Australian Government

Office of the Registrar of Indigenous Corporations

AGS

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Summary of conditions of employment

under National Employment Standards and the Social, Community, Home Care and Disability Services Industry Award 2010

Business manager / Bookkeeper / Administrative assistant

Permanent, Full-time Employment

Victoria / Northern Territory / Australian Capital Territory

This summary assumes the following:

— the employment is full-time employment

— the employment is *not* for shift-work

— the employment is covered by the modern award named above and is not excluded from the scope of the award — see clause 4 of the award

November 2010

We have prepared this document to help you understand your conditions of employment. The document summarises important conditions of your employment that are covered by the Social, Community, Home Care and Disability Services (SCHCDS) Industry Award 2010 (the Award) and the National Employment Standards in the *Fair Work Act 2009* (the NES).

Although it is intended as a useful summary of the Award and the NES, you should not rely on it. The summary is not legal advice.

To learn more about your conditions of employment under the Award, you can find the Award in the list at http://www.fwa.gov.au/index.cfm?pagename=awardsfind#S.

To learn more about your conditions of employment under the National Employment Standards, you can go to the Fair Work Online website at http://www.fairwork.gov.au/Pay-leave-and-conditions/Conditions-of-employment/Pages/National-Employment-Standards.aspx?role=employees.

Hours of work

You are to work an average of 38 hours per week.

[See clause 10.2 of the Award]

In addition to ordinary hours, we may require you to work reasonable additional hours. That is, in any given week, we may require you to work 38 hours *plus* reasonable additional hours. You may refuse to work unreasonable additional hours.

[See NES Fair Work Act sections 62(1) and (2)]

Overtime

For all work you do in addition to your rostered ordinary hours of duty, you will be paid at the following rates.

- For all authorised overtime worked on Monday to Saturday – time-and-a-half for the first three hours, and double-time after that.
- For all authorised overtime worked on a Sunday – double-time.
- For all authorised overtime worked on a public holiday – double-time-and-a-half.

[See clause 26 of the Award]

Frequency of pay

You will be paid weekly/fortnightly [*corporation to strike out one of these*] by cash/cheque/electronic transfer of funds into the bank account or financial institution account that you nominate to us [*corporation to strike out two of these*].

[See clause 23 of the Award]

Salary packaging arrangements

We may agree to provide you with access to salary packaging arrangements, if you request this. These arrangements will not be less favourable to you than the standard salary arrangements under the Award.

[See clause 14 of the Award]

Your right to request flexible working arrangements

If you have been employed with us for 12 months, and you are a parent, or you are responsible for caring for a child under school age or a child under 18 who has a disability, you have a right to ask us to change your working arrangements.

[See NES Fair Work Act section 65]

Parental leave

If you have been employed with us for 12 months, you are entitled to 12 months of unpaid leave parental leave to care for your own newborn child or your spouse's or your de facto partner's newborn child, or for a newly-adopted child who is under the age of 16 years.

[See NES Fair Work Act sections 67–70]

Annual leave

You are entitled to four weeks of paid annual leave for each year of service with us.

Your annual leave accrues through the year, and your annual leave credits can be carried over from year to year.

[See NES Fair Work Act sections 87(1) and (2)]

You may take annual leave for a period agreed between you and us.

If you ask us for annual leave for a period, and you have sufficient annual leave credits, we will not unreasonably refuse to agree to your request.

[See NES Fair Work Act sections 88 (1) and (2)]

You will be paid an annual leave loading of 17.5 per cent of your ordinary rate of pay.

[See clause 30.3 of the Award.]

Personal/carer's leave and compassionate leave

You are entitled to 10 days of paid personal/carer's leave for each year of service with us.

Your paid personal/carer's leave accrues through the year, and your paid personal carer's leave credits can be carried over from year to year.

[See NES Fair Work Act sections 96–101]

You are also entitled to an amount of unpaid personal/carer's leave.

You are entitled to two days of paid compassionate leave for each time that a member of your immediate family or your household gets a personal illness, or suffers an injury, that poses a serious threat to their life, or dies.

If you take personal/carer's leave or compassionate leave, you must tell us that you are taking the leave as soon as you can, and you must give us reasonable evidence to show that you are taking the leave for the reason you are claiming it.

[See NES Fair Work Act sections 102– 7]

Community service leave

You are entitled to take community service leave. This covers jury service, and reasonable time to do voluntary emergency management activities.

If you take community service leave, you must tell us that you are taking the leave as soon as you can, and you must give us reasonable evidence that you are taking the leave for the reason you claim..

[See NES Fair Work Act sections 108 –110]

Ceremonial leave

We may allow you to take up to10 working days of unpaid leave a year for when you are required by Aboriginal tradition to be absent from work for Aboriginal ceremonial purposes.

[See clause 34 of the Award]

Public holidays

You are entitled to stay away from work on a day or part-day that is a public holiday in the place where your work is based, and to be paid for that day or that part-day.

But we may ask you to work on a public holiday. You may say no to our request, if our request is unreasonable, or if it is reasonable for you to say no.

[See NES Fair Work Act sections 114–16]

Allowances

You may be entitled to some or all of the following allowances

- Clothing and equipment allowance
- Meal allowance
- First aid allowance
- Travelling, transport and fares allowance
- Telephone allowance
- Heat allowance
- On call allowance
- District allowance.

[See clauses 19 and 20 of the Award]

Accident pay

You may be entitled to accident pay.

[See clause 21 of the Award]

Higher duties

You are entitled to be paid for working higher duties if you work in a higher classification for five consecutive working days or more.

[See clause 28.2 of the Award. Different arrangements apply for home care employees]

Superannuation

The Award sets out conditions that apply to you and to us in relation to superannuation. Among other things, it sets out the superannuation funds to which we will make contributions, and requires us (but only for social and community services' employees) to make contributions while you are on paid leave, and while you are on workers' compensation (for up to 52 weeks).

[See clause 22 of the Award]

Notice of termination of employment

If we decide to terminate your employment, we will give you the amount of notice that is set out in the table below.

Period of your employment with us	***Notice***
Up to 1 year	1 week
More than 1 year but not more than 3 years	2 weeks
More than 3 years but not more than 5 years	3 weeks
More than 5 years	4 weeks

If you are over 45 years old and you have been employed with us for at least two years, we will give you an additional week of notice.

If you decide to resign at any time, including while you are on probation, you will give us the amount of notice set out in the table above.

We may elect to pay you an amount in lieu of notice. This amount will be equal to the amount we would have paid you if you had worked with us until the end of your notice period.

[See NES Fair Work Act section 117 and clause 11.2 of the Award]

Redundancy pay

If you have been employed with us for at least one year, you will be entitled to redundancy pay if we terminate your employment because we no longer need your job to be done by anyone (except where this is due to the ordinary and customary turnover of labour) or where we become insolvent.

The amount of your redundancy pay will depend on how long you have been employed by us.

The minimum amount of your redundancy pay will be calculated using the table in section 119 of the Fair Work Act. You may be entitled to more than this, under a transitional State Award, until the end of the transitional period at the end of 2014.

[See clause 7.5 of the Award]

[The redundancy entitlements under the NES will not apply if the employer is a small business employer within the meaning of the Fair Work Act: see sections 121(1)(b) and 23 of the Fair Work Act]

Fair Work Information Statement

We will provide you with a copy of the Fair Work Information Statement, prepared by the Fair Work Ombudsman, when you start employment with us.

[See National Employment Standards Fair Work Act section 125]