

# Information for new employers

February 2008

*This information has been developed as a general guide on legal obligations to assist new employers.*

It is important to understand that there are two different industrial relations systems operating in Western Australia, the State and the Federal systems.

Constitutional corporations, such as Proprietary Limited (Pty Ltd) companies that trade, fall within the Federal industrial relations system. Non-constitutional corporations, such as sole traders and partnerships, are part of the State industrial relations system.

The two systems have different rules and obligations for employers. To find out more about which system applies, please contact Wageline on 1300 655 266.

## **Awards and agreements**

There are State and Federal awards and industrial agreements, which are legally binding documents setting out wages and conditions of employment for employees. Registered individual agreements are between an employer and employee, detailing pay and employment conditions, and will generally replace a relevant award.

## **For more information**

- > **Wageline** – information on State awards, agreements and legislation.  
Telephone: 1300 655 266  
Internet: [www.docep.wa.gov.au](http://www.docep.wa.gov.au)
- > **Western Australian Industrial Relations Commission** – full copies of State awards and collective agreements.  
Telephone: (08) 9420 4444  
Internet: [www.wairc.wa.gov.au](http://www.wairc.wa.gov.au)
- > **Workplace Infoline** – information on Federal awards, agreements and legislation.  
Telephone: 1300 363 264
- > **Australian Industrial Relations Commission** – full copies of Federal awards and agreements.  
Telephone (08) 9464 5172  
Internet: [www.airc.gov.au](http://www.airc.gov.au)

## **Labour Relations**

Dumas House, 2 Havelock Street  
West Perth, Western Australia 6005  
Telephone: 9222 7700 Wageline: 1300 655 266  
Facsimile: 9222 7777 Email: [labourrelations@docep.wa.gov.au](mailto:labourrelations@docep.wa.gov.au)  
Internet: [www.docep.wa.gov.au](http://www.docep.wa.gov.au)



Department of Consumer  
and Employment Protection  
Government of Western Australia

## Time and wages records

All employers are legally required by employment laws to keep time and wages records, either written or electronic. Records contain information about employees, including personal information, details of hours worked and wages paid, and leave entitlements accrued and taken.

Employers need to keep correct time and wages records in order to:

- > keep track of employees' hours and leave;
- > demonstrate compliance with required wages and conditions; and
- > avoid fines associated with non-compliance.

### For more information

- > **Wageline** - for information on State legislation and State award or agreement requirements.  
Telephone: 1300 655 266  
Internet: [www.docep.wa.gov.au](http://www.docep.wa.gov.au)  
  
Record keeping templates and a brochure on the requirements can be found on the website.
- > **Workplace Infoline** – information on Federal record keeping requirements.  
Telephone: 1300 363 264

## Occupational health and safety

All employers are legally required to provide a safe working environment. WorkSafe, a division of the Department of Consumer and Employment Protection (DOCEP), is responsible for administering occupational safety and health laws.

The occupational safety and health laws apply to all employers and employees in Western Australia.

### For more information

- > **WorkSafe** – provides information on how to maintain a safe workplace.  
Telephone: 1300 307 877  
Internet: [www.worksafe.wa.gov.au](http://www.worksafe.wa.gov.au)

## Workers' compensation

All workers should be covered by workers' compensation insurance against accident or injury in the workplace, whether they are paid wages, salary, commission, or piece rates. This includes apprentices, full time, part time, casual or seasonal workers and can include subcontractors.

WorkCover is the government agency that administers this system. The WorkCover website has a list of approved insurers that employers can purchase workers' compensation insurance from.

### For more information

- > **WorkCover** – for information on the workers' compensation system and employers' obligations.  
Telephone: 1300 794 744  
Internet: [www.workcover.wa.gov.au](http://www.workcover.wa.gov.au)

## Superannuation

Superannuation legislation requires employers to make superannuation contributions of nine per cent on behalf of their employees into a fund of the employee's choice.

### For more information

- > **Australian Tax Office Superannuation Hotline**  
Telephone: 13 10 20  
Internet: [www.ato.gov.au/super](http://www.ato.gov.au/super)

## Taxation

Employers must deduct tax from their employees' wages and meet payroll tax obligations.

### For more information

- > **Australian Tax Office** – for information on obligations and assistance.  
Telephone: 13 28 66  
Internet: [www.ato.gov.au](http://www.ato.gov.au)
- > **State Revenue Department** enquiry line – for payroll tax.  
Telephone: (08) 9262 1300 or 1300 368 364 (regional callers)  
Internet: [www.dtf.wa.gov.au](http://www.dtf.wa.gov.au)

## Discrimination

Western Australian legislation prohibits discrimination on the basis of sex, age, race, marital status, family responsibility, family status, religious conviction, political conviction, sexual orientation, gender history, disability or impairment, pregnancy or spent conviction. Sexual or racial harassment and victimisation are also prohibited. These laws apply in the recruitment, management and termination of employees.

Employers need to provide a workplace free from discrimination and harassment.

### For more information

- > **Equal Opportunity Commission**  
– provides information packs on discrimination.  
Telephone: (08) 9216 3900 or 1800 198 149  
Internet: [www.equalopportunity.wa.gov.au](http://www.equalopportunity.wa.gov.au)

## Apprenticeships and traineeships

Registered apprenticeships and traineeships are an option for many businesses. Apprenticeships and traineeships allow a business to hire an employee who is prepared to learn a trade or skill set.

### For more information

- > **Apprenticeship and Traineeship Support Network** – for information on setting up an apprenticeship or traineeship.  
Telephone: 13 19 54  
Internet: [www.apprenticeships.det.wa.edu.au](http://www.apprenticeships.det.wa.edu.au)

## Registration of business name

The Consumer Protection division of DOCEP deals with applications for the lodgement of business names and other licensing and registration services.

### For more information

- > **Business Name Registration** –  
Telephone: 1300 30 40 14  
Internet: [www.docep.wa.gov.au](http://www.docep.wa.gov.au)

## Other consumer protection issues

Consumer Protection also provides advice on retail trading hours in Western Australia, rights and responsibilities under consumer protection legislation, industry licensing and best practice in customer complaint-handling.

### For more information

- > **Consumer Protection Advice Line** –  
Telephone: 1300 30 40 54  
Internet: [www.docep.wa.gov.au](http://www.docep.wa.gov.au)

## Small Business Development Corporation

The Small Business Development Corporation provides a variety of services for small businesses. Many services are offered through the Small Business Centres (SBCs) located throughout Western Australia. The SBCs offer free assistance and support to existing and new businesses.

### For more information

- > **Small Business Development Centre** –  
Telephone: 1800 199 125 or 13 12 49  
Internet: [www.sbdc.com.au](http://www.sbdc.com.au)

## Need more information?

If you require more information on employment arrangements contact Wageline on 1300 655 266 or visit our website: [www.docep.wa.gov.au](http://www.docep.wa.gov.au)

### **Wageline 1300 655 266**

8.30am – 5.00pm weekdays  
except Wednesday 9.00am – 5.00pm

*This information is provided by the Department of Consumer and Employment Protection (DOCEP) as a general guide only and is not designed to be comprehensive nor to render legal advice. Readers should not rely on the contents of this information without first obtaining legal advice.*

*DOCEP does not accept liability for any loss suffered by a reader who acts contrary to the advice in the above paragraph.*

This publication is available on request in other formats to assist people with special needs

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#### Regional offices

Great Southern	(08) 9842 8366
South-West	(08) 9722 2888
Mid-West	(08) 9964 5644
Goldfields/Esperance	(08) 9021 5966
North-West	(08) 9185 0900
Kimberley	(08) 9169 2811



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