

WORKPLACE BUZZ

Fighting For *Your* Rights

The Fairness Test and other changes to legislation have caused confusion and consternation to those businesses that operate beyond 9-5 Monday to Friday. Graeme Haycroft, Managing Director of Haycroft Workplace Solutions, has worked tirelessly on behalf of SMEs endeavouring to gain some positive outcomes from the recent Amendment Bill. He flew to Canberra & attended S.E. Qld meetings to speak with Minister Joe Hockey, as well as writing articles which have been printed in the [Australian](#), [Workplace Express](#) and the [Courier Mail](#). Whilst the Federal Government didn't decide to wound or destroy you, the result is 'acceptable collateral damage' in what is to their mind a bigger picture. They have foolishly sacrificed the fundamental principle of 'labour market reform' which is by the way 'the voluntary agreement by the parties to eliminate or ameliorate the effect of penalty rates'. Although it's widely misunderstood, penalty rates were designed to stop employers from employing people at other than socially acceptable times. They were never, and are still not, employee entitlements.

The real problem is that you won't get the first 'Fairness Test' assessments for several months yet and when you do they will look at the work patterns of the new workers to determine what compensation will need to be made. If the worker has been employed under the same work patterns as your other workers then, because the bureaucrats are not allowed to take account of the workers' personal preferences, you will inevitably end up with a higher rate than for the other existing workers. Once the test is operational we can then help you legally achieve the correct results, however the ensuing hiatus period is the problem.

On the assumption that neither you nor your employees want your business to return to a 9-5 Monday to Friday routine following the Award conditions, here are some suggestions:

1. Write a letter to your Federal member and let them know in no uncertain terms what you think about the results of their actions.
2. Source and employ new staff through a payroll administration service. The benefits are not only from outsourcing payroll and employment tasks and minimising risks associated with compliance. You can also ensure fixed employment costs using flat rates that aren't subject to the Fairness Test. How?

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Haycroft Workplace Solutions has a solution so [contact us](#) today. The RCSA were quoted (Workplace Express June 7) with stating that the proposed Fairness Test would effectively eliminate the use of AWAs for on-hire employment. That's possibly true for many others but not us.

3. If you must employ new staff yourself, either put them on the award or sign them up to your existing IWA. You must then try and make sure they don't do any work in Award penalty rate areas or work more than 38 hours. For most of you that will be virtually impossible but, if you don't do that, you will have bigger problems later. If your new worker has to be paid more as a result of the 'Fairness Test', you will have two choices. You can back pay the worker at the higher rate from the date they started, or you can just back pay them according to the Award. You cannot dismiss the employee because of the 'Fairness Test'. A reverse onus of proof means you will have to prove the reason for dismissal was unrelated. This means keeping file notes & hoping that your explanation is accepted.

You can see why the external payroll option is attractive in comparison to the 'choice' from the Federal Government. We will continue developing solutions to your workplace challenges.

Determining pay rates

In a speech on June 19th Professor Ian Harper, Chairman of Australian Fair Pay Commission, said that the second minimum wage review decision would be announced publicly in about 2 weeks from then. They have commenced creating & publishing new Pay Scales. There are around 4,000 separate Pay Scales and about 105,000 different classification within these scales.

Provided you are actively using our services we will provide updated rates as soon as they can be calculated.

Haven't used our services in a while? [Contact a consultant](#) today to find out how we can provide innovative strategies & effective results for your workplace challenges.

What's new? (LHI)

Skilled occupation vacancies

Haycroft Workplace Solutions continues to increase its ability to provide skilled workers through recruitment or payroll administration service. Retention strategies are critical factors at any time but especially with such low unemployment. (Queensland's trend unemployment rate fell to 3.7% in April.) We understand the importance of finding the 'best fit' candidate for your skilled occupation vacancies and strive to keep the process as simple as possible for your business. If we can't find the suitable candidate within Australia we'll use our international networks. Whilst you decide

who the best candidate is, you can choose whether to employ within your business or ask us to sponsor and hire the worker to you. Consider the advantage of gaining a full complement of workers within your business without the time and effort required to do it alone. Not only can you focus on growing your business, skilled workers sponsored on a 457 visa can be loyal workers and add a new dimension to your workplace. We can provide footage of candidates performing specified tasks & you can also request specific questions for the interviews. There are many other benefits so [complete your vacancy form](#) now & we'll be in touch to discuss the details.

Some of our new candidates:

- Experienced Secretary to a Principal/Enrolments Co-ordinator, Office/Admin manager and has worked in various office administration temporary assignments. Prefers Shorncliffe area.
- Qualified IT Analyst with Bachelor of Computer Science, Diploma of IT and Diploma of E-Business. Experience in document & data management, systems & project analysis. Give him a nearby mountain to climb & he's happy to relocate from Brisbane.
- Engineer with Bachelor of Production Engineering. Experience in public & private sector building construction, auditing, negotiation and tenders. Currently living in Brisbane.
- Teams of/ individual diesel fitters, welders, boiler makers and many more.

OH&S

Signage

In the hierarchy of control of risks in the workplace, signage is recognised as very low on the totem pole. Signage should be viewed as an ancillary part of your risk management system, not as your main control. Signage should be simple and to the point, not an epic like "war and peace". When choosing signage, consider your stakeholders and their ability to comprehend the message you are trying to convey in your risk management system.

These are simple tips and I have included an example for your consideration in this process.



Safety: you know it makes sense.

Ben's services can be engaged on a case by case basis. Call 1300 766 380 or [email us](#).

Profile: ‘Meet the Team: Charis Bottcher’

I grew up in Salisbury, South Australia but moved to Queensland with my family when I was 15 years old. There were so many things different to my home state! For instance when they talk about Footy in Queensland they mean rugby, whereas in SA the only meaning of Footy is AFL. Togs is another word that confused me, in SA they were always called bathers. Even the pronunciation of words like school and pool was different!



Charis

Over 4years ago I started Belly dancing, and what I like most is that each dancer brings something uniquely her to the dance form in the way she interprets the moves and the music. I also love salsa dancing and have been attending classes regularly as it is such a fun and social party dance! In the future I hope to travel a lot more and have a rough plan for a trip to South America in the works. (Dancing in Cuba would be a dream come true)!

I would also like to further my knowledge of IT and complete a course in database programming. My responsibilities as Office Coordinator include our computer system, database, and developing policies & procedures.

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