alcohol and Other Drugs
- Leave Policy
- Flexible Work Practices
- Use of Employer Equipment and Resources
- Internet, Email, Social Networking
- Company Functions and Events

How Do You Get Policy Fit in 2018

Get Fit in 2018

What's Your Plan

- **G**et started with reviewing your current policies
- **E**xamine your policies, are they accessible, clear, easy to read and understand
- **T**rain and educate your management and staff on policies during meetings to refresh their knowledge and awareness
- **F**ollow websites and keep up to date with workplace information, IR and HR sites
- **I**dentifying any areas where your policies need updating or new ones are required
- **T**aking the time consult with key stakeholders to ensure your policies reflect your culture and values

Moving Forward

Get Fit in 2018

What's Your Plan

- **P**lease don't make drastic changes, consult and work together with your management and teams to achieve your purpose
 - **L**ist FACT and FICTION, suggest you do some further research on any new ideas
 - **A**ction is always better than inaction, actions produce energy and momentum
 - **N**eed more information, join us at our FREE workshops on March details on our website www.industrialrelations.nsw.gov.au
- ✓ *Let us know about your success in “GET IR FIT for 2018”*

Where to go for Industrial Relations Info

Where Can You Catch Us Next

Workshops Details

DATE	DAY	WORKSHOP	TIME	LOCATION
5/03/2018	Monday	Paying Employees in NSW	9:30 - 12:00	52MP
6/03/2018	Tuesday	Long Service Leave	1:00 - 3:00	Ramsgate
6/03/2018	Tuesday	Paying Employees in NSW	9:30 - 12:00	Ramsgate
7/03/2018	Wednesday	Long Service Leave	1:00 - 3:00	Wollongong
7/03/2018	Wednesday	Long Service Leave	1:00 - 3:00	Woy Woy
7/03/2018	Wednesday	Long Service Leave	9:30 - 12:00	Castle Hill
7/03/2018	Wednesday	Paying Employees in NSW	9:30 - 12:00	Wollongong
7/03/2018	Wednesday	Paying Employees in NSW	9:30 - 12:00	Woy Woy
13/03/2018	Tuesday	Long Service Leave	1:00 - 3:00	Shellharbour
13/03/2018	Tuesday	Paying Employees in NSW	9:30 - 12:00	Shellharbour
14/03/2018	Wednesday	Long Service Leave	1:00 - 3:00	Bateman's Bay
14/03/2018	Wednesday	Long Service Leave	1:00 - 3:00	The Entrance
14/03/2018	Wednesday	Long Service Leave	9:30 - 12:00	Burwood
14/03/2018	Wednesday	Paying Employees in NSW	9:30 - 12:00	Bateman's Bay
14/03/2018	Wednesday	Paying Employees in NSW	9:30 - 12:00	The Entrance
15/03/2018	Thursday	Parental Leave	1:00 - 3:00	Maitland
15/03/2018	Thursday	Rights and Responsibilities for Employers in NSW	9:30 - 12:00	Maitland

Our Team

NSW Industrial Relations



David Madden - NSW Industrial Relations Adviser
Central coast, Hunter, Central, Northern and Northwest NSW
David.Madden@industrialrelations.nsw.gov.au



Chemele Burge - NSW Industrial Relations Adviser
Sydney Metropolitan NSW
Chemele.Burge@industrialrelations.nsw.gov.au



Deborah Shea - NSW Industrial Relations Adviser
Wollongong, Southern, Central and Southwest NSW
Deborah.Shea@industrialrelations.nsw.gov.au



Toni Minovski- Manager Proactive Compliance
Toni.Minovski@industrialrelations.nsw.gov.au

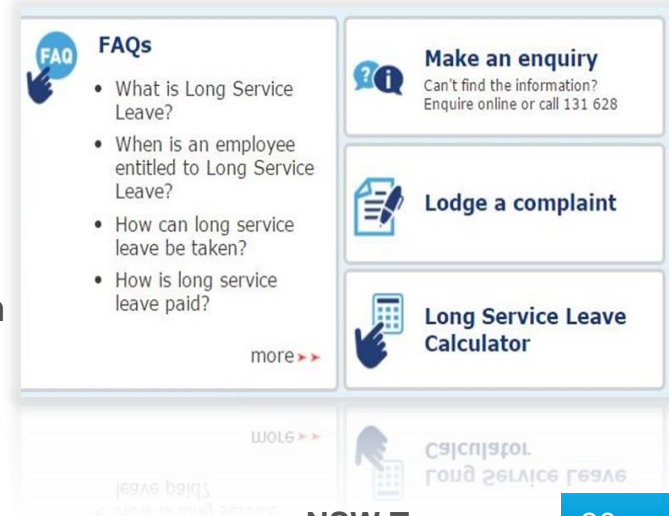
Our Website

NSW Industrial Relations - 13 16 28



- Call us on 13 16 28
- FAQ's assisting with answers
- Easy way to lodge a complaint by using our online application form
- Long Service Leave calculator for getting to the right summation

www.industrialrelations.nsw.gov.au



Our Customer Service and Education

Proactive Compliance Team



Workshop Program FREE face to face sessions in Metro and Country locations including

- Rights and Responsibilities for Employers in NSW
- Paying Employees in NSW
- Long Service Leave
- Parental Leave



Live and recorded webinars

- Each month 3 sessions are provided at different times to suit
- Recorded webinars are available for training and support
- Many topics on-line now ready to assist

Useful Contacts

Details

Fair Work Ombudsman - 13 13 94

- Fact Sheets, templates, pay tools and other resources for employers

www.fairwork.gov.au

Fair Work Commission

- Modern Awards, Fair Work Act 2009, Enterprise Agreements & Unfair Dismissals

www.fwc.gov.au

Long Service Corporation - 131 441

- Portable Long Service Leave scheme for the Building and Construction industry and the Contract Cleaning Industry

SafeWork NSW – 131 050

www.safework.nsw.gov.au

Anti Discrimination Board of NSW - (02) 9268 5544

www.antidiscrimination.justice.nsw.gov.au