

Employment

Small Business Development Corporation

Volume of work, customer demands and plans for future growth may require you to employ an additional worker or workers. There are many issues that should be considered before making a commitment.

Before employing

Before employing a new worker, the work to be done should be evaluated. The duties and responsibilities of the position, and the skills, expertise and experience that will be required to do the work should be identified. A job description should be prepared.

The employment conditions, level of pay and other costs of employment, including the physical accommodation of the worker should be considered. Will the benefits of employing outweigh the costs?

Employing staff

It is important to attract and retain the right people. The employment process will run more smoothly if you know how to:

- advertise
- interview
- select the right applicant, and
- draw up and document a formal offer of employment

Good human resource management also includes proper induction, training and the reviewing of employee performance. The Small Business Development Corporation (SBDC) sells a range of books that cover human resource issues. See the complete list of publications available from the SBDC online bookshop at www.sbdc.com.au.

Do your employees know?

Do your employees know what you expect of them, what your organisation is all about, and what their role is in your business?

Employment arrangements

The Department of Consumer and Employment Protection (DOCEP) website www.docep.wa.gov.au and Wageline 1300 655 266 provide information on wage rates, award

conditions, unfair dismissal and other employment related matters, under both the state and federal systems. Information is also available on employer employee agreements, industrial agreements, collective bargaining and minimum conditions.

New labour relations laws

The Labour Relations Reform Act 2002 (WA) has modified the Western Australian industrial relations system. Workplace agreements are being phased out, employer employee agreements have been introduced, changes have been made to the minimum conditions of employment and record keeping requirements.

You should ensure that you obtain current information on the changes, your legal obligations and your choices under the new system.

Information and guidance on the changes are available from SBDC's Labour Relations Transition Service 1300 130 678, DOCEP website www.docep.wa.gov.au, and from Wageline 1300 655 266.

Understand your legal obligations in relation to:

- Workers compensation insurance cover
- Superannuation guarantee legislation
- Taxation – including payroll tax
- Apprenticeships and trainees
- Long service leave
- Occupational health and safety
- Record keeping
- Equal opportunity legislation – in relation to the recruitment, management and termination of employees

See the attached contacts list for further information.

If considering a subcontractor, note that different legal rights and obligations apply to employees and subcontractors.

Taxation requirements include:

- Registering as a PAYG withholding payer with the Australian Taxation Office (ATO). (Registration can be completed on the ABN registration form).
- Obtaining from your employees a completed tax file number declaration. Forms must be remitted to the ATO within 14 days of signing. Employees wishing to anticipate certain entitlements (eg the family tax benefit), will also need to provide you with a withholding declaration.
- Keeping records relating to payments to employees and other workers for 5 years for the ATO. (There are other requirements under various awards and agreements).

Caution

- Workers Compensation insurance cover should be in place before your worker commences with you.
- Keep records of what you and your employee discuss especially when related to conditions and terms of employment.
- Keep all your records up to date.
- Don't ignore unacceptable behaviour in the workplace.
- You may be prosecuted and have to pay unpaid entitlements or compensation if you don't comply with the various industrial laws.
- Employment laws and regulations are complex. Don't be afraid to seek professional advice: you can't afford to make mistakes.

Publications

Publications available from the SBDC bookshop at 553 Hay Street Perth, or online at www.sbdc.com.au, include the following titles:

<i>150 job descriptions: SoHo business software</i>	
PLU 399	\$43.95
<i>How to develop and write job descriptions</i>	
PLU 189	\$44.00
<i>Managing human resources</i>	
PLU 276	\$34.95
<i>New Employee orientation</i>	
PLU 129	\$23.90
<i>Preventing job burnout: transforming work pressures into productivity</i>	
PLU 114	\$23.90
<i>Quality interviewing</i>	
PLU 106	\$23.90
<i>Resumes that get shortlisted: proven strategies to get the job you want</i>	
PLU 305	\$24.95
<i>The Australian small business guide to hiring new staff</i>	
PLU 310	\$34.95
<i>Writing a human resources manual</i>	
PLU 144	\$23.90

For further information and guidance contact:

Small Business Development Corporation
553 Hay Street
PERTH WA 6000
Tel: (08) 9220 0222
Toll free: 1800 199 125
Fax: (08) 9221 1132
Email: info@sbdc.com.au
Website: www.sbdc.com.au

Disclaimer

This publication has been prepared by the Small Business Development Corporation to provide general guidance and direction on aspects of Employment. The information contained herein is provided voluntarily as a service to our clients and is made available in good faith and is derived from sources believed to be reliable and accurate at the time of publishing. However, the information is provided solely on the basis that readers will be responsible for making their own assessment and that they should verify all relevant representations, statements and information. Neither the Corporation nor its officers take any responsibility for statements or representations, nor shall the Corporation or any of its officers be liable in respect of any such statement or representation, whether by reason of negligence, lack of care, or for any other reason whatsoever.

Current at August 2002
© Small Business Development Corporation 1998-2002

GOVERNMENT DEPARTMENTS WHICH PROVIDE INFORMATION FOR EMPLOYERS

Australian Taxation Office

- 24hrs fax from tax information service
- Employment declarations
- Fringe benefits tax
- PAYG tax
- Superannuation

Freecall: 1800 199 010
Website: www.ato.gov.au
Fax: 13 28 60
Tel: 13 28 61
Tel: 13 33 28
Tel: 13 28 66
Tel: 13 10 20
Website: www.ato.gov.au/super

Office of State Revenue, Department of Treasury and Finance

- Payroll tax (applicable if your payroll for any one week exceeds \$12,981.00)

Tel: (08)9262 1300
Website: www.treasury.wa.gov.au

Department of Consumer and Employment Protection (DOCEP)

- State and federal awards, conditions of employment, wages records, phasing out of workplace agreements, employer/employee agreements, employment guides, unfair dismissal, etc.
- WA Wageline – wage rates and conditions

Tel: (08) 9222 7700
Freecall: 1800 627 740
Fax: (08) 9481 6089
Website: www.docep.wa.gov.au

Tel: 1300 655 266

Country

Albany
Bunbury
Geraldton
Kalgoorlie
Karratha

Tel: (08) 9842 8279
Tel: (08) 9791 2136
Tel: (08) 9965 4163
Tel: (08) 9021 0811
Tel: (08) 9185 1911

WorkSafe Western Australia

- Occupational health and safety
- Workplace safety issues

Tel: (08) 9327 8777
Fax: (08) 9321 8973
Email: safety@worksafe.wa.gov.au
Website: www.docep.wa.gov.au

WorkCover Western Australia

- Workers compensation insurance
- Injury management and rehabilitation

Tel: (08) 1800 670 055
Freecall: 1800 670 055
Email: postmaster@workcover.wa.gov.au
Website: www.workcover.wa.gov.au

Department of Training

- Vocational training
- Apprenticeships and traineeships

Tel: 13 19 54
Freecall: 1800 999 167
Website: www.training.wa.gov.au
Website: www.apprenticeships.training.wa.gov.au

Equal Opportunity Commission

- Enquiries and information packs on discrimination

Tel: (08) 9216 3900
Freecall: 1800 198 149
Website: www.equalopportunity.wa.gov.au

Federal Department of Employment and Workplace Relations

- Information on the federal system

Tel: (08) 9464 4000
Website: www.dewr.gov.au
Website: www.workplace.gov.au

State Law Publisher

- Sells copies of a few awards and acts – also available on the website

Tel: 9321 7688
Website: www.slp.wa.gov.au

Western Australian Industrial Relations Commission

- Sells copies of awards – also available on the website

Tel: 9420 4444
Freecall: 1800 624 263
Website: www.airc.gov.au

You can also access all government departments and agencies through the Business Entry Point website www.business.gov.au.