

TEACHERS MATERIALS

MODULE: EMPLOYMENT LAW – NSW – YEARS 8 -12

Thank you for your interest in TeachLaw! We hope that these materials are relevant and helpful to your students in educating them on their legal rights. For any correction or questions, please e-mail Youth Law Australia at admin@yla.org.au and include the word “TeachLaw” and the name of the module in the subject line.

TeachLaw Modules contain 3 parts – Teacher materials, Student materials and a PowerPoint presentation. Please note the PowerPoint is provided in PDF to preserve formatting. To present, please open using a PDF viewer, go to View > Enter Full Screen and use the arrow buttons to navigate.

This document is divided into 3 parts

Part 1: Background information – this section contains briefing notes to provide you with information on what the law says.

Part 2: Lesson notes – this section contains suggested speaking points, timings and important notes about the presentation.

Part 3: Student activities – this section contains the suggested class activities and answers to any student handouts.

Curriculum links

- Not applicable

Learning Objectives

- 1.1 Students have an understanding of types of workers and minimum age of employment;
- 1.2 Students have an awareness of what steps must be taken to apply for employment including obtain a tax file number and joining a superannuation fund; and
- 1.3 Students have an understanding of minimum employment conditions including terms of engagement and obtaining pay slips.
- 1.4 Students are able to prepare an appropriate CV to apply for employment; and
- 1.5 Students are able to identify legal employment issues and raise any concerns when applying for employment.
- 1.6 Students understand the importance of knowing their rights when applying for and commencing employment.

Part 1 – Background information

1. INTRODUCTION

Young workers can be a vulnerable part of the workforce and deserve particular protection.

The aim of this module is to empower young people and shape their attitudes to work and their futures. In particular, this module focuses on educating young people about the steps they need to take to apply for a job, and the key issues to be aware of when starting employment to ensure they are able to advocate for their rights.

This module presents students with information relevant to all types of employment and provides students with the skills to apply for and commence work with the relevant knowledge of legal standards that apply to them.

This module is appropriate for students aged between 14-18 years, based in NSW.

2. EMPLOYMENT LEGAL FRAMEWORK

In Australia, rights and responsibilities relating to employment are derived from a variety of legislation and this can be hard to navigate and understand. The *Fair Work Act 2009* (Cth) and the *Fair Work Regulations 2009* (Cth) are the main pieces of legislation that govern the employer-employee relationship in Australia. This legislation sets out minimum work entitlements, protects fairness at work and prevents discrimination against employees. The Fair Work Ombudsman governs the laws and regulations that relate to employment in Australia.

In addition to the federal laws, there are also some state employment laws which govern particular issues like the minimum wage.

3. MINIMUM AGE OF EMPLOYMENT

The minimum age of employment varies slightly between the Australian states and territories.

In NSW, the employment of children is regulated by *Children and Young Persons (Care and Protection) (Child Employment) Regulation 2015* (NSW) and the Code of Practice which is in Schedule 1 of that Act.¹ There are certain types of work that require an employer to hold an 'employer's authority' in order to be able to employ a child². Otherwise, if a child is more than 10 years old and does not work more than 10 hours outside of school hours then no 'employer's authority' is required. The Code of Practice sets out specific requirements for employers of children. These requirements relate to a variety of issues including recording

¹ <https://www.legislation.nsw.gov.au/#/view/regulation/2015/782/full>

² Section 5, *Children and Young Persons (Care and Protection) (Child Employment) Regulation 2015* (NSW)

keeping, no employment during school hours, travel requirements and limitations on the hours of work.³

A young person in NSW can start working full time after they have completed Year 10 or reached age 17, whichever comes earlier.⁴

4. TYPES OF EMPLOYMENT

The main types of employees are; full-time, part-time and casual:

Full-time⁵: A full-time employee has ongoing employment and works, on average, around 38 hours each week.⁶ The actual hours of work for an employee in a particular job or industry are agreed between the employer and the employee and/or set by an award or registered agreement.

Part-time⁷: A part-time employee works, on average, less than 38 hours per week and usually works regular hours each week. They are entitled to the same benefits as a full-time employee but on a pro-rata basis.

Casual⁸: A casual employee has no guaranteed hours of work and usually works irregular hours (but can work regular hours). They do not get paid for sick leave or annual leave and they can end their employment without notice, unless notice is required by a registered agreement, award or employment contract. Young people who work in retail and hospitality are commonly employed on a casual basis.

Casual employees are entitled to⁹:

- A higher hourly pay rate than equivalent full-time or part-time employees. This is known as casual loading and is paid because they don't get benefits such as sick or annual leave.
- Two days unpaid carer's leave and 2 days unpaid compassionate leave per occasion.
- Unpaid community service leave.

Other types of workers include:

- **Apprentice/trainee:** someone who has training arrangements that combine work with study for a qualification.
- **Independent contractor:** someone who runs their own business, usually negotiate their own fees and working arrangements, can work for more than one client at a time and don't have the same rights as employees.

³ Code of Practice, Schedule 1 to *Children and Young Persons (Care and Protection) (Child Employment) Regulation 2015* (NSW), Sections 9, 10 and 17

⁴ *Education Act 1990* (NSW), Section 21B

⁵ *Fair Work Act 2009* (Cth), Part 2-2 National Employment Standards

⁶ *Fair Work Act 2009* (Cth), Section 20

⁷ *Fair Work Act 2009* (Cth), Part 2-2 National Employment Standards

⁸ *Fair Work Act 2009* (Cth), Part 2-2 National Employment Standards

⁹ *Fair Work Act 2009* (Cth), Part 2-2 National Employment Standards

- **Volunteers:** someone who gives up time and effort to a not-for-profit organisation (knowing they will not be paid for it).

For further information on types employment see the Fair Work website.¹⁰

5. DISCRIMINATION

Young people may experience discrimination when applying for a job or when entering the workplace. This may be the first time they experience discrimination and they may not be aware of their rights.

Discrimination means unjust or prejudicial treatment of someone based on a particular characteristic or particular circumstances. It is against the law for an employer to discriminate, including in relation to a person's gender identity, family responsibilities, age, race or impairment. This responsibility on the part of the employer to ensure that they do not engage in unlawful discrimination is set out in federal and state anti-discrimination laws¹¹, as well as the *Fair Work Act 2009* (Cth)¹².

Discrimination can occur at different points in the employment relationship including when recruiting and selecting staff, in the terms of employment, conditions and benefits offered as part of the employment, when considered or selected for different types of training, when deciding who is given a promotion or transfer or when deciding when to dismiss someone from their employment.

For further information on the laws on unlawful discrimination see the Australian Human Rights Commission's website¹³ and for further guidance on unlawful workplace discrimination and what steps a person can take if they feel they have been discriminated against, see the Fair Work Ombudsman website¹⁴.

6. APPLYING FOR A JOB

A **Tax file number** is a unique number assigned to you by the Australian Taxation Office (ATO). It's your personal number that identifies you when you start paying tax. It never changes even if you change your name, occupation, or address. You can apply for a TFN at a participating Australia Post retail outlet if you're an Australian resident and able to attend an interview. There is no fee for lodging a TFN application.

If you're an Australian resident the easiest way to apply for a TFN is to:

1. Complete the online form

¹⁰ <https://www.fairwork.gov.au/employee-entitlements/types-of-employees>

¹¹ *Anti-Discrimination Act 1977* (NSW), *Age Discrimination Act 2004* (Cth), *Disability Discrimination Act 1992* (Cth), *Racial Discrimination Act 1975* (Cth), *Sex Discrimination Act 1984* (Cth)

¹² *Fair Work Act 2009* (Cth), Section 351

¹³ <https://www.humanrights.gov.au/employers/good-practice-good-business-factsheets/workplace-discrimination-harassment-and-bullying>

¹⁴ <https://www.fairwork.gov.au/how-we-will-help/templates-and-guides/fact-sheets/rights-and-obligations/workplace-discrimination>; <https://www.fairwork.gov.au/employee-entitlements/protections-at-work/protection-from-discrimination-at-work>

2. Print the summary, which will include your application reference number, and take it to your Australia Post interview.

3. Attend an interview at a participating Australia Post outlet within 30 days of completing your online form. You'll need to take your printed summary and proof of identity documents to the interview. You will be required to sign the application at Australia Post upon completion of the interview.

Superannuation is money that employers are legally required to put aside on behalf of their employees. When the employee reach retirement age, you're allowed to access the money paid into any superannuation account in your name. Your super may be:

1. Paid into a fund chosen by your employer
2. Paid into a super fund specific in an industry agreement or award
3. Paid into a super fund of your choice
4. May be paid into a Mysuper product (if you don't make a choice)

Always check that your superannuation is being paid and to which fund it is being paid.

Resume or Curriculum Vitae (CV) is a document that sets out your background and past work experience. This allows employers to make a decision about whether you are suitable for the job. In order to apply for a job, you will normally have to submit your resume or CV (both words are used to mean the same thing).

7. UNPAID WORK TRIAL

Many young people commence work in the hospitality industry. Unpaid work trials are generally used in the hospitality industry to test a person's work skills and it is often initiated by employers. The Fair Work Ombudsman's website sets out the following restrictions regarding unpaid work trials. A brief work trial can be legally unpaid if¹⁵:

- it is necessary to evaluate someone's suitability for the job, and;
- it involves no more than a demonstration of the person's skills, where they are relevant to a vacant position
- it is only for as long as needed to demonstrate the skills required for the job. This will be dependent on the nature and complexity of the work, but could range from an hour to one shift
- the person is under direct supervision of the potential employer (or other appropriate individual) for the entire trial.

Any period beyond what is reasonably required to demonstrate the skills required for the job must be paid at the appropriate minimum rate of pay. If an employer wants to further assess a

¹⁵ <https://www.fairwork.gov.au/how-we-will-help/templates-and-guides/fact-sheets/unpaid-work/unpaid-work-hospitality-industry>

candidate's suitability, they could employ the person as a casual employee and/or for a probationary period and pay them accordingly for all hours worked.¹⁶

For further information on unpaid work trials including practical examples demonstrating the parameters of unpaid work trials see the Fair Work Ombudsman's website.¹⁷

8. MINIMUM WAGE

Minimum entitlements for wages and conditions of employment are most often found in enterprise agreements and modern awards¹⁸.

An award is a legal document that outlines the minimum pay rates and conditions of employment. There are 122 industry or occupation awards that cover most people who work in Australia. The Awards apply to businesses and employees depending on the industry they work in and the type of job worked.

Enterprise agreements are collective agreements made at an enterprise level between employers and employees about terms and conditions of employment. Enterprise agreement can be tailored to meet the needs of particular enterprises.

The National Employment Standards¹⁹ (**NES**) specify 10 areas of minimum entitlement and employment conditions which include maximum weekly hours of work, leave entitlements and the Fair Work Information Statement²⁰ that sets out information about their conditions of employment. The NES generally apply to all full-time and part-time employees no matter what pay rate, job description or industry (including to young workers).

However, only certain standards apply to casual employees. These are²¹:

- Maximum weekly hours
- Two days unpaid carer's leave and two days unpaid compassionate leave per occasion
- Community service leave (except paid jury service)
- Public holidays
- Provision of the Fair Work Information Statement.

Additionally, casual employees who have been employed for at least 12 months by an employer on a regular and systematic basis and with an expectation of ongoing employment are entitled to:

- Make requests for flexible working arrangements

¹⁶ <https://www.fairwork.gov.au/how-we-will-help/templates-and-guides/fact-sheets/unpaid-work/unpaid-work-hospitality-industry>

¹⁷ <https://www.fairwork.gov.au/how-we-will-help/templates-and-guides/fact-sheets/unpaid-work/unpaid-work-hospitality-industry>

¹⁸ *Fair Work Act 2009* (Cth), Section 43

¹⁹ *Fair Work Act 2009* (Cth), Section 61

²⁰ *Fair Work Act 2009* (Cth), Section 125

²¹ *Fair Work Act 2009* (Cth), Part 2-2 National Employment Standards

- Parental leave

In this lesson, rather than taking students through the details relating to enterprise agreements, modern awards and national employment standards, students will simply be introduced to the concept of a minimum wage.

Minimum wage for juniors

For junior workers, the minimum wage is a percentage of the adult wage for a job.

For example, for full time or part time employees:

Under 16 years, they receive 36.8% of the adult wage which is \$ 6.73

If you are 16 years old, you receive 47.3% of the adult wage which is \$ 8.70

If you are 17 years old you receive 57.8% of the adult wage which is \$10.57

If you are 18 years old you receive 68.3% of the adult wage which is \$12.49

And so on.

There are some factors that affect how much you get paid including:

- your industry
- your age
- If you're a trainee or apprentice
- if your job is full time, part-time, permanent or casual
- your seniority, experience, qualifications and responsibilities
- Government awards, agreements or industrial laws relevant to the job

What are some instances when your pay can be increased?

- when you get a promotion
- if you are a junior (15 to 17 years old) and turn a year older or you become an adult (usually 18 or 21 years of age)
- if you are an apprentice, when you shift from one year to the next
- when an enterprise agreement says so by the Fair Work Commission
- when a pay increase is awarded

9. EMPLOYMENT CONTRACT AND PROBATIONARY PERIOD

An employment contract is an agreement between an employer and employee that sets out terms and conditions of employment. Although a contract can be in writing or verbal, it is best practice to ensure that the contract is written. This way both the employer and employee are clear on what the parameters of employment are. It is important that a young person starting work ask for an employment contract if they are not provided with one. Significantly, they should ensure that they are given enough time to read and understand the terms of the

contract and raise any concerns before signing it. The employment contract should set out the type of employment and a description of the role and other requirements from the employer.

With regard to pay, an employment contract cannot provide for less than the legal minimum set out in the NES, or any awards, enterprise agreements or other registered agreements that may apply. In any event, regardless of whether or not a contract has been signed, an employee is entitled to the minimum pay set out in the NES.²²

An employment contract should specify if there is any applicable probationary period. A probation period may be applied by an employer to assess if an employee is suitable for the role and business. The employer can decide on the role and length of the probationary period. It can range from a few weeks to a few months at the start of employment. Importantly, while on probation, employees continue to receive the same entitlements as someone who isn't in a probation period. If an employee doesn't pass their probation, they are still entitled to receive notice when employment ends and have their unused accumulated annual leave hours paid out.²³

10. PAYSLEIPS

Young people starting work for the first time are vulnerable to exploitation, particularly in relation to underpayment. Employers may avoid paying young people the correct amount and may not tell their employees that they are entitled by law, to payslips including specific details. One way to prevent underpayment and other forms of exploitation from occurring is hold employer's accountable by ensuring that they issue regular and accurate payslips, these are important records for employees.

Payslips may be issued in hard copy or electronic format and must be provided within one day of pay day, even if the employee is on leave. They must include certain details such as the pay period, gross and net paid, the ordinary hourly rate, number of hours worked, details of any deductions, superannuation contributions including the name of the fund as well as any entitlements.

For further information on pay slips and record keeping, see the Fair Work Ombudsman's website.²⁴

11. SUPPORT SERVICES

Some of the reasons why young people might not speak to a lawyer include concerns about cost, the “seriousness” of the situation, the stigma of seeking legal help or because they don't realise their problems are legal. A lawyer can help a person to understand what the law says on a particular issue, and what the best course of action is to resolve the problem. For example, a lawyer could provide general information or advice, write a letter or other document, contact someone, start court proceedings, help talk to the police or interpret

²² <https://www.fairwork.gov.au/awards-and-agreements/employment-contracts>

²³ <https://www.fairwork.gov.au/employee-entitlements/types-of-employees/probation>

²⁴ <https://www.fairwork.gov.au/pay/pay-slips-and-record-keeping/pay-slips>

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something. They can also help work out what option to fix a problem might be best based on money, time, effort and what the law says.

Fortunately there are many services available to young people for free. These services may offer specific help in a way that is convenient for young people including operating outside of traditional hours, offering online services, and allowing them to contact a lawyer without parental permission.

In addition, lawyers have a responsibility to keep client data and information confidential, so children can be assured that their parents/guardians/other people won't be informed about their issues.



Legal

For free and confidential legal help, you can contact **Youth Law Australia**. They have free legal information at yla.org.au through their factsheets and personalised legal advice at lawmail.org.au.

The LegalAid **Youth Hotline** provides legal advice and information to people under the age of 18. Its business hours are 9:00 am - 12:00 am weekdays, with a 24 - hour service from Friday 9:00 am to Sunday 12:00 am. Call them on 1800 10 18 10.

Children can seek help from a **community legal centre** that helps adults. You can search for your local community legal centre from this website: www.naclc.org.au

LawAccess provides free information, advice and referrals on 1300 888 529, Monday to Friday from 9am to 5pm.

Relationship support

For family counselling support you can contact **Relationships Australia** for family counselling and mediation on 1300 364 277 or visit them at <https://www.relationships.org.au>.

Family Planning clinics provide sexual healthcare (safe sex) services and advice. Call **Family Planning NSW** on 1300 658 886 or visit them online at www.fpnsw.org.au

For relationship support contact **1800RESPECT** on 1800 737 732 or visit them at <https://www.1800respect.org.au>.

To speak to someone about relationship issues and what is or isn't ok, call **1800 MYLINE** (1800 695 463).

Counselling

For counselling support you can call the **Kids Helpline** on 1800 55 1800 for free and private counselling (available 24 hours a day, but there can be a wait to get through). They are happy to talk to young people aged 5-25 about anything that's troubling them or email them or chat online at <http://kidshelpline.com.au>.

eHeadspace provides counselling to young people aged 12-25 who are worried about their mental health or are feeling alone. Call them on 1800 650 890 from 9am to 1am or email them or chat online at: <https://www.eheadspace.org.au>.

Lifeline offers 24-hour crisis support and suicide prevention counselling on 13 11 14 to speak to a counsellor online from 7pm to 4am at: <https://www.lifeline.org.au/Get-Help/Online-Services/Online-Services>.

Other

The Office of the **eSafety Commissioner** is committed to increasing online safety and supporting people to feel protected online. As part of this, they can hear reports on cyber-bullying and help to get the offensive material taken down. They also have helpful resources and guides on what you can do to remain safe online. Visit them online at <https://www.esafety.gov.au/>

The **FairWork Ombudsman** can provide information and help on anything to do with employment e.g. working hours or pay rates. Call them Monday-Friday from 8am to 5.30pm on 13 13 94.

Part 2 – Lesson notes

Lesson details	
Duration	45 minutes – 1 hour
Classroom set up	Computer and Project Students should have their own devices (if this is not possible, please e-mail YLA at admin@yla.org.au for alternate lesson materials)
Materials	1 x Presentation (PDF) 1 x Teacher's materials – 1 copy for the teacher 1 x Student worksheet – 1 copy per student
Presentation details	There will be 23 slides in the presentation slide deck to support the delivery of this module. Slides may be printed and provided to students should they request supplementary information.

Slide and Timing	Speaking notes	Other notes
1 0.5 minutes	Today we will be completing a module developed by Youth Law Australia through their TeachLaw initiative on the topic of employment law. Youth Law Australia provides free legal information and help to children and young people under the age of 25. They do this through providing information factsheets on their website and specific legal advice through their e-mail service. All of the information in this presentation was developed and checked by lawyers to explain what the law says and should not be taken as legal advice. If you want to know how the law might apply to a specific situation in your life, you can contact Youth Law Australia for more help.	Student will need to complete the survey on slide 3 - the survey is designed to be two-part with the first part being completed at the start of the lesson, and the second part being completed and submitted at the end of the lesson. Please emphasise to students that they should complete page 1 and then minimise their screen - <i>they should not exit the survey nor should they complete page 2 at the start of the lesson</i> . This survey is important in assessing students' preliminary knowledge, and could be used as a starting discussion question/diagnostic assessment. We require the survey to be completed so that we can assess the effectiveness of TeachLaw materials and make modifications as necessary. If you are unable to complete the survey online, please visit this page to download the paper survey.
2 0.5 minutes	You can find out more about Youth Law Australia's services through their website www.yla.org.au or through their social media.	
3 1.5 minutes	To begin this lesson, please go to the URL on the screen and complete the first page of the survey. Do not go to the second page as we will do that at the end of class. Once you have completed the survey, please minimise the browser but don't close the survey!	
4 0.5 minutes	The lesson today will cover the topics listed on the screen. I want to acknowledge that some of the content we cover in this lesson might be awkward, uncomfortable, hurtful or might remind you of something that you or someone you know has experienced and which could be upsetting to you. If, at	

	any point in time, this content becomes too overwhelming, we can take a short break or you can put your hand up and ask to step out for a moment. This is a safe place and we should all agree not to talk about the issues that come up here with people outside of this classroom in a way that could make other people feel bad e.g. gossiping.	
5 1 minute	The requirements around minimum working age vary slightly from state to state. To help you understand some basic requirements, we will look at New South Wales. The general approach is similar in other Australian states and territories. There is no minimum age to start casual or part-time work in NSW. However, you have to be 14 and 9 months to do door-to-door sales work. If you are under 15 (and under 16 in the case of modelling work) it is against the law for an employer to require you to work during school hours, more than one shift per day, more than four hours on a day you have to go to school, more than five consecutive days, after 9pm if you and have to go to school the next day, if it is less than 12 hours since your last shift, for any hours that make the combination of your school hours and work hours in a 7 day week more than 50 hours, if your employer does not hold an authority to employ people under 15, they cannot require you to work for more than 10 hours per week. There are additional rules about working hours if you are doing door-to-door sales, modelling, theatrical performances or entertainment work. You can work full-time after you have completed year 10 or when you turn 17, whichever occurs earlier. If you haven't completed year 10 or aren't yet 17 and wish to leave school to work full time, you need to seek permission from the Department of Education and Training.	
6 5 minutes	There are several specific words that are used when starting a new job. These can be a little overwhelming. Today we are going to go through some of these concepts together. On your worksheets is a table with a list of common terms and their meanings. Work with the person next to you to see how many you can fill in.	
7 5 minutes		[get students to read out their pairs and discuss what they have learnt about the different kinds workers] and terms, then read out slide
8	Now we will do an exercise where each of you must	

1 minute	think about what type of worker each of these people are. What sort of worker do you think Anh Doh would be? He could be employed on a casual basis by TV channel to run a particular program or he could be an independent contractor and have his own business where he sets fees for his comedy services. What sort of worker do you think Leigh Sales would be? She is likely to be employed on a full time or part time basis by the ABC. What sort of worker do you think Mangolia Muru would be? Sge may be an independent contractor where her agent sets out what her fees are for modelling services or she could also be employed on a part time or casual basis for a particular show or event for a given period of time. All of these people could have commenced as apprentices or trainees with an organisation when they were starting out in the field and studying or getting a qualification at the same time.	
9 1 minute	There are certain things you need to prepare before applying for a job. You would have heard of some of these concepts in our earlier group activity.	
10 1 minute	It is important to know that it is against the law for an employer to discriminate against you. [read text on the slide]	
11 1 minute	[read text on the slide]	
12 10 minutes	On your handout there are some examples of bad CVs and a good CV. Please have a look at these. We will talk about the positive and negative aspects of these CVs and what to keep in mind in order to prepare a good CV and ensure you have the best chance of success when applying for a job.	
13 1 minute	One way in which you may start at a new job is through an unpaid work trial. An unpaid work trial can be legally unpaid if it is necessary to evaluate your suitability for the job. Any period beyond what is reasonably required to demonstrate the skills required for the job must be paid at the appropriate minimum rate of pay. If an employer wants to further assess your suitability, they could employ you as a casual employee and/or for a probationary period and pay you accordingly for all hours worked. However, unfortunately in some cases employers can use unpaid work trials to exploit eager young workers by getting them to work 'for free' without paying them, or	

	pretending to have a trial for free work with no intention of ever offering them the job.	
14 1 minute	The employment contract is a very important part of a new job. It is an agreement between you and your employer that sets out a number of key matters. It can be written or verbal. However it is best to always make sure you have a written employment contract so that your responsibilities and the employer's obligations are clearly set out. Employment contracts can be called different things like an 'agreement' or 'terms and conditions of employment' or 'workplace agreement'. Employment contracts should include details such as your duties at work, what level you are (e.g. supervisor), your title (e.g. shop assistant), any work rules, practices or policies, how much you will be paid, your hours of work & break, your employment status (e.g. full-time, casual or part-time).	
15 5 minutes	To learn a little bit more about the employment contract – we are going to meet Jessica. Its been a long school year and Jessica has been applying for a million jobs to make some money over her summer break. Then one day she finally gets a call from her absolute favourite restaurant. We are going to listen in on Jessica's phone call. At a few different stages time during the call we are going to help Jessica negotiate her first employment contract. In helping her we are going to need to remember some of the terms we have just discussed. We need two volunteers, one to play the employer and the other to play Jessica. During the activity I will say "freeze" and this means the actors will stop so that we can think about what Jessica should do next.	
16 1 minute	[read slide]	
17 2 minutes	On your handout there is an example payslip. Let's have a look at what information is on the payslip. According to law your employer must include certain information on your payslip. There are some things that must be contained on a payslip including the name of the employer and employee, the employer's ABN (if any), the date of payment, the period covered by the payment, the employee's ordinary hourly rate, the number of hours the employee worked, the gross pay (before tax), the net pay (after tax and other deductions), all deductions made from the employees	

	gross pay, e.g. amount of tax and union fees (if applicable), the amount of any superannuation contributions made on the employee's behalf. Please turn to the example payslips and see if you can identify each of these features.	
18 1 minute	[read slide] Question for the class: IS GETTING PAID CASH LEGAL? Yes if you receive a proper payslip and it is the correct amount.	You will need to select two roleplay volunteers from the class, allocate them as either the employer or Jessica and then provide them each with a copy of the roleplay script below.
19 1 minutes	Now we will look at a workplace example. I will read this out and then we will discuss what you think and if you have any concerns. [read out text on slide]	The purpose of this example is for students to apply some of the concepts they have learnt in a practical context.
20 4 minutes	<p>Should Laura have been paid for the trial? Why or why not?</p> <p>Laura worked 9 am to 5pm – arguably more time than is required to determine suitability for the job so perhaps she should be paid for at least half of it. Arguably she didn't need to be paid because the employer needed to determine her suitability for the job by observing her working for a day and he did offer her a job the next day.</p> <p>What should Laura do before she starts working at GGA supermarket?</p> <p>Ask for a contract, review the contract and all the details we discussed earlier: On what basis is she being employed? How much is she getting paid per hour? What are her entitlements to breaks? What is her title?</p> <p>What concerns do you have with Laura's employment arrangements?</p> <ul style="list-style-type: none"> • Laura is being paid less than the minimum wage. The minimum wage for an 18 year old is generally \$12.49. • Laura is not entitled to any breaks during her shift and she is legally entitled to breaks (at least half an hour every 6 hours) • Laura is not being paid for the time she spends opening the restaurant from 8.45am - 9am each morning. This would be considered work that she should be paid for. • Laura can be called in to work a 2 hour shift which is less than the minimum shift length. 	

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	<ul style="list-style-type: none"> Laura has not received a payslip. Laura should receive a payslip within 1 day of getting paid with specific details included. <p>This means that there are several aspects of Laura's work arrangements that are illegal. She should voice this concerns with the employer and should not work until the correct arrangements have been put in place. She may also choose to contact the Fair Work Ombudsman.</p>	
21 1 minute	To conclude please go back to the survey you minimised at the start of class and complete page 2 before hitting submit. Please then turn to the person next to you and share one thing you have learnt from today's lesson.	
15 0.5 minutes		This slide can be left on the screen whilst students complete their survey and discuss one thing they have learnt.
22		Please leave this slide on the screen during question and answer time.

Part 3 – Student activities

The answers to the worksheet are as follows:

Tax File Number	A unique number assigned to you by the Australian Taxation Office (ATO). It's your personal number that identifies you when you start paying tax. It never changes even if you change your name, occupation, or address.
Superannuation	Money that employers are legally required to put aside on behalf of their employees. When the employee reach retirement age, you're allowed to access the money paid into any superannuation account in your name.
Employment Contract	A written document or verbal agreement that outlines the 'terms and conditions of employment.' It may contain information such as how much you will be paid, the title of your job, the duties you are responsible for, the hours of work and rules of the workplace.
Probation Period	A period of time where you and your employer can both decide whether you are suited to do the job.
Payslip	A document that you should receive each time you are paid. It may be sent to you as an email or printed out. It must show the payment date, payment period, number of hours worked, total pay and any superannuation paid on your behalf.
Unpaid Trial	When a workplace hires someone without paying them to give them a taste of the work.
Part Time Employment	The employee has ongoing employment, works, on average, less than 38 hours per week, usually works regular hours each week and gets the same minimum entitlements (e.g. sick leave and holiday leave) as a full-time employee, based on how many hours they work each week.
Full Time Employment	The employee has ongoing employment, works, on average, around 38 hours each week and gets minimum entitlements (e.g. sick leave and holiday leave).
Casual Employment	The employee has no guaranteed hours of work, usually works irregular hours (but can work regular hours), doesn't get paid sick or annual leave and is allowed to end employment without notice.

Part 2

Purpose

The aim of Activity 2 is to encourage students to read the good and bad CVs and think about what they think is wrong with the bad CVs and the positive elements of the good CVs.

BAD CV EXAMPLE 1

Ask students: What do you notice about this example CV? What is wrong with it?

Explain the following to students in the course of the class discussion:

- This CV does not include the applicant's email address. Your CV should include your name, date of birth, address, phone number and email address.
- This CV uses clip art. No clip art or images should be used in a CV.
- Your CV must have a consistent font and font size. This CV does not and that makes it difficult and confusing to read.
- This CV does not have a structure with specific headings. This is required in all CVs.
- This CV does not include detailed information including specific dates of earlier work experience, the tasks involved and which school the young person attended.
- This CV contains spelling errors "experience" and "subjets". Your CV should not contain any spelling errors and it is important to print out and proof read your CV before submitting it for a job application.

BAD CV example 2

Ask students: What do you notice about this example CV? What is wrong with it?

Explain the following to students in the course of the class discussion:

- This CV has not been formatted and aligned correctly which makes it difficult to read.
- This CV uses a cursive font that is not considered to be professional. Times New Roman and Arial are the clearest and most common fonts to use in a CV.
- The applicant has an unprofessional email address angel25@hotmail.com. When applying for a job you must have a professional email address.
- The applicant has forgotten to include important personal information including date of birth, contact number and address. This means that the employer will not be able to contact her.
- Although the applicant has helpful skills, attributes and experience it has not been set out in a way that is accessible to an employer. This CV contains too much text, the relevant information has not been clearly thought out or set out in a way that is quick and easy for the employer to digest.
- This CV contains a significant amount of irrelevant and unhelpful information such as personal opinions and comments. Your CV should not contain your personal thoughts or unnecessary information. It should be concise and clear and directed at reflecting your experiences positively and professionally.

GOOD CV example

Ask students: What do you notice about this example CV? What is good about it?

Explain the following to students in the course of the class discussion:

- This CV contains key personal details including the applicant's name, address, phone number, email and date of birth as well as a summary profile of the applicant.
- This CV has been correctly formatted and edited so it is easy to read. It also has a clear structure with appropriate headings.
- This CV has been clearly structured with headings and concise bullet points that commence with verbs "assisted", "managed", "organised" etc.
- This CV contains specific dates of prior employment and experience as well as specific names of organisations, school attended as well as relevant referee details.
- This CV is no longer than two pages. Your CV should not exceed three pages.

Part 3

What is wrong here? What should Jessica ask for? What should we tell her to say?

A written employment contract

what are some of the details that should be included in the employment contract?

Title, hourly wage, hours of work, responsibilities, type of worker

What should Jessica do? Should she see the contract first before agreeing to start?

Yes she should see and understand the terms, ask questions, have any changes made to the contract if she is not happy and then sign once she is satisfied with the terms of the contract