Working in Australia - What you need to know

Australia has workplace laws that protect you

Knowing about Australia's workplace laws is important, and they may be different to those you’re used to.

The Fair Work system covers the majority of workplaces in Australia. It includes laws about the pay and conditions you are entitled to receive, and how you should expect to be treated at work.

The Fair Work Ombudsman is an Australian Government agency that can help you understand Australia’s workplace laws.

How Fair Work laws protect you

All people working in Australia have basic entitlements. These include the right to minimum pay and conditions of employment – regardless of how long you're staying in Australia.

Awards
Most jobs in the Fair Work system are protected by a Modern Award. These are legal documents that set out:

- what your employer must provide for you
- your responsibilities as a worker.

There are different types of awards for different industries and occupations.

Agreements
You may work under an industrial agreement (usually an enterprise agreement) instead of an award.

Agreements set out your entitlements and responsibilities as a worker, and only apply to the place where you work.

Unlike awards, enterprise agreements are negotiated between an employer and their workers.

Checking your entitlements
Ask your employer which award or agreement applies to your job so you can find out how it affects you.

If an agreement or an award does not apply, Fair Work laws will provide basic minimum pay, conditions and protections.
**National Employment Standards**

Under the Fair Work system, you’re also protected by the National Employment Standards (NES). These are a set of basic minimum entitlements that all workers receive.

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**Fair Work Information Statement**

When you start a job your employer must give you a copy of the Fair Work Information Statement (FWIS). This will explain to you in detail more about your rights under Australia’s Fair Work laws.

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**There are laws about how much you get paid**

Cheong recently started a new job. His boss pays him in cash but the amount varies each week. He is unsure how much his pay should be and has not been told his hourly rate of pay. He asks his boss if the way he is paid is ok, and is told this is how it is done at his workplace. Cheong’s friend doesn’t think this is ok, and suggests checking [www.fairwork.gov.au](http://www.fairwork.gov.au).

When Cheong looks on the website he finds out his boss should give him a pay slip within one day of paying him. He also learns what information needs to be on his pay slip, including his hourly pay rate.

Svetlana’s boss asks her to work extra hours when a coworker becomes sick. Svetlana is pleased to earn the extra money so agrees to work some longer shifts, including late nights. Before pay day Svetlana’s boss asks if she can give Svetlana goods that the company makes, instead of money, for the extra hours worked. Svetlana does not think this is fair so she calls the **Fair Work Infoline 13 13 49** to check. The Fair Work Adviser confirms she should be paid money, and not in goods or services. The Adviser also says Svetlana might be entitled to additional money (a penalty rate) for working late at night.

Rana has just started her first job. She’s expected to arrive at work thirty minutes before her shift to set-up for the day. Rana’s husband thinks her hourly rate is too low and it’s unfair she’s not paid for set-up. He wants her to talk to her boss about it, but Rana doesn’t want to because she’s worried she’ll lose her job. Rana knows she can call the Fair Work Ombudsman for advice. She does not speak English well, so she phones the Translating and Interpreting Service 13 14 50 for help with her call. By contacting the Fair Work Ombudsman Rana finds out that she’s being paid less than Australia’s legal minimum wage, and that she should be paid for the set-up time at work.

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**The Fair Work Ombudsman can help you**

Contact us to find out about your rights in the workplace.

We can advise on pay and conditions, investigate workplace complaints, and make employers comply with the law.
If you have questions about your job, or an issue arises at work, you can speak with your employer. It might be something simple that’s easy to fix. If your employer cannot help, or you need more information, you can contact the Fair Work Ombudsman. Our services are free to all people and we can answer your questions confidentially.

Find out more

Visit www.fairwork.gov.au to:
• download information in your language
• check your rate of pay
• read about your workplace rights and entitlements

Call the Fair Work Infoline 13 13 94.

Language assistance
If you do not speak English well phone the Translating and Interpreting Service (TIS) on 13 14 50 for help with your call.

Hearing and speech assistance
TTY (teletypewriter) phone 1800 555 677 and ask for 13 13 94.
Speak and Listen phone 1800 555 727 and ask for 13 13 94.

The Fair Work Ombudsman is committed to providing you with advice that you can rely on.

The information contained in this fact sheet is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or a workplace relations professional.

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