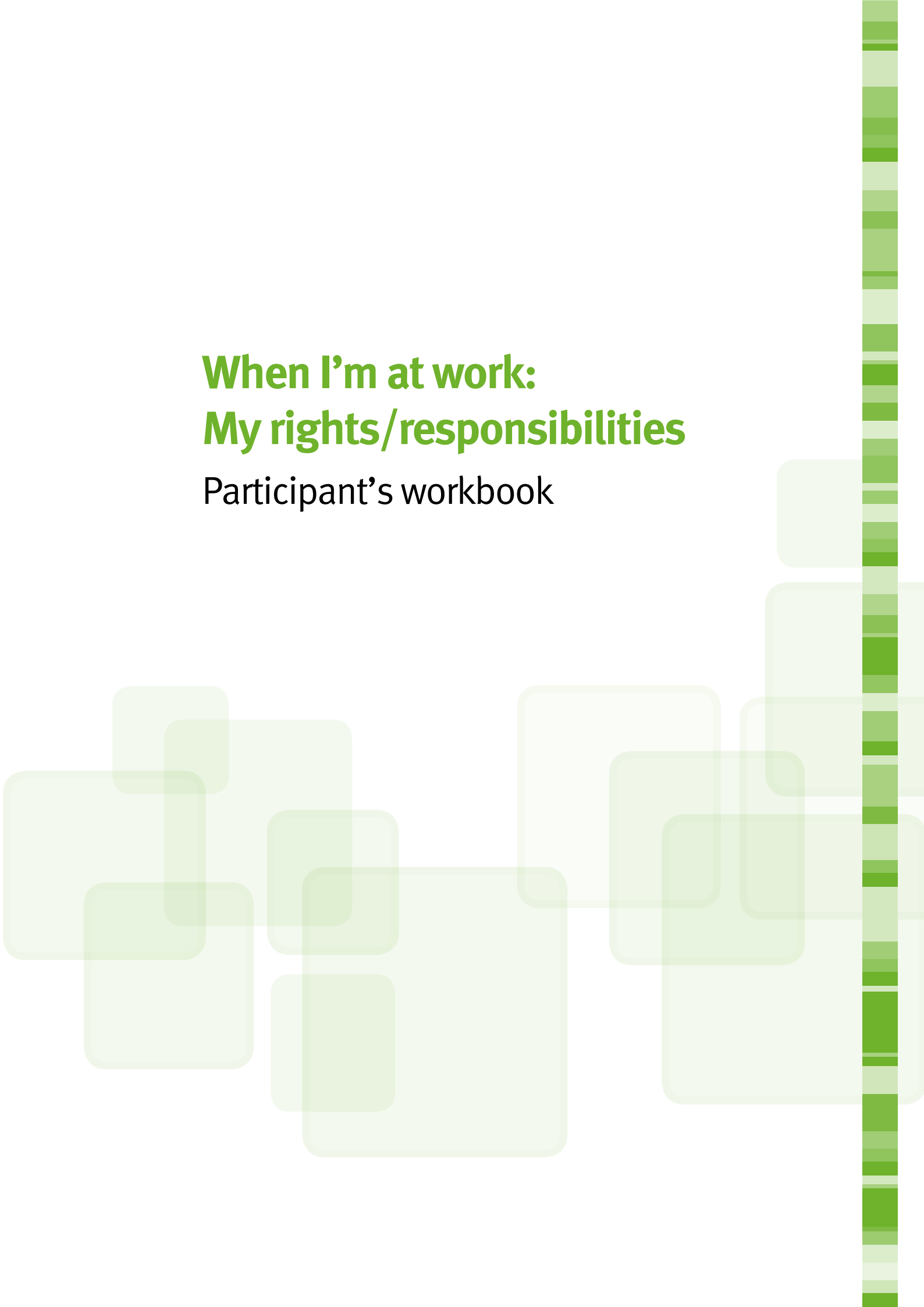


**When I'm at work:  
My rights/responsibilities**

Participant's workbook



## Contact details

Branch	Disability Program Branch
Department	Australian Government Department of Families, Housing, Community Services and Indigenous Affairs
Postal address	GPO Box 9820 BRISBANE QLD 4001
Phone	1300 653 227 Toll Free
Website	<a href="http://www.fahcsia.gov.au">www.fahcsia.gov.au</a>

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## Contents

Aim of the ‘When I’m at work’ series.....	v
<b>My rights/responsibilities .....</b>	<b>1</b>
My rights at work.....	2
My responsibilities at work.....	3
Work conditions .....	4
Probation.....	5
Leave from work.....	6
Hours of work.....	8
Superannuation .....	9
My wage .....	10
My pay .....	11
Training and support to do my job .....	12
Occupational health and safety (OH&S) .....	13
<b>Further information.....</b>	<b>17</b>



## Aim of the ‘When I’m at work’ series

The aim of the ‘When I’m at work’ series is to bring together information about being at work. The resources that comprise the series focus on the workplace and provide information, scenarios, and suggested activities to assist you and the supported employees working in your Disability Business Service.

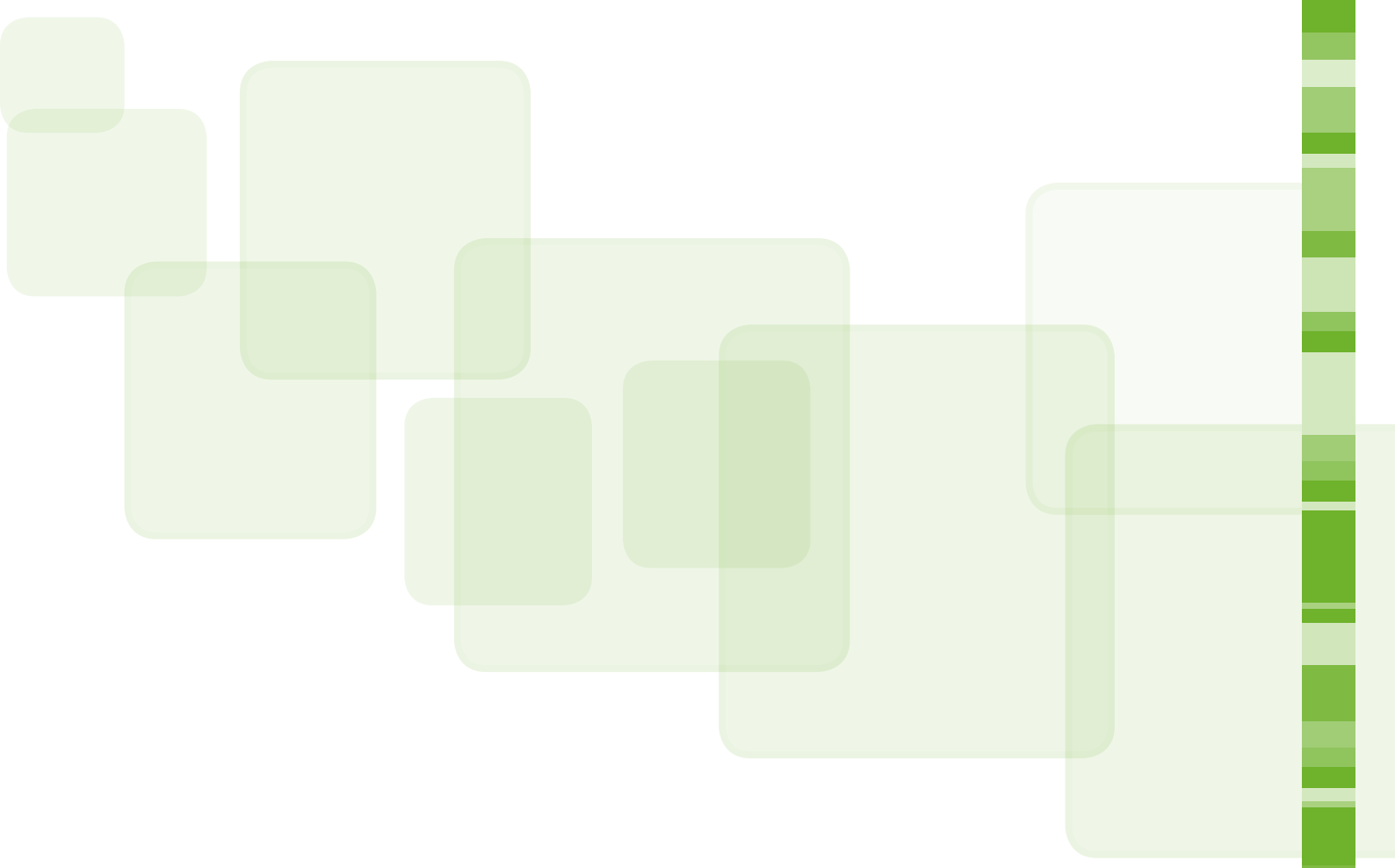
Topics in the ‘When I’m at work’ series are as follows.

- ▶ Supported employee induction
- ▶ Solving complaints
- ▶ Solving problems
- ▶ Retirement planning
- ▶ Working on a committee
- ▶ Using a computer
- ▶ Stopping abuse and neglect
- ▶ Teamwork
- ▶ Bullying
- ▶ My rights/responsibilities
- ▶ Drugs and alcohol
- ▶ Being sunsmart
- ▶ Keeping your workplace clean and tidy
- ▶ Wash your hands and keep germs away
- ▶ Good posture and a healthy back
- ▶ Stretching for good health
- ▶ Workplace behaviours

Using the ‘When I’m at work’ series will help Disability Business Services meet the requirements of a number of Disability Services Standards. For example, it will be useful in relation to Standard 11 that requires the provision of appropriate and relevant training and skills for each staff member.



# My rights/responsibilities



## My rights at work

It is important to know what:

- ▶ your rights are
- ▶ your rights mean in the work you do
- ▶ you can do if there are any problems with your rights at work.

Rights at work are about making sure:

- ▶ people are safe
- ▶ managers do what they are supposed to
- ▶ everyone knows about the rules for how people should act at work.





## My responsibilities at work

It is important to know what:

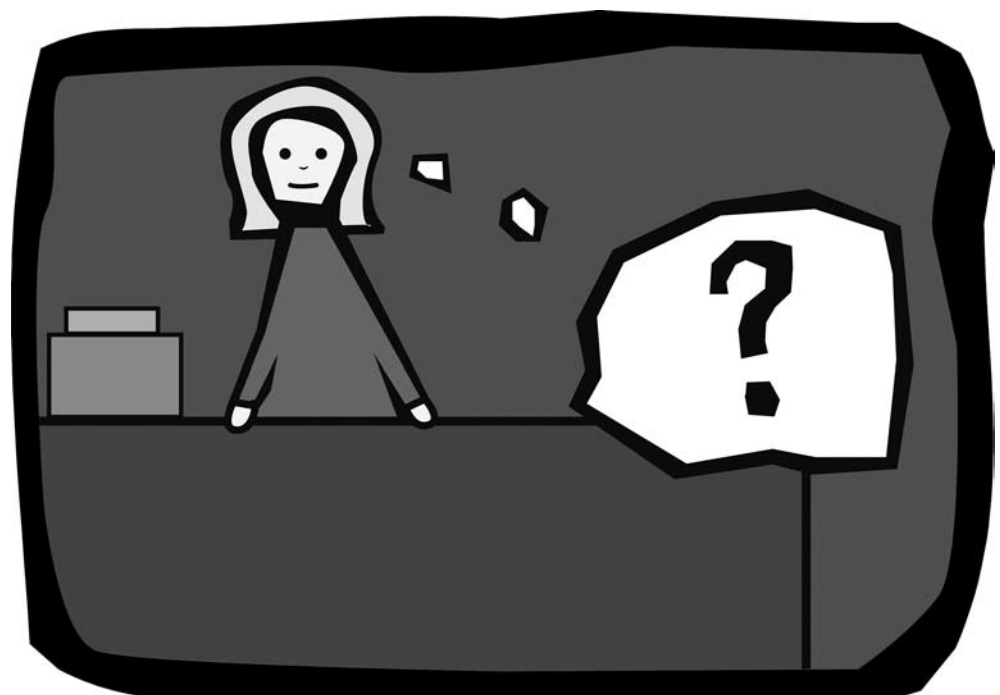
- ▶ your responsibilities are
- ▶ your responsibilities mean in the work you do.

Responsibilities at work are about making sure you:

- ▶ start work on time, and go back to work on time after your breaks
- ▶ do the best job that you can and try your hardest
- ▶ arrive at work fully alert and not under the influence of drugs or alcohol
- ▶ do what your supervisors ask you to do while you are at work, as long as it is reasonable
- ▶ are a good team member and work well with others. It is not ok to fight with or disrupt co-workers as this stops your team from doing a proper job
- ▶ are safe at work – obey the safety rules and wear and use the safety gear provided
- ▶ let work know (or get someone else to phone) if you aren't going to be able to come in to do your job.

### Things can happen if I'm not responsible at work

Both you and your employer need to obey the rules about your employment. Although your employer will try and help you to settle in and learn your job, if you don't meet your responsibilities bad things could happen. First your employer will tell you what you are doing wrong. You will then be asked to do the right thing, and will be given help if you need it to improve. You will then have a chance to do better. If you keep doing the wrong thing you could probably lose your job.



## Work conditions

There are some things that cannot be changed in your work. Your manager has to:

- ▶ pay you for the work you do
- ▶ make your workplace safe
- ▶ give you paid time away from work when you are sick
- ▶ let you take holidays
- ▶ pay you for your holidays.

You might be a full-time, part-time, or casual worker. It is important that you know what this means.

If you are a full-time worker, you:

- ▶ usually work more hours than a part-time worker
- ▶ are paid for the hours you work
- ▶ are paid for holidays
- ▶ are paid for sick leave.

If you are a part-time worker, you:

- ▶ usually work less hours than a full-time worker
- ▶ are paid for the hours you work
- ▶ are paid for holidays
- ▶ are paid for sick leave.

If you are a casual worker, you:

- ▶ are paid more than a full-time or part-time worker for each hour you work
- ▶ are not paid for holidays
- ▶ are not paid for sick leave
- ▶ may work different hours every week.

Different types of work	I work ...
Full-time	
Part-time	
Casual	

If you are concerned about not receiving your correct leave entitlements you can access help and information from the workplace ombudsman. Contact details are in the 'further information' section of this workbook.

## Probation

### What is probation?

Probation happens when you start a new job. It is a period of time during which you and your manager think about how you are going with your job. During the probation period, you and your manager will decide if this is the job for you. Sometimes the probation period can last three months or six months. There are times when there won't be a probation period, for example, if you are a casual worker you probably will not have a probation period.

There are lots of things that you and your manager will look at and talk about during the probation period. Here are some things that you might talk about.

- What are the things you do really well?
- What are the things you don't do very well?
- What help or support do you need to do your job?
- What training do you need to do your job?

Things my manager and I can think about during probation	What my manager and I can do about it
What I do really well	
What I don't do really well	
What help or support I need to work better	
What training I need to work better	

## Leave from work

### Annual leave

If you work full-time, you will have about 20 days each year that you can take as holidays. This is called annual leave. When you take this time away from work, you will be paid as much as when you are at work. Annual leave is a time when you do not have to go to work, and you are free to do other things that you like doing.

### Long service leave

When you work for the same employer for a long time you get extra paid holiday time, called long service leave. Usually you need to work for 10 years before you are able to take long service leave, and at most workplaces it is for two months. Some awards or organisations may offer more than two months. Some people like to take all of their long service leave at once, and take a very long holiday. Other people might take some long service leave every now and then.

### Sick leave

If you are a permanent worker you build up sick leave for each week that you work. Sick leave means that you can still be paid, even when you stay at home because you are too sick to work. You can take sick leave:

- ▶ without a doctor's certificate
- ▶ with a doctor's certificate.

If you are sick and off work for only one day, you may not need to go to a doctor. This means that you will use some of your sick leave without a doctor's certificate.

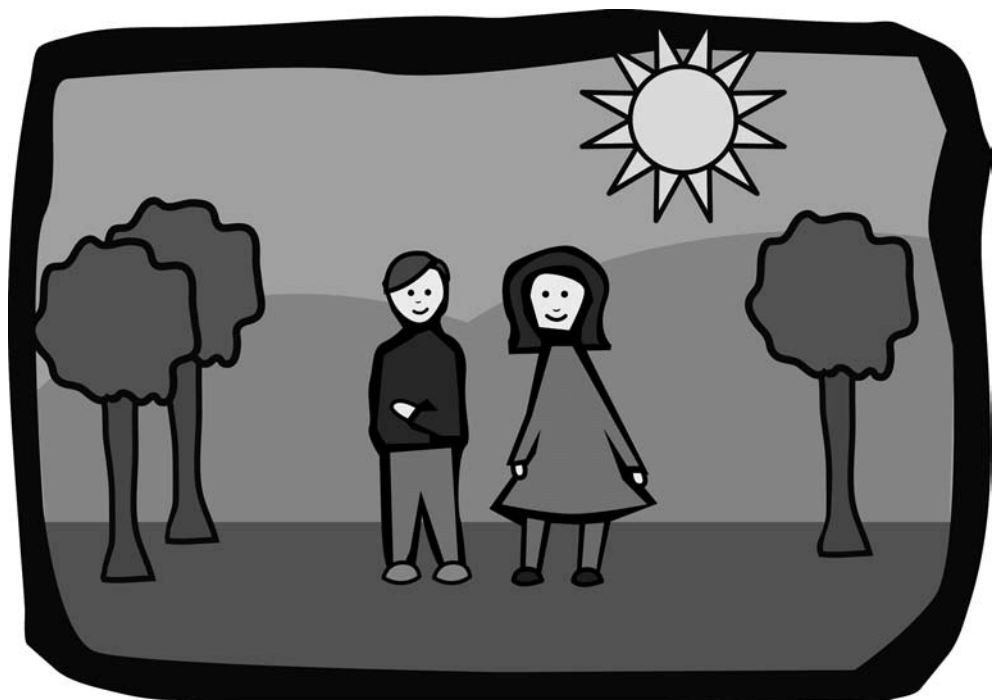
If you are off work for a few days and go to your doctor, your manager will need to know that you have done that. You will need to ask your doctor for a piece of paper called a certificate. The doctor signs this and gives it to you. You then give that to your manager.

Different workplaces have different ideas about whether you must have a doctor's certificate if you are off work because you are sick. Some workplaces say you must have a doctor's certificate even if you have been sick only one day. Your manager should tell you what happens at your workplace if you are sick.

If you are employed as a casual you are paid a higher hourly rate, and won't build up sick leave. Your sick leave is part of this higher rate.

If you are concerned about your work conditions, you can find help and information from the Human Rights and Equal Opportunity Commission or the workplace ombudsman. Contact details are in the 'further information' section of this workbook.

Types of leave you can take if you are a permanent full-time or part-time employee	How much leave I have
Annual leave	
Long service leave	
Sick leave without a doctor's certificate	
Sick leave with a doctor's certificate	



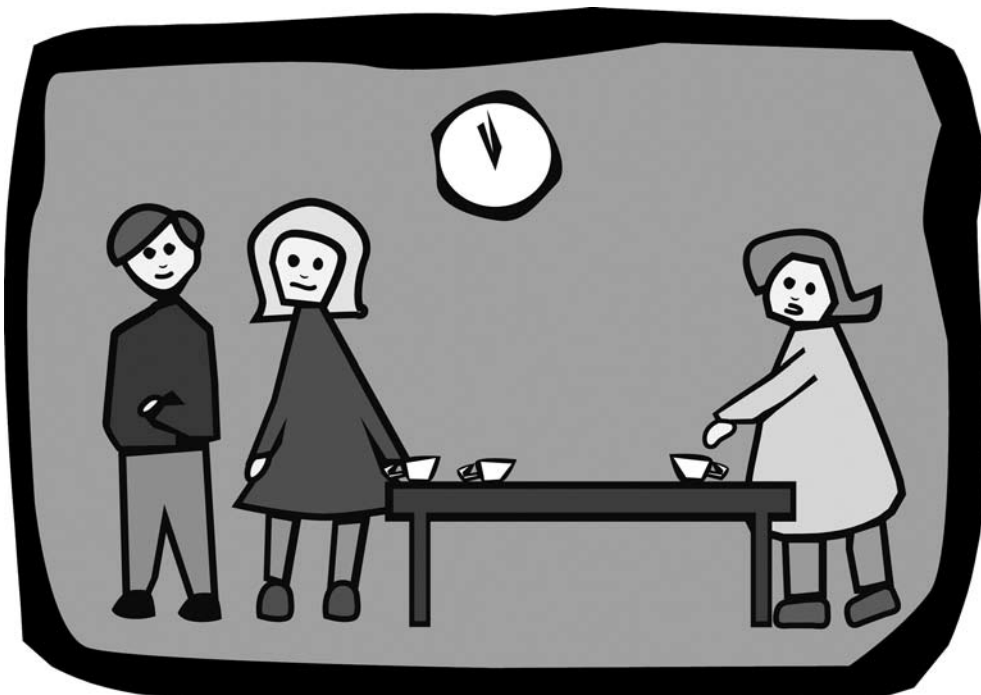
## Hours of work

Your hours of work are very important. This means being at work in the right place, and being ready to work at the right time.

Some people work seven hours and 30 minutes each day, which is a total of 37 hours and 30 minutes each week. Other people work shorter or longer hours.

It is your responsibility to know how many hours you have to work every day, and what time you are supposed to start and finish.

Hours of work	My hours of work
Start time	
Break times	
Finish time	



## Superannuation

Your workplace puts money into a special account for you, every time you are paid. This does not come out of your wages. The money is saved for you, for when you retire from work. This money is called superannuation, sometimes people also call it their 'super'.

Your workplace should give you information about where your superannuation is kept, and the amounts that are paid into your account each year.

Not everyone has superannuation paid by their workplace. You have to earn a certain level of pay, set by the Australian Taxation Office, before your employer pays this money. If your employer does not pay superannuation for you, you can still choose to pay money into a superannuation account yourself. In some cases, the government will put money in as well. Talk with your manager, or your family member/advocate about this.

If you want more information, you can visit the Australian Government's website on superannuation at [www.australia.gov.au/Superannuation](http://www.australia.gov.au/Superannuation).

Questions about my superannuation fund	Answers
Where is my superannuation money kept?	
How much money is paid in each year?	
How much money do I currently have in my superannuation fund?	

## My wage

The Australian Government has rules for how you get paid if you work in a Disability Business Service. You have to be paid for the work you do. Your pay will be worked out by a wage assessment.

During a wage assessment someone will watch you doing your job. They will decide:

- ▶ how well you do your work
- ▶ how much work you are able to do.

After you finish the wage assessment your wage is worked out. If you are not happy with the result you can speak to your supervisor.

Wage assessments are done on a regular basis. Your workplace will tell you how often. If you are working better and are able to do more you will get a higher rate of pay.

Wage determination questions	Answers
Which assessment tool was used for me?	
How was my pay worked out?	
How much should I get paid?	
Am I paid what my wage assessment said I would be paid?	

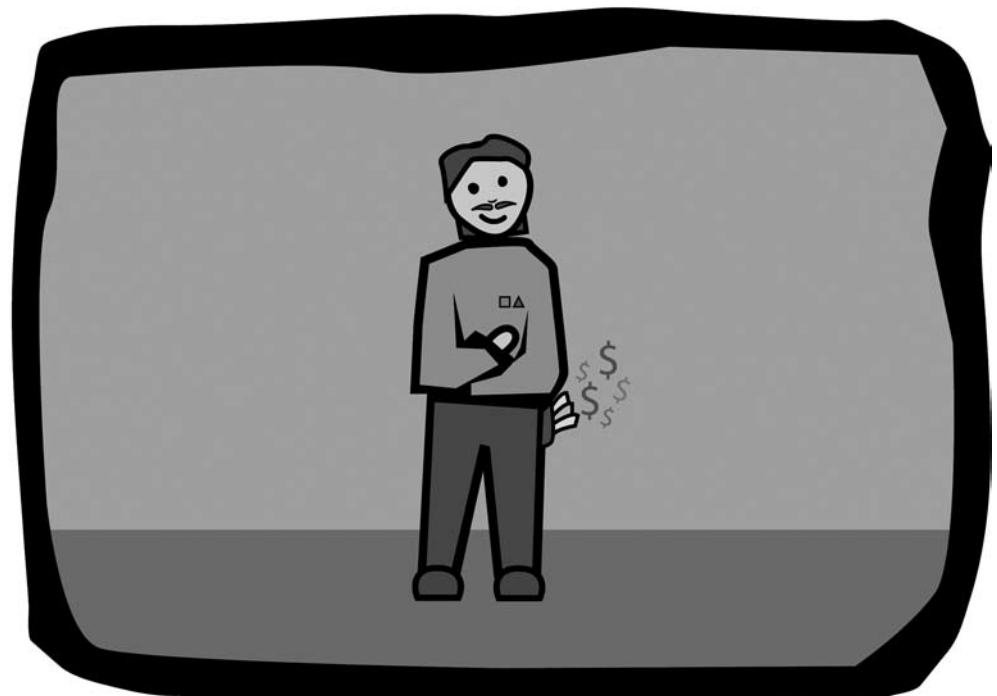


## My pay

You should always be given correct and up-to-date information about how and when you will be paid.

For example, your workplace may ask you for your bank account number so that your pay can be put into your account. Your workplace should tell you when your pay will be there.

Rates of pay questions	Answers
How do I get paid?	
When do I get paid?	



## Training and support to do my job

In your job, you will get a chance to set some goals. These goals are about the new things you want to do at work. They will also help you to decide what you need to learn so that you can do these new things at work.

You will do your job best if you are shown what you have to do, and if you get the chance to practise doing it. You will also do your job better if you get extra training to learn new things. It is important that you talk to your manager about this.

From time to time, you may need extra help to do your work. Your manager should be able to get you the right kind of support, so that you can do your job well. This support can be things like having:

- ▶ extra help from your supervisor when you do things that you find really hard
- ▶ someone there to help you talk, when you meet with your manager
- ▶ a rubber mat to stand on so your feet don't get sore
- ▶ a special chair to sit on to help your back.

What training do I need to do my job?	
What training do I need to do the other jobs I'm interested in?	
What extra supports do I need?	

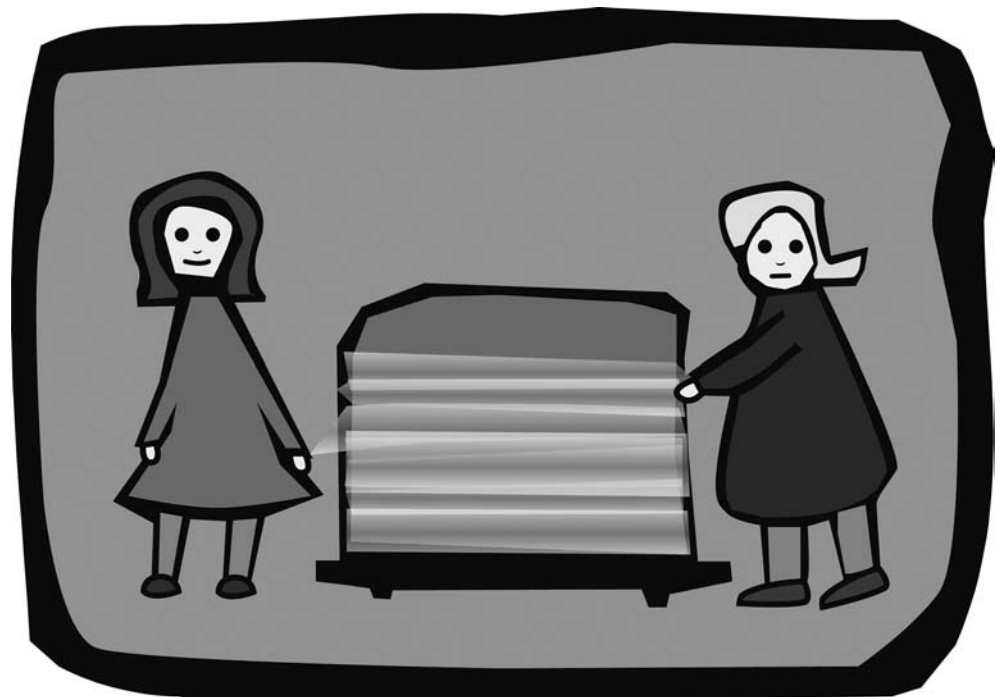
If you are concerned about not receiving the proper training you can access help and information from the Human Rights and Equal Opportunity Commission or the workplace ombudsman. Contact details are in the 'further information' section of this workbook.

## Occupational health and safety (OH&S)

Your manager has to make sure that your workplace is safe. Your manager also has to make sure that you are working in a way that keeps you and others safe.

You can help with this by:

- ▶ reporting anything unsafe that you notice
- ▶ using all the personal protective equipment (PPE) that you need for your work (this could mean wearing ear muffs if there are loud noises, wearing gloves if you are working with chemicals, or wearing a hair net if you are working with food)
- ▶ following all safety instructions
- ▶ reporting anything that happens at work no matter how small, so that your manager can do something about it
- ▶ learning about what to do in a fire, and how to get out of the building quickly and safely
- ▶ learning about all your workplace's safety rules.



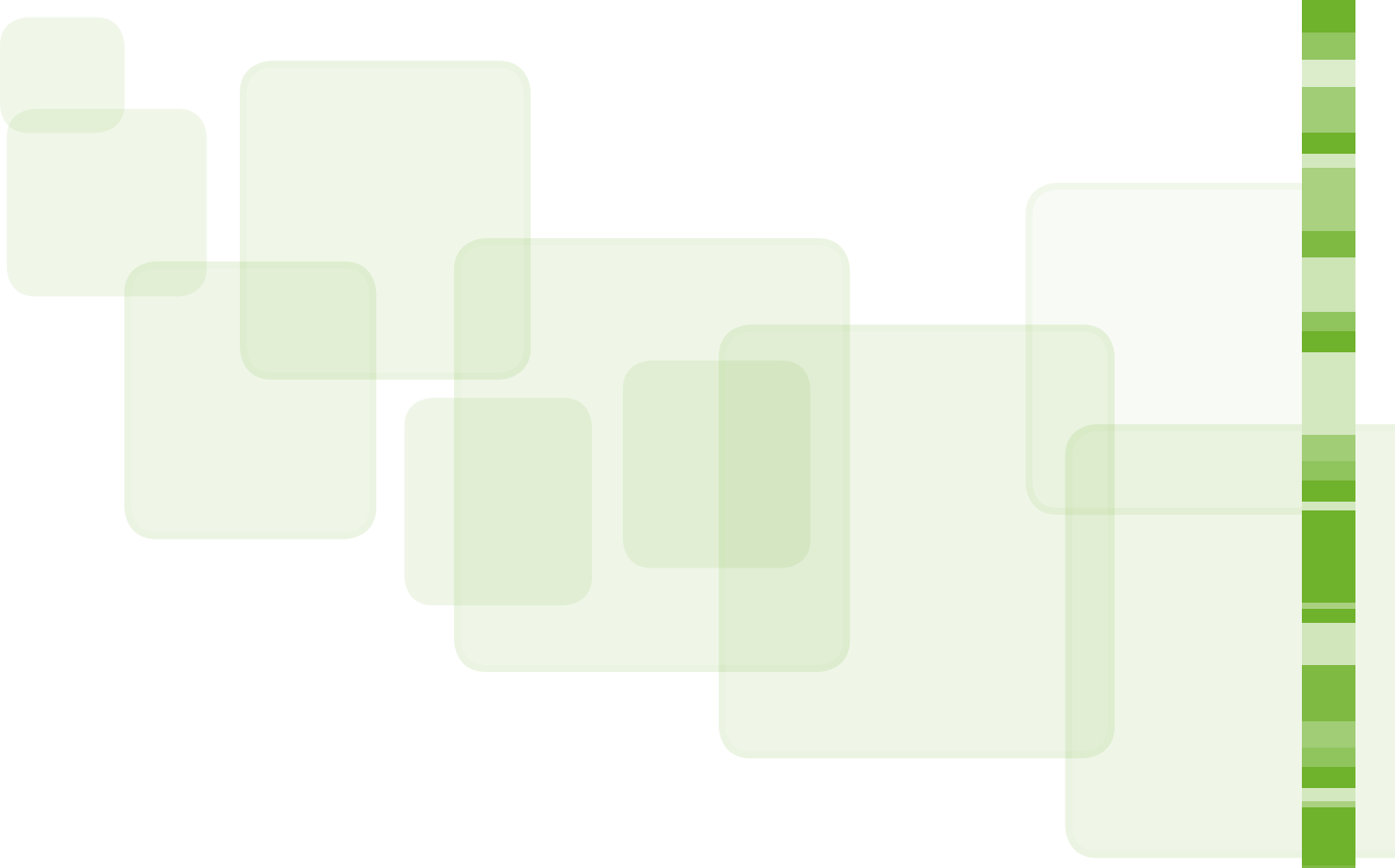
My responsibilities	How I work safely
When would I tell my manager or supervisor about something that seems unsafe?	
How do I tell my manager or supervisor if I think someone will get hurt?	
What personal protective clothing (PPE) has been given to me?	
Why has it been given to me?	
What have I been told to do so that I will keep safe?	
Do I know what to do if there is a fire?	

My responsibilities	How I work safely
Where are the safety rules for my workplace?	
Do I know what my workplace's safety rules are?	

If you are still worried that your workplace may not be safe, ask your supervisor to help you look at the OH&S websites in the 'further information' section of this workbook.



# Further information



You can look at the following websites if you need to know more about the workplace rights and responsibilities of supported employees.

### **Disability advocacy agencies**

[www.fahcsia.gov.au/internet/facsinternet.nsf/disabilities/representation-advocacy\\_agencies\\_0907.htm](http://www.fahcsia.gov.au/internet/facsinternet.nsf/disabilities/representation-advocacy_agencies_0907.htm)

### **Australian Government workplace ombudsman**

[www.wo.gov.au](http://www.wo.gov.au)

### **Other references**

Workplace ombudsman – workplace rights and rules

[www.wo.gov.au/asp/index.asp?sid=7407&page=right-rules](http://www.wo.gov.au/asp/index.asp?sid=7407&page=right-rules)

### **Human Rights and Equal Opportunity Commission**

[www.hreoc.gov.au/complaints\\_information/WOYR.html](http://www.hreoc.gov.au/complaints_information/WOYR.html)

### **Wage determination**

[www.facsia.gov.au/internet/facsinternet.nsf/disabilities/services-wage\\_assess.htm](http://www.facsia.gov.au/internet/facsinternet.nsf/disabilities/services-wage_assess.htm)

### **Superannuation**

[www.australia.gov.au/Superannuation](http://www.australia.gov.au/Superannuation)



## OH&S websites

### **Australian Capital Territory**

[www.workcover.act.gov.au](http://www.workcover.act.gov.au)

### **New South Wales**

[www.workcover.nsw.gov.au/default.htm](http://www.workcover.nsw.gov.au/default.htm)

### **Northern Territory**

[www.worksafe.nt.gov.au/index.shtml](http://www.worksafe.nt.gov.au/index.shtml)

### **Queensland**

[www.deir.qld.gov.au/workplace/index.htm](http://www.deir.qld.gov.au/workplace/index.htm)

### **South Australia**

[www.safework.sa.gov.au](http://www.safework.sa.gov.au)

### **Tasmania**

[www.workcover.tas.gov.au/node/workcover.htm](http://www.workcover.tas.gov.au/node/workcover.htm)

### **Victoria**

[www.workcover.vic.gov.au/wps/wcm/connect/WorkSafe](http://www.workcover.vic.gov.au/wps/wcm/connect/WorkSafe)

### **Western Australia**

[www.docep.wa.gov.au/WorkSafe](http://www.docep.wa.gov.au/WorkSafe)





