

## A guide to starting a new job

Starting a new job can be exciting. It can also be a bit scary if you're not sure what you need to do. Every workplace is different, but there are some rights and responsibilities that apply to all employees and bosses.

You should know your rights and responsibilities before you start work to help you enjoy your new job. This guide tells you what you need to know and where you can get more information.



## About our artwork: **Stepping forward**

Stepping forward represents taking the next step on the journey towards reconciliation and the potential possibilities when everyone is included.

Connecting with diverse people, meeting, listening and sharing together, can build respect and trust. Working in concert for a common purpose and united in the mission to make meaningful change.

It serves as a reminder of the dynamism and vibrancy of First Nations people and the lands from which they come, making the emergence of new ideas and ways of being possible that enables the envisioning of a brighter future.

Artist: **Timothy Buckley**

# Your rights and entitlements

Before starting a new job make sure you know the answers to these important questions.



## What is the Fair Work System?

The Fair Work system covers most Australian workplaces. The Fair Work system is the name used for the minimum employment laws and agency bodies that were created by the Fair Work Act. It is the national workplace relations system.

The Fair Work system is a safety net of entitlements. It includes awards, the National Employment Standards (NES) and the National Minimum Wage.



## What are the National Employment Standards?

The NES are rules about minimum entitlements for your job. All employees in Australia get the NES.

The NES include rules about:

- ▶ parental leave and related entitlements
- ▶ annual leave
- ▶ sick leave
- ▶ public holidays
- ▶ notice of termination and redundancy pay
- ▶ superannuation contributions
- ▶ compassionate leave
- ▶ family and domestic violence leave.



## Find out more

For the full list of NES and more information about them go to [fairwork.gov.au/nas](https://www.fairwork.gov.au/nas).

## Are there other rules for my job?

Other rules about minimum pay and conditions for your new job might be written in an enterprise agreement. For information on agreements or to search for the agreement that applies in your workplace, visit the Fair Work Commission at [fwc.gov.au/agreements](http://fwc.gov.au/agreements).

If there's no enterprise agreement, there might be an award which sets out the other rules for your new job. Your award depends on things like what industry your workplace is in and what sort of work you do. To find the award that applies to your new job go to [fairwork.gov.au/awards](http://fairwork.gov.au/awards).

Enterprise agreements and awards are legal documents. They have to be followed. You can ask your boss if there is an enterprise agreement or award for your job.

If your new job doesn't have an enterprise agreement or an award you still get the NES and National Minimum Wage.

You can also make rules with your boss about other conditions for your new job – this is called an employment contract and can be made in writing or by talking with your boss.

An employment contract cannot give you less than the rules set out in the NES, your enterprise agreement or your award.

You have the right to talk about (or not talk about) your current or past pay. You can choose to talk about the terms and conditions of your employment that would be needed to work out your pay, for example your hours of work. You can ask other employees the same questions but they don't have to share this information with you if they don't want to.

For more information about these rights, including when these rights started applying and who they apply to, see Prohibiting pay secrecy at [fairwork.gov.au/pay-secrecy](http://fairwork.gov.au/pay-secrecy).

Your new workplace might also have policies with rules or information about your new job.

## Am I full-time, part-time or casual?

You might get different entitlements depending on your type of employment.

You should ask your boss whether your job is full-time, part-time or casual before you start work.

You should also check whether you're a fixed term employee, a junior employee, apprentice or trainee.

Employment type	About
Full-time	Work 38 hours plus extra hours that are fair.
Part-time	Work less than 38 hours and usually agree with their boss about their regular work hours.
Casual	No guaranteed work, but given extra pay instead.
Fixed term	Hired to work for a set period of time or a season. For example, a fixed term employee may be asked to work on a 12-month project.
Junior employee	Under 21 years of age. Can be full-time, part-time or casual.
Apprentice	Study for a trade qualification, for example as a carpenter, chef or hairdresser. Are generally full-time or part-time.
Trainee	Study for a certificate qualification to work in a particular industry or occupation, for example office work, childcare or information technology. Can be full-time or part-time.

For more information on the different job types and your rights go to [fairwork.gov.au/employee-types](http://fairwork.gov.au/employee-types).



## What should I be paid?

Your pay is not based on how your boss values your work. You must be paid at least the minimum wages in your enterprise agreement, award or contract of employment. If you're not covered by an enterprise agreement or an award, you have to get at least the National Minimum Wage.

These pay rates will depend on your:

- ▶ duties (what you do at work)
- ▶ age
- ▶ experience
- ▶ qualifications.

Remember, an employment contract can't give you less than the National Minimum Wage, NES, your enterprise agreement or your award.

Your wages must be paid by cash, cheque or into your bank account at least monthly. Your award or agreement might have rules about how you have to be paid.



## How can I check I am being paid the right amount?

A good way to do this is to check your pay slip and see if it matches the minimum wage in your enterprise agreement, award, contract of employment or the National Minimum Wage. Remember that tax may have to be taken out.

Minimum pay rates are updated every year, so you need to check them regularly. We suggest checking your pay when you first start a new job, and in July every year after. If you're a junior employee, your pay might also go up on your birthday.

If online options are not available to you, you can **call 13 13 94** to talk to an Infoline adviser.



## Tip to remember

You shouldn't rely on your boss to know how much you should be paid, or to pay you the right amount. It is important to check this for yourself.

If you're covered by an award, you can use our Pay calculator to check the pay rates, penalties and allowances for your job at [fairwork.gov.au/pact](https://www.fairwork.gov.au/pact).





## Do I get leave from my job?

Employees can take leave for lots of reasons, including going on a holiday, because they are sick, for Sorry Business (compassionate leave) or to do something to deal with family and domestic violence.

All employees (including casual employees) are entitled to compassionate leave. Full-time and part-time employees get paid compassionate leave and casual employees get unpaid compassionate leave. The law says that your boss must let you take 2 days of compassionate leave when:

- ▶ someone in your immediate family or household dies or suffers a life-threatening illness or injury
- ▶ a child who would have been part of your immediate family or household is stillborn
- ▶ you have a miscarriage, or your current spouse or de facto partner has a miscarriage.

All employees (including casual employees) are entitled to 10 days of paid family and domestic violence leave each year.

Your leave entitlements are different depending on whether you are full-time, part-time or casual.

	Casual	Part-time	Full-time
Paid annual leave	✗	✓	✓
Paid sick and carer's leave	✗	✓	✓
Paid compassionate leave	✗	✓	✓
Unpaid carer's leave	✓	✓	✓
Unpaid compassionate leave	✓	✗	✗
Paid family and domestic violence leave	✓	✓	✓

Rules about leave for all employees are in the NES, including things like telling your boss how long you want off work and what evidence you need to give your boss to take leave.

Your award, enterprise agreement, employment contract or a workplace policy might have rules about leave but they can't be less than what is in the NES.

Go to our Leave page at [fairwork.gov.au/leave](https://www.fairwork.gov.au/leave) for more information about different types of leave. Use our Leave Calculator to work out how much leave you have at [fairwork.gov.au/leavecalculator](https://www.fairwork.gov.au/leavecalculator).



### Tip to remember

It's a good idea to keep your own diary to record:

- ▶ the dates you work
- ▶ the times you start and finish work
- ▶ your break times
- ▶ the name of your supervisor on each shift
- ▶ any leave you take.

## Do I have to complete a probation (trial) period?

Some bosses will put new employees on a probation (or trial) period when they start work, to make sure they're right for the job. If you're on probation you still need to be paid the correct minimum wage and get your entitlements. This includes any notice of termination if your boss decides to end your job.

For more information on your workplace rights check out our other resources for First Nations people at [fairwork.gov.au/first-nations-people](https://www.fairwork.gov.au/first-nations-people).

## What is discrimination?

**Discrimination in the workplace is illegal.**

Discrimination can happen when, for example, your boss ends your job, changes your job in a bad way, or punishes you because of things like your race, religion, gender, gender identity, sexuality, intersex status, age, physical or mental disability, pregnancy, breastfeeding, family or carer's responsibilities, or because you are (or have been) experiencing family and domestic violence.

If you think you are being discriminated against in your new workplace, you can find help at [fairwork.gov.au/discrimination](https://www.fairwork.gov.au/discrimination).

## What paperwork should I get?

You should get a pay slip from your boss no later than one working day after pay day. Your boss should also be keeping records about your job. This includes details about your pay, hours of work and leave entitlements, and some types of agreements that you've made.

## What about tax and super?

In most cases, your boss should take out tax from your wages. Paying 'cash in hand' without taking out tax is illegal.

In most cases your boss must also pay super for you. Super is paid on top of your minimum wage.

To check whether you are getting paid super, you should check your pay slip (your boss must put the super amount and the name of your super fund on your pay slips\*). Find out more about tax and super, including payment for employees under 18, at the Australian Taxation Office (ATO) website at [ato.gov.au](https://www.ato.gov.au).

\*Exemptions may apply if you're a new employee and your boss doesn't have your fund details yet.

## Your responsibilities

As an employee there are rules you need to follow and things you should and shouldn't do. Your work will be helping your boss to run their business so you should make sure that you're working as best you can.

You should do all the duties of your new job and let your boss know if there is anything in the workplace that worries you. If you find it hard to talk to your boss, you can complete our Difficult Conversations in the Workplace – employee course at [fairwork.gov.au/learning](https://www.fairwork.gov.au/learning).

## Tip to remember

Make sure you know all of your rights and entitlements, including your entitlements to the correct amount of pay, leave and super.

# Some things to think about on your first day

Don't be afraid to ask any questions you might have before starting.

## Do I know where to go?

Where you were interviewed might not be where you'll be working so check where you need to go on your first day.

## Do I know who my supervisor will be?

Make sure you know who you need to talk to when you arrive on your first day.

## Do I know my hours of work?

Make sure you know when you need to arrive on the first day and what hours you'll work.

## How will I get to and from work?

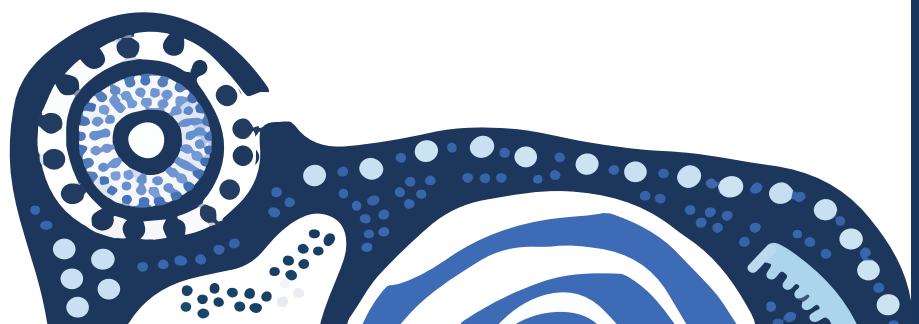
In some jobs your boss will provide you with transport to and from work; otherwise you should work out how you'll get to and from work and how long it will take.

## What should I wear?

Ask your boss what you should wear. If the business has a uniform you should pick it up in time for your first day and make sure you wear it.

## What facilities will be at my workplace?

Find out if the business has a kitchen or meals area and what shops are available for you to buy food.







## Tahlia's new job

Tahlia is starting her new part-time job as a waiter in a local restaurant next week. Tahlia's boss Janet called her today to talk about her first day. During this phone call, Tahlia was told what her duties will be, what time she needs to start work on her first day and her roster for the first week.

Janet also said that rules for Tahlia's job are in the Restaurant Industry Award, which states things like how much she will be paid, when she gets breaks, and how much extra pay she will get if she works on a weekend. Janet also tells Tahlia that she should call her if she has any more questions about the job. Tahlia feels happy about starting her new job.



## Tip to remember

Knowing everything you need to before you start work will help make your first days and weeks easier.



## Sorting out problems at work

The best way to fix a problem at work is to talk with your boss as soon as you can. Your boss might not know that there is a problem and sorting it out quickly means both of you can get on with the job.

Some people avoid talking about problems because it makes them feel shame or discomfort, but most problems at work won't go away by themselves.

It might be hard, but talking about problems when they come up will help you to keep a good relationship with your boss and stop the problem from getting worse.

Our Online learning centre has a free online course to prepare you for a difficult talk with your boss. The course will show you how to yarn to your boss about getting the right pay, taking leave for things like Sorry Business and changing your hours at work. Complete our Difficult conversations in the workplace – employee course at [fairwork.gov.au/learning](https://www.fairwork.gov.au/learning).





## Laurie needs time off

Laurie works full-time and needs to ask his boss Lucinda for a few hours off one day each week so he can take his elderly aunt to the doctors for a regular check-up. Laurie tells Lucinda that he wants to make a time to talk about something important and private to him.

Lucinda checks her diary and tells Laurie that she can meet at 2pm that day. At their meeting Laurie tells Lucinda that he is very close to his aunt and that it means a lot to him to be able to support her. He offers to start work a bit earlier on a couple of other days to make up for the time that he is with his aunt.

Lucinda is happy that Laurie has also thought about the needs of the business and agrees to his plan. Lucinda organises another meeting with Laurie in a few weeks' time to talk about how the plan is going.



## Be MoneySmart

Now that you're earning money you want to be smart about what you do with it.

The Australian Securities and Investments Commission (ASIC) have free Be MoneySmart online training modules to help young employees, including apprentices and VET school students, manage their money. The training is available at [moneysmart.gov.au/teaching-resources](https://moneysmart.gov.au/teaching-resources).

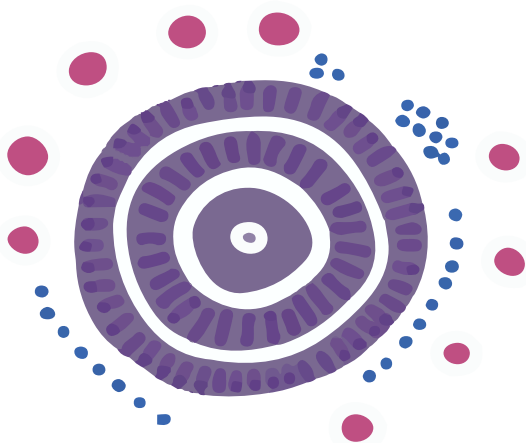


## Getting the most out of your new job

Starting a new job can be new and exciting. To enjoy and be good at your new job you can:

- ▶ yarn to your boss about how you are going with your duties
- ▶ build your skills by learning on the job or doing training
- ▶ be positive, do team work and help other employees where you can
- ▶ work on your own when you need to think about how to solve problems
- ▶ communicate clearly.

You can get better at some of these skills by doing our Starting a new job online course at [fairwork.gov.au/learning](https://fairwork.gov.au/learning).



## Tip to remember

Developing new skills in communicating, problem solving or working in a team will help you enjoy your job and will ensure you are a valued employee.

# What you need to know when starting a new job

This list of questions will help you make sure you have all the information you need when you are starting a new job. If you're not sure of the answer, speak to your new boss or contact the Fair Work Infoline on 13 13 94.

## First day

Do you know:

- Where you need to go on your first day?
- What time you start on your first day?
- Who you need to talk to when you get to work on your first day?

## Paperwork

Have you signed and completed all the paperwork you need to give your boss? This might include:

- Letter of offer/employment contract
- Tax File Number declaration form
- Superannuation choice form

The Australian Taxation Office can provide you with more information about tax and super.

What information do you need to take on your first day? This could include:

- Bank account details
- Tax File Number
- Licences (eg. driver's licence)
- Passport and visa (if you're visiting and working in Australia)
- Proof of age (if you're under 21)
- Qualifications and/or school records
- Apprenticeship or traineeship papers
- Emergency contact details

## Uniform

Do you have to wear a uniform for work?

- Yes, my boss will give me one
- Yes, I need to buy a uniform
- No, but I know what I should wear to work

## Tools

- Do you need tools for work?
- Yes, my boss has given me/will give me tools
- Yes, I need to buy/bring my own tools
- No, I don't need tools

## Award/agreement

- Do you know your award/agreement?
- Yes, my award/agreement is:  
\_\_\_\_\_
- No, I am award/agreement free

## Employment type

Are you:

- Full-time
- Part-time
- Casual

Are you:

- Ongoing (permanent)
- Fixed term (only for a while)

Are you:

- A junior
- An apprentice/trainee

## Probation

Do you have to complete a probation (trial) period?

- Yes, my probation period is from \_\_\_\_\_ to \_\_\_\_\_
- No, I don't have a probation period

## Duties

Do you know what your main duties will be?

- Yes
- No, I need to talk to my boss about this

## Pay

- My hourly/weekly rate of pay is \$ \_\_\_\_\_

I know if/when I am entitled to extra pay like:

- Overtime pay
- Penalty rates
- Allowances

How you will be paid?

- Direct deposit/EFT
- Cheque
- Cash

How often will you be paid?

- Weekly
- Fortnightly
- Monthly

How will you be given your pay slip? For example:

- In person
- Email or online portal
- By post

## Hours and shifts

What are the minimum (lowest) hours you will work each week?

\_\_\_\_\_ hours per week

Do you know what your roster will be (what hours and shifts you will work)?

- Yes
- No, I need to talk to my boss about this

## Meal and rest breaks

- What meal and rest breaks are you entitled to?

## Information statements

Have you received a Fair Work Information Statement from your boss?

- Yes
- No, I need to talk to my boss about this

If you're casual, have you received a Casual Employment Information Statement from your boss?

- Yes
- No, I need to talk to my boss about this
- I'm not casual so this doesn't apply to me

If you're working on a fixed term contract, have you also received a Fixed Term Contract Information Statement from your boss?

- Yes
- No, I need to talk to my boss about this
- I'm not on a fixed term contract so this doesn't apply to me

## Leave

Do you know what leave you can take?  
Check those that apply to you:

- Annual leave
- Sick/carer's leave
- Compassionate leave (time off for Sorry Business)
- Family and domestic violence leave
- Community service leave

## Other things to find out on your first day at work

- Where should I store my personal items?
- What do I do if there is an emergency?
- What are the rules about making personal calls, using social media or having visitors at work?
- Who should I contact if I'm sick or running late?
- Who should I ask if I have questions about my job?



### Find out more

For more information about starting a new job, see our Starting a new job online course at [fairwork.gov.au/learning](https://www.fairwork.gov.au/learning).

If you need more support locally, consider talking to with someone from a community organisation or community legal centre, an HR officer, an Indigenous liaison or employment officer, or union representative.

## Contact us

Fair Work online: [fairwork.gov.au](https://www.fairwork.gov.au)

Fair Work Infoline: **13 13 94**

## Need language help?

Contact the Translating and Interpreting Service (TIS) on **13 14 50**

## Help for people who are deaf or have hearing or speech difficulties

You can contact us through the National Relay Service (NRS).

Select your **preferred access option** and give our phone number: **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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