



Welcome to Wageline Newsletter

March 2018 Edition

This edition of the Wageline Newsletter features information about the 2018 Easter public holiday arrangements and other critical employment obligations.

Wageline Newsletter provides information for employers in the state industrial relations system. It is relevant to businesses which operate as:

- sole traders (eg Jane Smith trading as Jane's Café)
- unincorporated partnerships (eg Jane and Bob Smith trading as Jane's Café)
- unincorporated trust arrangements (Jane and Bob Smith as trustees for Jane's Café).

Wageline Newsletter is not relevant for businesses and organisations in the national industrial relations system which operate as:

- Pty Ltd businesses that are trading or financial corporations (eg Smith Pty Ltd trading as Jane's Café)
- incorporated associations and other not-for-profit bodies (that are trading or financial corporations)

If your business or organisation is a national system employer please visit the [Fair Work Ombudsman](#) website for information on employment obligations.

Easter 2018 public holiday information

The Western Australian public holidays for the 2018 Easter period are:

- Good Friday – Friday 30 March 2018
- Easter Monday – Monday 2 April 2018

**How can
we help?**



The [Easter 2018 public holiday arrangements page](#) of the Wageline website contains:

- An overview of the Easter public holiday arrangements for state system employers and employees.
- Detailed information on public holiday arrangements for:
 - State system award free employees
 - Shop and Warehouse Award
 - Restaurant, Tearoom and Catering Workers Award
 - Hairdressers Award.

WA award covered employees

Some WA awards require an employer to pay their employee additional rates on Easter Saturday. The most used of these are the Building Trades (Construction) Award, Hairdressers Award and the Shop and Warehouse Award.

If your award is one of Wageline's top 35 awards, visit the [WA award summaries page](#) for further information. Other WA awards can be viewed in full on the [WA Industrial Relations Commission website](#) or [contact Wageline](#) for more information.

Access to employment records

All state system employers are legally required to keep employment records. An employee can request to inspect his or her employment records by putting a formal written request to the employer. Employers must comply with this request and allow this to occur by the end of the next pay period after the employee makes the formal request.

Read more about [Access to employment records](#)

Many WA awards require employers to provide employees with a payslip which details their employment. It is not compulsory to provide a payslip to an employee if the relevant WA award does not require it or if the employee is award free. It is good business practice for employers to provide a payslip as this may help to avoid confusion and disputes if queries arise.

Read more about [Payslip requirements](#)

2020 public holiday dates released

The public holiday dates have been released for the year 2020. The [Public holidays in Western Australia page](#) has been updated to include these dates.

For the dates of previous years public holidays visit the [Previous years' public holiday dates page](#).

Small Business Development Corporation Bizlink Event

Wageline is participating in the Small Business Development Corporation Bizlink event for small business on Thursday 22 March 2018. Find out more details on this free event for small business owners in the [Bizlink Flyer](#).

Critical Issues

The minimum employment age for most jobs in WA is 15 years old



The *Children and Community Services Act 2004* regulates where, when, and at what age children can be employed in Western Australia and these laws apply to all employers throughout the State.

In most industries, children under 15 cannot be employed unless they are working in a family business run by a relative such as a parent, aunt, uncle or grandparent; performing professionally as an actor, musician, entertainer or in an advertisement; or working for charities and other not-for-profit organisations. Jobs in which children under 15 **cannot** be employed include working on a farm or at horse riding schools and stables, working in construction or on any building or home or garden maintenance work, and working in a factory or warehouse.

The *Children and Community Services Act* specifies that children aged 10, 11 or 12 are allowed to deliver newspapers or advertising material, but they cannot work during school hours and cannot start work before 6am or finish later than 7pm. Workers of this age must be accompanied at all times by a parent, or another adult who has written permission from their parent.

A child must be at least 13 years old to be employed in a shop, fast food outlet, café or restaurant. Employers are also required to get written permission from a child's parent and the child is not allowed to work before 6am or after 10pm or during school hours. Visit the [Employment of children laws in WA – shop, restaurant, fast food or takeaway food business page](#) for extensive information and resources for the employment of children under 15 in these industries.

Breaches of the *Children and Community Services Act* attract penalties of up to \$120,000 if the employer is a body corporate.

In 2015 a supermarket business in regional Western Australia was fined \$2,250 in the Industrial Magistrate's Court for illegally employing an 11-year-old girl. The charge related to the employment of the child as a shop assistant for five shifts of work that were performed on weekend days.

Employers who are considering employing children are encouraged to check the legal requirements.

Read more about [When children can work in Western Australia](#)

Employee or subcontractor

Determining whether a worker is a subcontractor or employee can be complex. It is important to get this right because it can be costly for a business to get it wrong.

A subcontractor is not an employee, but rather a worker running their own independent business. This means they have control over the fees they charge, their own working in hours, and they can perform work for more than one business.

Wageline has developed a checklist of the main differences between a subcontractor and employee to assist business owners in getting it right.

Read more about [Employee or subcontractor](#)



www.dmirswa.gov.au/wageline

wageline@dmirswa.gov.au