

# Employment

## Hiring, Managing and Terminating Staff





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# INTRODUCTION

It is important to note that P&C Associations are **not exempt** from workplace law and it is therefore essential to understand your obligations should you already employ or are looking to employ staff. Being aware of your obligations as an employer will help avoid potential issues with regulatory agencies and possible legal action.

Australia has a structured and regulated workplace environment. National legislation is in place to protect employees and provides a framework in which employers must operate. In addition, there are negotiated protections (awards or agreements) for particular occupations which specify pay rates and other entitlements for workers.

Employment involves meeting obligations in five key areas

- Employees rights and entitlements (Fair Work, Awards and Agreements)
- Tax (PAYG and Superannuation)
- Insurance (Workers Compensation)
- Work, Health and Safety (WHS)
- Child Protection (Working with Children Checks)

P&C Associations need to ensure they have all these areas properly addressed. More information on each of these areas will be given throughout this document except for the last two points which are covered in separate member guidance documents.

In this document, we have broken employment up into three main domains of activity;

- Engaging a new employee
- Maintaining employment
- Terminating employment.

All three domains will be looked at separately and in detail in order to provide guidance to P&C Associations in meeting their employment obligations.

## WORKPLACE RELATIONS IN AUSTRALIA

Australia has a national workplace relations system called the Fair Work system, created under the Fair Work Act 2009 which came into effect on the 1<sup>st</sup> July 2009. It covers the majority of workplaces in Australia including P&C Associations. There are several main bodies that administer the Fair Work system:

### The Fair Work Commission (FWC)

The [Fair Work Commission](#) is Australia's national workplace relations tribunal. It is an independent body with power to carry out a range of functions including:



FAIR WORK COMMISSION

AUSTRALIA'S NATIONAL WORKPLACE RELATIONS TRIBUNAL

- providing a safety net of minimum conditions, including minimum wages in awards
- facilitating good faith bargaining and making enterprise agreements
- dealing with applications in relation to unfair dismissal
- regulating how industrial action is taken
- resolving a range of collective and individual workplace disputes through conciliation, mediation and in some cases public tribunal hearings
- functions in connection with workplace determinations, equal remuneration, transfer of business, general workplace protections, right of entry and stand down.

## Fair Work Ombudsman (FWO)

The Fair Work Ombudsman is an independent Federal agency that serves as the central point of contact for free advice and information on the Australian workplace relations system. It also investigates workplace complaints and enforces compliance with national workplace laws. The [Fair Work Ombudsman](#) can:



- help you find your correct pay rates, and help employers work out what they should be paying employees
- help you find out what your entitlements are for things like leave, overtime and allowances
- educate people about fair work practices, rights and obligations
- investigate complaints or suspected contraventions of workplace laws, awards and agreements
- act to enforce workplace laws
- work with industry, unions and other stakeholders
- help you manage business transfers, shutdowns and closures.

## Federal Court of Australia

The Federal Court of Australia has jurisdiction over all civil and criminal matters arising in the Fair Work system. This includes unfair dismissal, termination of employment or a contravention of other workplace rights.



***It is highly advisable not to end up with your P&C Association dealing with Fair Work or the Federal Court for the wrong reasons.***

# RIGHTS & ENTITLEMENTS

This section covers the basic information you will need to know about the rights and entitlements of your employee/s. It is important as an employer to understand and cater for the rights and entitlements of all your employees as there are heavy fines and penalties for breaches. From time to time there may be changes or updates to this information so please ensure that you check regularly.

## WHAT IS AN EMPLOYEE?

While this document is specifically concerned with employees, it is important to note the difference between an employee and contractor.

An employee is anyone engaged to carry out tasks for money if several (but not necessarily all) of the following applies; they:

- are paid for the time worked, per item or a commission basis
- bear no financial risk, your business is responsible for their work
- take direction from your business as to the way in which they do their job
- work within and are considered part of your business
- are paid wages or a salary regularly by your business
- can't pay someone else to do their work (subcontract or employees of their own)
- have income tax deducted by your business
- are entitled to receive paid leave.

In contrast, contractors essentially work for themselves or another business and are therefore subject to the terms of the contract between your P&C Association and the contractor's business. In recent years, the courts have shown themselves quick to find an employment relationship exists where an individual has been engaged as a contractor.



***Significant caution should be taken before engaging someone as a contractor unless their business has staff of its own or they do work for other businesses.***

## WHAT ARE THE BASIC RIGHTS?

As an employer, your P&C Association must recognise that all people working in Australia have basic rights. The Fair Work Act 2009 provides a range of general protections for employees including:

- Workplace rights
- Award coverage (with minimum pay and conditions) for almost all employees
- The right to engage or not engage in industrial action
- The right to be free from unlawful discrimination
- The right to be free from undue influence or pressure in negotiating individual arrangements.



*Workplace rights are things that prospective and existing employees are entitled to have (e.g. minimum pay levels), benefit from (e.g. safe work environment) do (e.g. join a union) or be protected from (e.g. discrimination) because of a law that relates to the workplace. They include the right for employees to complain about other workplace rights not being upheld (e.g. complain about minimum pay levels not being met).*

In addition to these basic rights, the Fair Work system has established the National Employment Standards (NES) which contain 10 minimum standards of employment. These are:

- Maximum hours of work per week
- Flexible working arrangements
- Parental and related leave entitlements
- Annual leave
- Personal/carer's leave and compassionate leave
- Community service leave
- Long service leave
- Public holidays
- Notice of termination and redundancy pay
- Provision of a Fair Work information sheet.

The NES forms a national safety net for employees. Terms in awards, registered agreements and employment contracts cannot exclude or lessen the minimum entitlements provided for in the NES. An introduction to the NES can be found on the Fair Work website at the following link:



[www.fairwork.gov.au/employee-entitlements/national-employment-standards.pdf](http://www.fairwork.gov.au/employee-entitlements/national-employment-standards.pdf)

## WHAT ARE EMPLOYEES PROTECTED FROM?

There are a number of key rights that employees have in the workplace. These rights are to protect the employee from the employer attempting to undertake or apply any of the following:

<b>Adverse action</b>	such as dismissing an employee unlawfully, altering their position to their detriment or discriminating against them because they have a workplace right, has/has not exercised that workplace right, proposes to exercise that workplace right, does/does belong to a union or engages/does not engage in industrial action.
<b>Coercion</b>	involves coercing, the intent to coerce, or the threat to coerce, a person to change a workplace right to the detriment of that person.
<b>Undue influence or pressure</b>	by which a person is induced to act otherwise than by their own free will or without adequate attention to the consequences.
<b>Misrepresentation</b>	An employer must not knowingly or recklessly make a false or misleading representation about workplace rights.

*An employer trying to undertake or apply any of the above, risks a claim for general protections being brought against them. General protection claims based on allegations of adverse action being taken are particularly complex and it is beyond the scope of this guide to describe them in detail. P&C Association members should be aware that claims usually arise (although not always) at termination but this will not always be the case. Seek advice before terminating someone whether they are a casual or not and whether they are in probation or not – because adverse action applies in such circumstances.*



## INFORMATION YOUR EMPLOYEES NEED TO BE ADVISED OF

As an employer you will need to provide your employees the following information:

- The type of employment
- Hourly rate of pay before tax
- Any loading if applicable
- The pay cycle (weekly, fortnightly or monthly)
- Payment method e.g. direct deposit or cheque
- Days and hours of work each week, start and finish times, meal and break times if applicable
- Any reporting requirements either to P&C Association meetings or a sub-committee
- Any procedures and policies of the P&C Association relevant to the employee including the handling of cash and stock
- The contact details of their manager and/or appropriate office bearer in the P&C Association
- A copy of the National Employment Standards (NES).

## WHAT HAPPENS IF A P&C ASSOCIATION GETS IT WRONG?

There are two basic ways that rights can be enforced by an employee who feels there has been a breach of the *Fair Work Act*. They can take action directly themselves or raise the issue with a union or the Fair Work Ombudsman to advocate on their behalf. The penalties, discussed in more detail later in this Guide, can be tens of thousands of dollars and P&C Association members can be found to be personally liable.

## UNION RIGHTS

Any P&C Association employee or independent contractor has the right to join an industrial association such as a trade union or employee association if they so choose. In addition, all employees are entitled to engage or not engage in 'industrial activities' which may include various forms of lawful participation in industrial action (as organised by a trade union).

Typically, the union covering the canteen and uniform shop staff would be the SDA Union.

# HIRING EMPLOYEES

## INTRODCUTION

Employing staff requires a degree of planning and due diligence on the part of any P&C Association. There are significant compliance requirements under workplace law that your P&C Association will need to meet when employing staff. Sound processes will not only help to ensure you meet these obligations but will aid in choosing the right person(s) for the role. This section provides step by step guidance for a suggested process to employ staff.



## THE EMPLOYMENT PROCESS

The following multi-step procedure is provided as a guide for the employment of P&C Association staff.

1. Vacancy Occurs (existing or new position)
2. Form a Selection Committee
3. Advertising
4. Select Interviewees
5. Organising
6. Conducting Interviews
7. Reference Checking
8. Make a Decision
9. Advising Applicants
10. Finalising Things.

The remainder of this section looks at each of these steps in detail.

## STEP 1 – VACANCY OCCURS

### Vacancy for an Existing Position

Should a vacancy arise with an existing position for whatever reason, the P&C Association can go straight to step 2 in this process and form a selection committee. In this circumstance, a business case is not absolutely necessary however, there is the opportunity to determine if any of the existing conditions of employment need to be changed and to check the costs associated with employment.

### Filling a Brand-New Position

Before employing anyone for a new position, your P&C Association should first clarify the work that the new employee will be doing by drafting a job description. There is no mystery to the process – it simply involves describing the sorts of activities that the employee will be carrying out. Some sample job descriptions are included at the rear of this Guide.

Once the position description has been clarified the P&C Association should decide if a business case exists that supports the creation of such a position.

Although putting together a business case might sound complex, it is simply a formalised way of asking ‘why does the P&C Association need to employ someone and what benefit will it bring given the associated expenses and compliance responsibilities’.

A business case can be easily put together by considering two essential areas:

1. **Goal and Objectives** - What is it you are trying to achieve by employing someone. Some of the reasons that may be applicable are to:
  - Help grow or more effectively operate the business
  - Create more consistent management
  - Give longer term stability to the business
  - Give better service to customers.
2. **Financial Impact** – Determining how employing somebody will impact on the financial status of the P&C Association is crucial to deciding whether or not to proceed. You may come up with great goals and objectives, but the P&C Association must be able to afford engaging an employee and it should be sustainable. When addressing the financial impact, you should consider:
  - The basic costs of employment (wages, superannuation and insurance)
  - Are there any additional costs associated with employment such as award entitlements or training
  - How will the total cost of employment impact on the finances of the P&C Associations enterprise (canteen, uniform shop, band etc.) and the P&C Associations financial position as a whole
  - Will you the need to increase the sale price of goods or services to cover the increased expenses of employment and what possible impact will this have on sales.

## Types of Employees

### Casual Employees

A casual employee is someone who has no guarantee of ongoing work. For casual employees:

- the employer does not have to offer work
- the employer offers no advance commitment to continuing/ongoing work e.g. a roster
- the employee does not have to accept any offer of work
- the employee's hours are irregular, or uncertain, sick or annual leave is not paid
- they are paid a loading above the full time hourly rate
- usually you have to pay them for a minimum number of hours for each day they work.

Most awards require the employer and employee to have a written agreement for casual employees.

**Note:** a casual employee **may** transform into being classified as a part or full-time employee in circumstances where:

- the employer offers an advance commitment to continuing/ongoing work, such as the duration or hours/days the employee will work e.g. a roster
- a regular pattern of work emerges e.g. the employee works every Friday or set hours/days each pay period
- the employee has an expectation of ongoing work e.g. the employee is expected to be available on an ongoing basis.

P&C Associations must carefully monitor casual staff working arrangements to avoid casual employees from becoming full or part time employees. The reason for this is, if it is determined the arrangement is no longer casual, the employee will automatically commence accruing paid leave (i.e. annual/personal), notice of termination and redundancy entitlements.

## Changes to work arrangements

In circumstances where a casual employee's employment has been determined, by a member ratified decision at a properly convened meeting of the P&C Association, to have become full or part time, you will need to agree with the employee the new working conditions and make sure the change is documented in writing. You should also make sure you keep a copy of the new agreement and give the employee a copy too.

### Part-time Employees

A part-time employee is an employee who:

- works less than 38 hours per week, and
- has reasonably predictable hours of work.

Part-time employees are generally entitled to the same things full time employees are entitled to (like annual leave, public holidays, personal leave, compassionate leave or Award based entitlements) but in some cases these entitlements will be proportionate to how much they work.

When you are going to hire someone to work part time you must first agree on what their regular pattern of work will be and make sure that there is a written agreement specifying at least:

- the number of hours they will work each day
- which days of the week they will work
- the actual starting and finishing times for each day
- that any variation of hours, days or start times will need to be in writing
- that the minimum daily engagement is three hours, and
- the times they can take breaks and the duration of meal breaks.

### Changes to regular patterns of work

If you want to change their regular pattern of work, you have to agree that with them and make sure the change is documented in writing before it happens. You should also make sure you keep a copy of the agreement and give the employee a copy too.

You should not change the employee's roster unless you:

- keep the agreed number of hours the same (unless you both agree to different hours), and
- give written notice 7 days in advance (48 hours in advance if there is an emergency).

## The Cost of Employment

To help work out how much an employee will cost you as part of your business case, you need to start by determining which award your new employee belongs to. When looking for a suitable award you should look at the "Coverage" clause in each award (typically point 4 in the modern awards). This clause must cover what the employee will be doing. If it does then you will need to look at the 'Classification' clause (typically found in schedule B) to determine how the employee will be classified in terms of duties.

Awards commonly used by P&C Associations for their different types of employees are:

<b>Band</b>	Miscellaneous Award 2010 (MA000104)
<b>Bookkeeper</b>	Clerks Private Sector Award 2010 (MA000002)
<b>Canteen employees</b>	Fast Food Industry Award 2010 (MA000003)
<b>General Assistants</b>	Clerks Private Sector Award 2010 [MA000002] or Miscellaneous Award 2010 (MA000104)
<b>OHSC employees</b>	Child Services Award 2010 (MA000120)
<b>Uniform Shop</b>	General Retail Industry Award 2010 (MA000004)

Once you have identified the correct award and classification you can determine the hourly or weekly rate of pay. From this you can then determine the base cost remembering to add 25% for casual staff if the award pay rate tables do not contain casual rates. You will also have to add superannuation as a percentage of the base pay rate if applicable.

### Example

*Let's say you're P&C Association has decided that it wants to investigate employing a manager for the uniform shop. The shop is open two days per week, Monday and Thursday, between 8:00am and 9:30am. You identify the managers duties as opening and closing of the shop, purchasing and stock control, volunteer roster management, sales, security of cash and supervision of volunteers. From this information, you would*

- Decide that a uniform shop manager would be under the General Retail Industry Award 2010 (MA000004) from the list above.*
- There are 8 classifications (levels of employment) listed in the award in Schedule B. From this you work out that the manager would have the responsibilities of a Retail Employee level 4.*
- The full-time rate for this level for the financial year 2017/18 is \$809.10 per week or \$21.29 per hour (based on a 38-hour week).*
- The way the awards are drafted there is no certainty as to a P&C Association's right to employ staff as permanent part time but not pay them over the holidays. Accordingly, unless your P&C Association implements an enterprise agreement, the only option is to pay the staff member throughout the year requiring, them to take their annual leave over the holiday break and continue to pay them during other holiday periods. Thus, if your P&C Association only wants the uniform shop manager to work during the school terms, you need to employ the manager as a casual, so you need to add 25% casual loading onto the full-time rate which comes to \$26.62 per hour.*
- The other feature of a casual is the capacity to vary their hours on a week to week basis which is not something available for a permanent part-timer. That option may be something that is attractive. The problem under some awards with employing part-timers, is if you need them to work longer than their agreed hours, then there is a requirement to pay overtime for the additional hours.*
- The award also states that the minimum daily engagement for a casual is three hours so in the case of opening the uniform shop for two mornings you would need to pay the manager for six hours a week during school term. This equates to \$159.69 per week or \$6,387.63 per year based on 40 weeks in the school per year.*
- As this person will be working hours above the superannuation threshold you then need to add the cost of superannuation, currently 9.5% of the gross wage.*
- As a last step you would compare the turnover and costs of the uniform shop to the cost of employment to see if it is affordable or not.*

Fair Work provides a pay calculator which will help to confirm your calculations. You can find the pay calculator at the following link:



<https://calculate.fairwork.gov.au/findyouraward>

If you have any difficulty working out which category to choose, understanding the award or other employment conditions then contact Fair Work for advice.

## Ratification of the Decision to Employ

Once you have put together a business case it should be presented to a P&C Association general meeting or a special meeting called specifically for this purpose. Employing staff for a new position is a significant step, involving ongoing expenses and compliance responsibilities, the decision to employ must be ratified by members at a properly convened meeting of the P&C Association by carrying a motion to that effect.

A sample motion could look like:

*"That the [xxx] P&C Association seeks to employ a uniform shop manager in line with the recommendations in the business case provided to members dated [dd/mm/yyyy]."*

## STEP 2 – FORMING A SELECTION PANEL

When the P&C Association resolves to employ a person(s) or there is a need to find a new person(s) to fill an existing or upcoming vacancy, the next step should be to form a selection panel. The selection panel will help ensure that the entire appointment process is run fairly and equitably and provide a level of confidence to the P&C Association, helping to minimise concerns of bias, favouritism and lack of process that might arise otherwise.

### The Role of the Selection Panel

The selection panels role is to perform all the next steps in the employment process. This includes: writing the job add; selecting candidates to interview; conducting the interviews; and then making a recommendation as to which candidate should be employed, if any.

### Composition of the Selection Panel

Choosing appropriate members for the selection panel can make the job of selecting the right employee easier. Although your P&C Associations may have a limited choice of panel members, you should consider the following when forming the panel:

- Having at least one Officer (President, Vice Presidents, Secretary or Treasurer) on the panel
- Avoid choosing members that may have potential conflicts of interest such as being related or close friends with potential applicants
- Choose individuals that may have experience in interviewing or ad writing
- Look at choosing a P&C Association member that is not part of the Executive as a form of balance
- Look at choosing an independent person, someone not associated with the P&C Association, that may have appropriate skills and/or be an impartial member of the panel. For example, you may choose to ask someone from the local chamber of commerce, a lions or rotary club member, or even a canteen manager from another school if you are looking for a canteen manager
- Look at the availability of potential panel members for meetings and interviews. There is little benefit in selecting a panel member that cannot put in the required time and effort due to work or other commitments
- Look at having three members on the panel.

### Suggested Rules for Panel Members

To give some structure and process the following rules are suggested for panel members;

- A panel convenor should be chosen who has the role of coordinating the selection committee and ensuring that the agreed procedures are faithfully followed. The convenor will also be responsible for answering questions about the job from potential candidates. Often the panel convenor will be the Office Bearer on the panel
- Maintain confidentiality at all stages during and after the selection process. This means not disclosing the names or details of applicants or any of their personal information including details of on CV's to individuals that are not on the panel
- Declare of any potential conflict of interest such as being related to or friends with any applicant
- Be willing to carry the selection process to completion
- Be available for interviews and other meetings of the selection panel
- Be fair, impartial and polite when dealing with candidates
- Understand and follow the procedures involved in selection process.

## STEP 3 - ADVERTISING

### Writing the Advertisement

Writing a good advertisement is critical to attracting candidates to the role. The advertisement should contain all the relevant information without undue embellishment or exaggeration. This way applicants can clearly see what is involved with the job and don't get misled in to thinking the role is something it is not. The advertisement should be clear, concise and as short as possible.



When writing the advertisement, you should consider using the following structure

- Create the job title (eg. Canteen Manager, P&C Bookkeeper)
- Use the job description you created earlier
- A brief statement as to working conditions such as casual or part-time employment, number of hours/days per week and the wage or hourly rate
- Decide which qualifications or experience are '**essential**' and which are '**desirable**'.

**Essential:** Are qualifications or skills which are considered necessary to carry out the duties of the position, e.g. Certificate in Food Handling & Preparation, demonstrated experience in small business management or bookkeeping. These are the 'must have' qualifications. (Note: certification is not mandatory)

**Desirable:** Qualifications which might be an advantage in carrying out the duties, e.g. canteen management experience, bookkeeping, sales or stock control experience.

- Describe the business briefly to give applicants some information about your P&C Association.
- Provide contact details for any enquiries. This should be the name and contact number of the person selected to give detailed information concerning the position (usually the convenor of the selection panel).
- Provide the full postal address or email address for receipt of applications, including the closing date for applications



***The ad must present an equal opportunity for anyone interested in the position to apply. Do not favour friends or relatives of committee members or to write the job description with a specific individual in mind. The ad should not discriminate against a person's race, colour, sex, sexual orientation, age, physical or mental disability, marital status, family or carer's responsibilities, pregnancy, religion, political opinion, nationality or social origin.***

Desirable qualifications should provide the selection committee with more detail for assessing the merits of the applicants. The criteria stated in the advertisement establish the basis for short listing applicants and the interview process.

### Arranging Advertising

There are no hard and fast rules about how or where you should advertise your position. You may only need to advertise in the school newsletter or on the school noticeboard. Alternatively, you could consider:

- P&C Association or local community social media (provided this is OK with the sites terms of use policy or the administrator)
- Community noticeboards (at shopping and community centres)
- Local newspapers
- On-line job ad platforms

It is important that before placing any advertising you are aware of any costs or time limits that may apply. Also check to see if there are potential for hidden costs such as the first 50 words are free, or the ad is free for the first 5 days. Ideally you want to advertise with as little cost to the P&C Association as possible.

## STEP 4 – SELECTING CANDIDATES (SHORT-LISTING)

Once the advertisement has run its course and you have received applications, the selection panel needs to determine which candidates, if any, are suitable for interview. This process is often called short-listing or culling. The purpose of conducting a short-listing is to:

- exclude those applicants who, on the basis of their application, do not satisfy the essential requirements stated in the advertisement; and to
- help the selection panel in ranking applicants by creating a list of those who best meet the Criteria in order of best fit.



The job advertisement description, essential qualifications and to some extent desirable qualifications or experience are used as the basis for determining if applicants are suitable or not. For example, if a candidate does not possess any of the essential qualifications then it is reasonable to exclude them from short-listing. If you have a number of candidates that all meet the essential qualifications, then you would use the desirable qualifications along with any relevant experience to help rank candidates. The process you use to rank candidates should be consistent and fair and always relate to the key requirements of the job position.

Note that there may be circumstances where all applications are excluded because none of the applicants meet the essential qualifications. If this should happen then the selection panel should not feel obliged to interview or select anyone. In this case, although inconvenient, the panel should run the ad again. Getting the right employee is more important than inconveniencing the selection panel.

If the panel has found one or more applicants worthy of interview then the panel should record its choices and proceed to the next step, organising interviews.

## STEP 5 – ORGANISING INTERVIEWS

The convenor now contacts the applicants chosen to be interviewed from the short-listing process to organise a time and place for the interview. This is usually done by phone. Arranging interviews should be done as soon as possible after the short listing has completed. To save time you may choose to contact the interviewees by phone at the end of the short-listing meeting while the whole panel is present.

When planning interviews, the selection panel should consider:

- trying to make sure the interviews are within 10 working days of the closing date of applications
- ensuring the duration of interviews are of sufficient duration for each interviewee to have a reasonable opportunity to demonstrate their suitability for the position. An interview is typically between 25 and 40 minutes with the same duration being offered to all interviewees
- Provide time for selection panel members to form a view as to the skills of each candidate
- Allow at least 15 minutes between interviews to allow discussion and summarising of the candidate's suitability by members of the committee
- The interview venue should be private and away from distractions or others overhearing the conversation. Although it may be appealing to have interviews in a café or somewhere like McDonalds, it is suggested that a more neutral and private setting be chosen. Your school may be able to provide a room or space for this purpose or alternatively you could use a private residence or meeting rooms at the local library (if available)
- As a courtesy, send the interviewees an SMS message or calendar event confirming their interview time and the venue
- Notify the interviewees as soon as possible should there need to be a change of venue or time.



## STEP 6 – CONDUCTING INTERVIEWS



The way in which interviews are conducted are really up to the panel to decide. However, it is recommended that you adopt a consistent and professional approach to help to create a fair and productive round of interviews, without undue stress on the applicant.

It is good practice to establish a small number of questions for the applicant, so you have a starting point. There may be questions that have arisen from the applicant's CV that you want to explore further.

The following steps provide a basic guide to the agenda for a typical interview.

- Carry out introductions
- Have the convenor
  - explain any time limitations
  - give a brief overview of the way in which the interview will be conducted
  - offer a brief description of the position on offer for clarity.
- The selection panel will then question the applicant. It is generally good practice to ask each applicant similar questions although additional questions can be asked if discussion brings up particular points that warrant further investigation.
- If the candidate has a resume and there are any gaps in it, it is important to ask them to explain the gap. Sometimes candidates will mask 'employment failures' by simply not mentioning that period of employment. Others will even fudge the employment periods of adjacent jobs to cover a gap.
- As a last point ask the candidate if they would like to add anything further to support their application or do they have any questions in relation to the job.
- Finish the interview by letting the candidate know what will happen next and when.

At the end of the interviews, the selection panel should allow sufficient time to discuss all the interviews and rank the applicants. Ranking is important if the first ranked applicant declines the position or leaves after a short period.



**Unlawful discrimination arises when a potential employer treats a candidate less favourably (in circumstances that are materially the same) than another candidate based on a particular characteristic. Particular characteristics protected by law include: race, colour, sex, sexual orientation, age, physical or mental disability, marital status, family or carer's responsibilities, pregnancy, religion, political opinion, national extraction or social origin.**

Apart from extreme examples, discrimination will generally not arise in the interview. It is more what you do with the information you obtain from the candidate.

*Example:*

*You can ask a candidate if they have responsibilities as a parent but, if they answer by saying they are the primary carer of 2 children under 5 years old and you do not offer them the role, they might have the impression they didn't get the job because of their carer responsibilities. Family or carer responsibilities are one of the protected characteristics. So, the knowledge gained during the interview leaves the P&C Association open to a claim that the carer's responsibilities were one of the reasons they didn't get the job.*

*A better question might be to ask if the candidate is available between the required hours. It is permissible not to employ a candidate because they are unavailable to work the required hours, even if the reason for their inability was a protected characteristic.*

## STEP 7 – REFERENCE CHECKING

Another critical step in the process of employment is to contact past employers of preferred candidates.



**Not only can you contact the referees provided by the candidate's, you can also contact any former employer, whether they were nominated as a referee on the resume or not. In fact, ringing former employers that were not nominated by the candidate can be the best sources of information.**

Questions you might want to ask include:

- Between what dates did you (the former employer) employ them (the candidate)?
- What was the role they were employed to carry out?
- What were their strengths and weaknesses?
- How they were regarded by their peers?
- Were they reliable?
- Did they appear to have any restrictions in completing their duties?
- Would you hire them for a role of the type in the job description? If not – why not?
- Why did they leave? Are you aware of anything that caused you to doubt the genuineness of their stated reason?



***You should bear in mind that questions you ask a past employer (or more to the point the information you receive) could leave you open to a claim for discrimination just the same as if you asked the candidate.***

## STEP 8 – MAKING THE DECISION

The fundamental role of the selection panel is to find a suitable candidate for the job. The most important point to remember is that you need to appoint the right candidate. If the panel cannot find anyone suitable then the appropriate action is to not offer the position and then readvertise. Although it is tempting just to offer the position to someone even though they don't meet the criteria, choosing the wrong person for the sake of convenience could end up causing you more grief further down the line. In making the decision the panel should consider:



- The performance at interview, including the manner in which they presented themselves and answered questions
- Whether or not the applicants interview marries up with what they presented in their CV
- Any relevant experience
- Their overall capacity to carry out the role advertised.

Hopefully the panel can come to agreement on a suitable candidate from this. Once a decision has been reached on a candidate then there is a formal process of producing a letter of offer.

## Illegal Workers

It is an offence in Australia to employ illegal workers. An illegal worker is anyone that is not an Australian or New Zealand citizen or an Australian permanent resident and is working without a valid visa or working in breach of a visa condition. Employers can face infringements or civil penalties if they allow illegal workers to work regardless of whether they knew someone was an illegal worker or not.

If you are about to make a decision on employing someone and have doubts about their legal status to work, now is the time to check. It is expected that employers take reasonable steps to confirm that a non-citizen is allowed to work. To confirm Australian or New Zealand citizenship

- Australian or New Zealand passport
- Australian birth certificate and a form of photo identification
- evidence of Australian citizenship and form of photo identification
- certificate of Status for New Zealand citizens in Australia and a form of photo identification.

To confirm permanent resident status, an employer can sight:

- certificate of permanent resident status and a form of photo identification
- a passport issued by the government of another country along with a check using [Visa Entitlement Verification Online](#) (VEVO). See the link below.

To confirm if a non-citizen has permission to work

- Use the free online service [Visa Entitlement Verification Online \(VEVO\)](#).

Obviously if a check found that any candidate was an illegal worker you would not offer them to job and move to the next candidate if you have one.



[http://www.homeaffairs.gov.au/Busi/visas-and-migration/visa-entitlement-verification-online-\(vevo\)](http://www.homeaffairs.gov.au/Busi/visas-and-migration/visa-entitlement-verification-online-(vevo))

## STEP 9 – ADVISING CANDIDATES

Once a decision has been reached, the convenor should advise all candidates, as soon as possible of the success or otherwise of their applications. It is common practice and courtesy to phone the successful candidate as soon as possible to notify them. This allows the convenor to know if the candidate is still interested in the job or not. They may also agree verbally to accepting the role while on the phone, pending the letter of offer.

It is best to keep any correspondence to unsuccessful candidates in a standardised and brief format. Avoid reference to reasons for them being unsuccessful. Simply advise them that they have been unsuccessful and wish them all the best in their future search for employment.



***Any verbal offer of employment should always be followed by a written letter of offer and be subject to the written acceptance of the applicant as soon as possible.***

### The Letter of Offer

Key to engaging a new employee is the letter of offer. This is a formalised statement of the roles, responsibilities, remuneration and other terms of employment related to the job. It gives the applicant a written statement of the terms of their employment so that they understand in detail what they will be paid, the hours of work and role and responsibilities of the position on offer. The letter of offer is also an important document for the P&C Association as it forms the basis of a contract of employment. It should be clear and concise.



***An employment contract only protects the P&C Association if a court will uphold it. This means that when drafting a letter of offer you need to comply with relevant legislation so that it will be enforceable if there is a dispute in the future. There can be some complexity to this, so the P&C Federation recommends following the sample documents it provides.***

A letter of offer should have at a minimum:

- The name of your P&C Association (indicating who the employer is)
- The type of employment (casual, part-time or full time)
- The award under which the employee is covered (see the following section on awards)
- The classification level under that award
- The rate of pay
- The frequency and method of payment
- The hours of work for a part time employee and other matters specified above in Step 1
- If they will be a casual employee, the hours they may be asked to work so long as it is clear that there is no guarantee of minimum hours
- For part time and full time staff, if the probationary period will be 12 months (which will apply if the P&C Association has less than 14 staff) or 6 months (which will apply if the P&C Association has more than 14 staff)
- For part time and full time staff, details of any periods where there will be no work (i.e. school holidays)
- When performance will be reviewed (eg every year)
- The length of the contract (if applicable)
- The responsibilities of the role (or simply attach the job description)
- A contact phone number/email for the supervisor or responsible person within the P&C Association
- A statement to say that the offer of employment is conditional on the P&C Association confirming that the applicant has a 'clear to work' status after a Working with Children Check and other police checks
- A suggested start date, time and location
- A space for signature and date of the applicant and P&C Association representative

Sample letters of offer can be found on the P&C Federation members portal at:



<https://membersportal.pandc.org.au>

Once you have written the letter of offer it should be posted and/or emailed to the successful applicant. If they agree to what is being offered they should sign the letter and send it back to the P&C Association. The signed letter needs to be filed as part of the persons employment records and must be kept confidential.



***The letter of offer should come from the President or one of the Officers of the P&C Association. If there are no Officers on the panel then notification of the panel's decision should be given to the Officers who will then produce the letter of offer based on the panel's recommendation.***

If the candidate should accept the position, then next step will be to verify their Working with Children Check status. To do this your P&C Association will need to be registered as an employer with the Office of Children's Guardian if you have not done so already. You will need the applicant's full name, date of birth and WWCC number or WWCC application number for the verification process. For more detailed information on Working With Children Checks refer to the Member Guidance document:



[Working with Children Checks](#)

If and only if the applicant has 'clear to work' status would you then let all other interviewees know that they were unsuccessful.

Should your first-choice candidate turn down the offer of employment or fail to have WWCC clearance, then you can offer the next highest ranked candidate the job if you have one and they are suitable for the role. Should there be no candidates, the P&C Association may need to rerun the job advertisement.

## STEP 10 – FINALISING THINGS

You have written the advertisement, gone through the interview process and found a great person for the job. They have signed and returned the letter of offer and have been verified as having a cleared WWCC status. So, what next?

There are a number of steps that need to be performed before a new employee starts work. These would be:

- Inform the Officers that you have employed someone. You will need to inform the Officers that will have direct line control of the new employee
- Inform the P&C Association bookkeeper (if you have one) so that they can add the new employee to the payroll. If you don't have a bookkeeper, then the Treasurer needs to be informed so that they can be added to the payroll
- Obtain the employees completed Tax File Number (TFN) declaration form
- Sort out the superannuation provider for the employee if superannuation is applicable
- Organise workers compensation insurance should you total P&C Association wages bill be over the threshold
- Provide a Fair Work Information sheet to the new employee on their first day along with any available and relevant P&C Association policies or procedures
- Organise a workplace induction which will include basic Workplace Health & Safety (WHS) training
- Introduce the employee to the Principal and office staff if appropriate
- Report back to the P&C Association that you have a new employee and if possible, have them come to the meeting and introduce them.

# MANAGING EMPLOYMENT

## INTRODUCTION

Once you have hired staff, your P&C Association will then have an ongoing obligation to comply with all applicable laws relating to employment. It cannot be stressed enough that there are no special exemptions for P&C Associations as a volunteer run, not for profit organisation. A P&C Association has the same obligations as any other small business. This section deals with managing employees and looks at the specifics of maintaining employment.

## PAYING EMPLOYEES

There are a number of requirements that an employer has to comply with in relation to paying their employees. The main ones affecting P&C Associations are summarised below.

- Award Rate Changes
- PAYG (Pay as You Go) Tax
- Superannuation
- Leave Entitlements (Annual, sick and long service leave)
- Payslips.



***Information and requirements change frequently, so P&C Associations should regularly check the links provided below to ensure they have the most up to date information.***

## AWARD WAGES AND INCREASES

P&C Association employees are generally under an award and as such must be paid at least the minimum award wage according to their specific award and classification. It is therefore important that award rate changes are monitored for any increases to ensure that the P&C Association is not in breach of the award conditions.



***Generally, award increases take effect on 1 July each year.***

A P&C Association can sign up to the free Fair Work email newsletter service, which comes every two months and notifies of new requirements and wage increases. The awards your P&C Association would like to be notified about can be specified.

You can sign up for email updates on award rates by going to the following link.



**[www.fairwork.gov.au/website-information/staying-up-to-date/subscribe-to-email-updates](https://www.fairwork.gov.au/website-information/staying-up-to-date/subscribe-to-email-updates)**

If there is a change in the minimum award rate, then all affected employees pay must be adjusted to ensure they are being paid at least the minimum rate. Any outstanding back pay due must also be paid from the effective date of the increase. An increase in the base pay rate will also impact on superannuation contributions so any superannuation payments will need to be adjusted as well.

Where an employee is paid at rates above their award, and this continues to be appropriate, a P&C Association may choose to maintain the differential between the relevant award and the employee's pay rate, but it is not mandatory.

## TAXATION

P&C Associations that employ staff are required to withhold tax from each employee's wages, unless they earn below the tax threshold. This tax payment is called 'Pay as you go' (PAYG) withholding tax. A P&C Association must register with the ATO in order to utilise PAYG withholding.



The requirements for registration by the P&C Association as the employer, for determining the appropriate PAYG tax to be withheld (tax tables), and for making the payment to the Australian Taxation Office can be found on the ATO website. It is highly recommended that P&C Associations carefully read and understand PAYG requirements to ensure that they are fully compliant.

P&C Associations with employees must also issue their employees with a Payment Summary at the end of each financial year (30th June). The Payment Summary shows how much the employee has been paid for the financial year and includes the amounts of any tax withheld. Most accounting software will generate Payment Summaries from the years wages records.



***Payment Summaries must be provided to employees by 14th July each year, even if the withheld amount is zero.***

Your P&C Association must also provide the Payment Summary information for all employees to the ATO by 17 July each year. Again, most accounting software will generate this as a file that can be submitted to the ATO electronically or physically (such as a CD)

PAYG is reported by submitting a quarterly Business Activity statement ('BAS'). This must be completed and submitted by the due date each quarter, even if the P&C Association employee earns below the threshold.



***You must lodge a BAS on time as late submission can attract a penalty from the ATO.***

## SUPERANNUATION ('SUPER') GUARANTEE PAYMENTS

Superannuation is money employers are required to pay to provide for their employee's retirement. This is over and above the employee's base salary. Under the Superannuation Guarantee legislation, super must be paid for every employee who;

- Earns more than \$450 (before tax) in salary or wages in a particular month
- For some individual contractors if your P&C Association pays them under a contract that is wholly or principally for their labour, and they are paid on the basis of hours worked.



The exception is employees who are under 18 years old, who must work at least 30 hours per week to be entitled to the superannuation guarantee.

The current superannuation guarantee rate is 9.5% of each eligible employee's ordinary earnings. This rate was due to go up in 2018 but recent changes in the law have kept the superannuation guarantee rate at 9.5% until 2021.

Detailed information on the superannuation guarantee and how much you have to pay your employees is available on the ATO website. There is also the ATO Superannuation Guarantee Calculator which will help you determine the correct amount to pay. The superannuation calculator can be found on the ATO's calculators and tools web page:



[www.ato.gov.au/calculators-and-tools/](http://www.ato.gov.au/calculators-and-tools/)

Care needs to be taken with superannuation for P&C Association employees as some may have varying hours of work between months and the threshold may be exceeded. In this case superannuation must be paid for that month. Failure to do so may result in subsequent fines. You will need to monitor your employee's wages to see if they will exceed the threshold each month.

Alternatively, the P&C Association may consider paying superannuation for these employees as part of their wages agreement even if they are not over the threshold. This will help ensure there are no inadvertent breaches of the legislation and corresponding fines.

## Choice of Super Fund

Under some awards, an employee may choose their own superannuation fund, or a P&C Association may allow employees to choose their own fund. If so, they must be provided with an ATO 'Standard Choice Form' (NAT 13080). The ATO Standard Choice Form is available online at:



[www.ato.gov.au/Forms/Superannuation-%28super%29-standard-choice-form/](http://www.ato.gov.au/Forms/Superannuation-%28super%29-standard-choice-form/)

A P&C Association must also nominate a default superannuation fund, where employee superannuation payments will go if an employee does not choose their own fund or do not have choice.

All Superannuation payments must be made to a complying superannuation fund or retirement savings account (RSA): It is therefore very important that the P&C Association checks that its default fund and any fund chosen by an employee for their superannuation is compliant. You can determine if a specific fund is compliant by going to:



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

If superannuation is paid to a fund that is not eligible, the P&C Association may be required to pay additional superannuation to a compliant fund, as well as penalties and interest.

## Small Business Superannuation Clearing House

If you have a number of employees who use different superannuation funds, your P&C Association may wish to use the Small Business Superannuation Clearing House which is a free online payment service run by the ATO for businesses with less than 19 employees. It allows your P&C Association to set up your employee's details, and then make a single payment to the ATO. The ATO then makes the payments to each of your employee's superannuation funds on your behalf. More information is available at:



[www.ato.gov.au/Business/Employers-super/In-detail/Small-Business-Superannuation-Clearing-House/Using-the-small-business-superannuation-clearing-house/](http://www.ato.gov.au/Business/Employers-super/In-detail/Small-Business-Superannuation-Clearing-House/Using-the-small-business-superannuation-clearing-house/)



## LEAVE ENTITLEMENTS

Minimum leave entitlements are set out in the National Employment Standards (NES). An employer cannot diminish these basic entitlements. Industry awards can provide for additional leave entitlements beyond that set out in the NES. There are several types of leave P&C Associations have to be aware of.

### Annual Leave

For part time and full-time employees, annual leave (also known as holiday pay) is an entitlement that allows the employee to be paid while taking time off work. Full-time and part-time employees get 4 weeks annual leave per year based on their ordinary hours of work. For example, a full-time employee working 38 hours per week is entitled to 4 weeks (20 days or 152 hours) of annual leave. A part-time employee that only works 15 hours per week will accumulate 60 hours of annual leave in the year.



***Only full-time or part-time employees are entitled to annual leave.***

Some awards allow for employers or employees to make requests to deal with accrued leave balance in particular ways (for example, cashing it in when there is a high balance). This is less of a problem for employees of P&C Associations given the use of leave over school holidays, but it can come up.

Important points relating to annual leave:

- Annual leave accumulates from the day of commencement of employment including any probationary period
- Annual leave accumulates during the year with any unused annual leave carrying over into the next year
- An employee will continue to accumulate annual leave when the employee is on:
  - Paid leave such as paid annual leave and paid sick or carer's leave
  - Jury duty or other community service leave
  - Long service leave
  - Leave related to a worker's compensation claim
- The timing of annual leave has to be agreed between the employer and the employee. Employers must not be unreasonable in refusing any request
- Employers can require employees to take paid annual leave at particular times (for example, during school holidays) if the request is reasonable
- Pay during annual leave is calculated according to the employee's base rate of pay for ordinary hours of work during the leave period
- An employee and employer can agree between themselves that the employee take paid annual leave within a fixed period of time after it is accrued
- An employer and employee can agree to an employee taking paid annual leave before it accrues
- Paid annual leave is for days the employee was supposed to be at work. This means that if there is a weekend or public holiday during a period of paid annual leave, those days don't count as annual leave days.



***Annual leave does not accumulate when an employee is on unpaid leave of any kind.***

The Fair Work Ombudsman has a handy Leave Calculator which can calculate employee's annual leave:



<http://paycheck.fwo.gov.au/leavecalculator.aspx>

## Sick & Carer's Leave

Sick and carer's leave (also known as personal leave) allows an employee to take time off to help them deal with personal illness, caring responsibilities and family emergencies.

- Sick leave is used when an employee is ill or injured.
- Carer's leave is used when an employee may have to take time off to care for an immediate family or household member who is sick or injured or help during a family emergency.
- **Immediate Family Members** are:
  - a spouse (including former spouse)
  - de facto partner (including same sex partners)
  - child (including adopted child, step child)
  - parent
  - grandparent
  - grandchild
  - sibling

Important points relating to sick/carers leave:

- Under the National Employment Standard, full-time employees get 10 days paid sick/carers leave. Part-time employees get a pro-rata entitlement based on their hours of work.
- Sick/carers leave accumulates from the day of commencement of employment. Any unused sick/carers leave carries over into the next year.
- An employee will continue to accumulate sick/carers leave when on
  - Paid leave such as paid annual leave and paid sick or carers leave
  - Jury duty or other community service leave
  - Sick/carers leave does not accumulate when an employee is on unpaid leave of any kind.

## Unpaid Carer's Leave

All employees, including casuals are entitled to 2 days unpaid carer's leave which may be taken as one block or separately provided each time taken adds up to two days in total.

## Long Service Leave

Generally, employees who have completed 10 years of service with an employer are entitled to 2 months long service leave. For each additional 5 years of service after that they are entitled to 1 additional month.

Employees are paid at their ordinary rate of pay during the period of leave. The amount paid while the employee is on long service leave will either be based on the employees' current pay or the average weekly pay in the 5 years prior. There are special rules that apply if the employee was entitled to any bonuses. The "ordinary rate of pay" does not include shift or penalty rates.



*Employees can request to take their long service leave at a lesser pay rate but longer time (e.g. half pay for 4 months instead of full pay for 2 months).*

If someone has more than 5 but less than 10 years' service, they will be entitled to a pro-rated long service leave if their employment was terminated:

- by the employer for any reason OTHER than the employee's serious and wilful misconduct, or
- by the employee on account of illness, incapacity or domestic or other pressing necessity, or
- by reason of the death of the employee.



***In New South Wales employees cannot be paid instead of taking their long service leave except on termination of their employment.***

The New South Wales Government's Industrial Relations website provides a tool for calculating pro-rated long service leave



<http://www.industrialrelations.nsw.gov.au/cyp/calcs/lsl/index.jsp>

## Parental leave

Parental leave is a period of **unpaid leave** which an employee (male or female) is entitled to in the following situations:

- Birth of a child
- Adoption of a child
- Responsibility for care of a child

This applies to employees giving birth and their partners in addition to employees adopting a child.



**"Partner"** means spouse or de facto partner and includes same sex partners.

Under the *Fair Work Act* full time employees with 12 months service are entitled to **unpaid parental leave**. A long term casual employee (i.e. one who has been engaged on a regular and systematic basis for the last 12 months) will also be entitled to unpaid parental leave.

When an employee adopts a child, for that employee to obtain parental leave the child must be under 16 years of age and not have lived with the employee for more than 6 months. The employee will not be entitled to unpaid parental leave if the child they are adopting is a child of the employee's partner.

An employee (whether permanent or casual) adopting a child may also be entitled to 2 days unpaid pre-adoption leave to attend any interviews or examinations required in the adoption process.

### Is it paid? How is it taken?

The parental leave employees are entitled to under the Act is **unpaid** although employees may be able to access government paid parental leave under the *Paid Parental Leave Act 2011* (Cth).

An employee is entitled to **12 months unpaid parental leave** which must be taken as a single continuous period.



***In order to obtain unpaid parental leave an employee must give their employer written notice 10 weeks before the start of that unpaid parental leave. If that notice period is not practicable then the notice must be as soon as possible. The notice must identify the start and end dates of the unpaid parental leave and provide evidence as to the birth or adoption of a child.***

## **Commencement**

If a female employee is giving birth to a child, then the unpaid parental leave can commence 6 weeks prior to the birth but must not start later than the birth of the child.

A partner of a woman giving birth can commence unpaid parental leave at any time within 12 months of the birth of the child.

Adoption related unpaid parental leave should commence the day the employee assumes custody of the child or the day the employee starts travel to pick up and take custody of the child.

## **Special Unpaid Maternity Leave**

A female employee who has a pregnancy related illness and then gives birth to a child is entitled to unpaid special maternity leave in addition to the normal period of unpaid parental leave.

An employee whose pregnancy ends in a miscarriage is entitled to unpaid special maternity leave.

For unpaid special maternity leave notice must be provided and a P&C Association can request a medical certificate

## **General Comments**

Under certain circumstances an employee can extend their unpaid parental leave period. A female employee who is pregnant may also be entitled to be moved to a safer job or if there is not one to be paid on no safe job leave.

Also, if the spouses or de facto partners are both employees of the same employer and they wish to take parental leave then special rules apply.

If an employer hires a replacement while an employee is on unpaid parental leave because of a birth of a child, then they must notify the replacement employee that the work is temporary and that the employee on leave has the right to cancel the unpaid parental leave. This is aimed at times when an employee on unpaid parental leave has to return to work earlier than expected.

## **What about after parental leave?**

It is important to be aware of the need to provide an employee on parental leave with a position on their return.

After employees return to work under the Fair Work Act they are entitled to return to:

- their pre-unpaid parental leave position, or
- if that position no longer exists an available position that they qualified and suited that is nearest in status and pay to the pre-unpaid parental leave position.

The Fair Work Act also specifies that an employer must take reasonable steps to give the employee information about and discuss any changes to status, pay or location of the employee's pre-parental leave position.

You should be extra careful when making decisions which will affect employees who are on unpaid parental leave.

## PAYSLIPS

Under the Fair Work Act and Regulations, a payslip must be given to an employee within 1 working day of the payday, even if the employee is on leave. It can be issued electronically or on paper.



***A P&C is required to keep a copy of these for 7 years.***

According to Fair Work, an employee's payslip is required to contain the following information:

- The employer's name
- The employer's ABN
- The employee's name
- The date of payment
- The pay period (beginning and end dates - e.g. 24/8/17 to 30/8/17)
- The gross and net amount of payment
- Any loadings, monetary allowances, bonuses, incentive-based payments, penalty rates, or other separately identifiable entitlement paid
- If the employee is paid an hourly pay rate, the ordinary hourly pay rate and the number of hours worked at that rate and the amount of payment made at that rate
- If the employee is paid an annual rate of pay (salary), the rate as at the last day in the pay period
- Any deductions made, including the name, or the name and number, of the fund or the account of each deduction
- If the employer is required to make superannuation contributions for the benefit of the employee
- the amount of each contribution the employer made or is liable to make during the pay period
- the name, or name and number, of any superannuation fund into which the contributions were made or will be made.



***Whilst it is not required, we recommend you include on the payslip the name of the award or enterprise agreement the employee is subject to and their category/level under that award or enterprise agreement.***

You should check the specific requirements for payslips on the Fair Work Website. More information on pay slips can be found online at:



[www.fairwork.gov.au/pay/pay-slips-and-record-keeping/pay-slips](http://www.fairwork.gov.au/pay/pay-slips-and-record-keeping/pay-slips)

You can also find a payslip template in Microsoft Word format online at:



[www.fairwork.gov.au/how-we-will-help/templates-and-guides/fact-sheets/rights-and-obligations/record-keeping-pay-slips](http://www.fairwork.gov.au/how-we-will-help/templates-and-guides/fact-sheets/rights-and-obligations/record-keeping-pay-slips)

## WORKERS COMPENSATION INSURANCE

Workers Compensation Insurance, also referred to as workers insurance is designed to help meet the costs of any of your employees suffering a work-related injury or illness. It is compulsory for all employers in NSW unless your employer is considered an exempt employer. Failure to have workers insurance can result in fines and or imprisonment. An employer is any person or business entity that employs or hires workers on a full-time, part-time or casual basis, under an oral or written contract of service or training contract.

SIRA (State Insurance Regulatory Authority) is responsible to the NSW Government for the administration of legislation and services covering workers compensation. This was formally under WorkCover. Workers compensation insurance is available through a number of providers.

### Exempt Employers

A P&C Association is an exempt employer i.e. it is not required to take out workers compensation insurance if:

- It pays \$7500 or less in total annual wages; and
- It doesn't employ an apprentice or trainee; and
- It is not a member of a group for premium purposes.

Even if you are exempt, you still have an obligation to provide assistance with injury management and return to work.



***P&C Association employee(s) are not covered by the school's workers compensation insurance***

## MANAGING EMPLOYEES

Effective performance management can help to create a more harmonious and productive workplace which is beneficial for both employees and employers. The management of P&C Association employees is often a challenge as those responsible for the operation of the P&C Association and the management of employees can change on a regular basis.



### Why Manage Performance

As a business and a provider of services to the school community a P&C Association should always be ensuring that the business operates well and that the services being provided meet or exceed expectations. A key part of this is the performance of your employees and managers. Achieving good performance in business means:

- keeping employees productive, engaged and committed
- retaining good employees
- having happy customers or clients
- meeting business goals such as turnover or level of service delivery

Issues with employees, as with any workplace, can arise for a wide variety of reasons. For P&C Associations, these issues can become significant over time because of frequently changing office bearers and committee members and the volunteer nature of the organisation. Some of the common reasons that can result in issues are:

- **Undefined or non-existent job roles and responsibilities.** Employees may not have a clear idea of what their roles and responsibilities are. This can lead to confusion, frustration, anger and sometimes rebellion on the part of the employee.
- **Lack of supervision.** Due to the volunteer nature of P&C Associations and the times and place of work, there is often no direct report or supervision available. There is often a set and forget mentality with

employees being left largely to their own devices. Lack of supervision combined with undefined roles and responsibilities can lead to dangerous or illegal practices.

- **Lack of process.** P&C Associations don't generally spend as much time as they should on developing simple and effective processes to help manage their activities. Without clear processes employees are often left to make up their own which in some case can lead to issues for the P&C Association.
- **Lack of Accountability.** P&C Association members come and go on an annual basis. New members may have a lack of understanding in relation to employment, management and existing process and can often try to change things because they believe it is being done incorrectly or no to their liking.

All too often issues with employees come about because of simple misunderstandings that were not picked up and dealt with promptly and appropriately. Left alone, simple issues can and very often do become major issues.

It is important, despite limited time and resources, that the P&C Association takes the time to set goals, monitor and appraise employees and put in place suitable processes to do so.

## Goal Setting

Goal setting is one of the keys to successful relationships between employer and employee. By negotiating with your employee(s) to set appropriate and achievable goals, both parties will benefit. Key to ensuring this works is:

- monitoring the goals
- seeking feedback
- providing assistance or resources where necessary; and
- modifying the goals if they become unrealistic.

Success is helped by regularly seeking feedback on the progress to achieving the goals. This only works when there is regular two-way communication between the P&C Association and its employees.

## Performance Reviews

A performance review is a periodic process where the employer examines and evaluates an employee's work and behaviour to pre-set standards and goals. The results of the review are used to give feedback to the employee to show where improvements are needed and why. As P&C Associations only employ small numbers of employees, performance reviews can be challenging and, in some cases, cause issues if not handled correctly.



In the simplest sense, a performance review can be just a sit down with an employee over a coffee to discuss their job and talk through any issues. In other cases, it may be more appropriate to conduct a more formalised approach. This will be entirely up to your P&C Associations context.

Some tips on conducting a performance review

- Don't make performance reviews an annual event, instead try to make them quarterly meetings. This allows for more frequent feedback between employee and employer
- Make the first step in the review process goal setting
- Make sure the employees know exactly what is expected of their performance. Don't impose unreasonable or dictate a raft of expectations. Come to an agreement and document this for future reviews
- Don't just focus on recent events. Recent events may end up clouding your judgement of the employee's performance or behaviour over the full evaluation period
- Prepare beforehand. Identify the key issues and prepare notes to help you remember them
- Spend more time on the positive aspects of performance. For employees performing at or above expectation the conversation should look at how they can continue to grow their performance. For

employees that are not meeting performance expectations, be direct about the concerns so that the employee understands that you are serious about them

- Have a positive relationship and genuine intent to help your employee. Employees need to hear that you have confidence in their ability to improve
- A performance review is a two-way street. Make sure the review does not become a lecture as this will significantly reduce its effectiveness. Not allowing an employee to have feedback will only make them feel unsupported. Listen to the employees concerns.

## BULLYING

In the process of managing employees, there may be circumstances where the employee interprets performance management as being bullied. It is important to understand what constitutes bullying to avoid potential issues. It is equally important to understand what does not constitute bullying so the P&C Association knows what actions can be taken.

### What constitutes bullying?

Bullying is defined differently under different legislation. Under the *Fair Work Act* it is defined as a situation where an individual (or group) repeatedly behaves unreasonably towards any person in the workplace (which includes employees and contractors) and that behaviour creates a risk to health and safety. WorkSafe Australia has published a guide on bullying that includes examples of workplace bullying:

- Abusive, insulting or offensive language
- Unjustified criticism or complaints
- Deliberately excluding someone from workplace activities
- Withholding information that is vital for effective workplace performance
- Setting unreasonable timetables or constantly changing deadlines
- Setting tasks that are unreasonably below or beyond a person's skill level
- Spreading misinformation or malicious rumours.

### What does not constitute as bullying?

The WorkSafe Australia guide also includes examples of things that are not bullying. These include:

- Setting reasonable performance goals, standards and deadlines
- Rostering and allocating working hours where the requirements are reasonable
- Deciding not to select the employee for promotion where a reasonable process is followed
- Informing an employee about unsatisfactory work performance in an honest, fair and constructive way
- Informing an employee about inappropriate behaviour in an objective and confidential way
- Implementing organisational change or restructuring
- Taking disciplinary action.

Recent cases have also held that it is not bullying to:

- Ask an employee to do duties that are within their skill and experience but not what in their normal range of duties
- Hold an employee accountable for their work



## What might an employee do if they feel bullied?

Where an employee feels bullied, they have a number of options which include:

- Seeing their doctor, using their sick leave or getting a Workers Compensation Certificate and going on "WC Stress leave" which might leave you short staffed
- Making a complaint to SafeWork NSW (previously WorkCover) requesting an inspector visit your business and discuss the allegation (with the potential for the inspector to issue an improvement notice or – in bad cases – initiate a prosecution against the P&C Association or the School)
- Applying to the Fair Work Commission for a Stop Bullying Order against the individual or people they say are bullying them; or
- Where the employee makes a complaint about the bullying to you and they consider that they are being treated adversely because of the complaint, bringing an application for adverse action – i.e. seeking money.

# ENDING EMPLOYMENT

## INTRODUCTION

Employment can end for many different reasons. An employee may resign, be dismissed, leave at the end of a contracted period of employment, or their role may become redundant just to name a few. Whichever way employment ends, it's vital that a P&C Association follows workplace law to avoid potentially significant issues. Ending employment has very specific processes that must be followed and you should always seek professional advice before proceeding.

## REDUNDANCY

Redundancy is termination of employment because a position or positions are no longer required. This may be because the P&C Association enterprise is closing down, restructuring or outsourcing part of its operations. In such cases, P&C Associations must carefully follow appropriate procedures, and must ensure that the notice periods and redundancy provisions in their relevant award and/or employment contract are adhered to.

Employees who have been made redundant because of a business downturn, or their position is no longer needed, cannot bring a claim for unfair dismissal. However, the redundancy needs to be genuine. Re-filling the position with a new employee is not a genuine redundancy.

Care must be taken to ensure that the best decision is made for the P&C Association going forward. The decision to make staff redundant needs to be based on the facts underpinned by a business case. Redundancy is an option that should be considered only if there is no other option.

Once a decision has been made by a P&C Association to restructure or reorganise the business, a consultation process should be adopted with the employees affected:

- Verbally inform the employees (individually and collectively)
- Inform each affected employee in writing of the proposed changes and the likely effect on their employment
- Confirm in writing to each employee, giving the appropriate notice of the date of the employee's termination of employment

The minimum period of notice is outlined in the table below; Add one extra week for employees over the age of 45 years with at least two years continuous service.

SERVICE	NOTICE
UP TO 1 YEAR	1 WEEK
1 TO 3 YEARS	2 WEEKS
3 TO 5 YEARS	3 WEEKS
5 YEARS PLUS	4 WEEKS

The minimum notice provisions will not apply to casuals employed for a short period but will apply to permanent casuals.

Any P&C Association with more than 14 staff (including regular and systematic casuals) that makes an employee redundant will need to pay a redundancy payment.

The table below shows how to calculate redundancy pay amounts under the Act.

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**Employee's period of continuous service with the employer onRedundancy pay period termination**

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At least 1 year but less than 2 years	4 weeks
At least 2 years but less than 3 years	6 weeks
At least 3 years but less than 4 years	7 weeks
At least 4 years but less than 5 years	8 weeks
At least 5 years but less than 6 years	10 weeks
At least 6 years but less than 7 years	11 weeks
At least 7 years but less than 8 years	13 weeks
At least 8 years but less than 9 years	14 weeks
At least 9 years but less than 10 years	16 weeks
At least 10 years	12 weeks

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## Deed of Release

The circumstances surrounding redundancy can be stressful and uncertain for employees and can present challenges to P&C Association in maintaining motivation for staff up until the date of termination of employment. This can be particularly difficult for a P&C Association that may be closing down an OHSC with multiple employees. It is not uncommon in these circumstances to have employees fail to maintain acceptable levels of performance and in rare cases employees may become disruptive as an act of defiance.

A Deed of Release is a one method of providing some level of motivation and protection for P&C Associations and employees. The deed is an agreement which guarantees a bonus payment at the termination of employment provided that the employee performs their job in an acceptable manner. A deed of release is a legal document that should be drawn up by a legal expert. Seek advice before taking this option.

## DISMISSAL

The most common reason to dismiss an employee is due to unsatisfactory work performance or behaviour. If you are faced with a problem employee, the first course of action is to intervene quickly to try to lift the employee's performance and/or behaviour to a level you find satisfactory. Take all reasonable measures you can to improve the situation. The main thing a court will review in an unfair dismissal claim is whether the employee was given a 'fair go'.

Dismissal procedures that apply to permanent and part-time staff also apply to casual employees who have worked regularly and systematically in NSW over a 6-month period and who have developed a reasonable expectation that work will be ongoing.

Any decisions relating to employment should be made by the Officers of the P&C Association. The Officers of the P&C Association may consult with any relevant Sub-Committee to ensure that all requirements leading to dismissal have been met.

In all instances of instant dismissal, the Officers of the P&C Association must record the decision and the evidence used to justify it. This evidence should be able to be used by the Officers of the P&C Association if the employee seeks to challenge the decision.

### Serious misconduct & Summary Dismissal

Serious misconduct is when an employee:

- causes serious and imminent risk to the health and safety of another person or to the reputation or profits of their employer's business, or
- deliberately behaves in a way that is inconsistent with continuing their employment.

Examples of serious misconduct include theft, fraud, assault, using prohibited substances on the premises or refusing to carry out a lawful and reasonable instruction that is part of the job.

When an employee is terminated on the grounds of [serious misconduct](#) (referred to as summary dismissal), the employer does not have to provide any notice of termination. However, the employer does have to pay the employee all outstanding entitlements such as payment for time worked or annual leave. The employer must also have sufficient evidence that summary dismissal was an appropriate action before proceeding.

It is fair for a P&C Association to dismiss an employee without notice or warning when the P&C Association believes, on reasonable grounds, that the employee's conduct is sufficiently serious to justify immediate dismissal. Serious misconduct includes theft, fraud, violence and serious breaches of work, health and safety procedures. For a dismissal to be deemed fair it is sufficient, though not essential, that an allegation of theft, fraud or violence be reported to the police. Of course, the employer must have reasonable grounds for making the report.



***In all instances of dismissal contact the P&C Federation before you act!***

### Unfair Dismissal

An employee may be able to make a claim of **unfair dismissal or adverse action** if their employment is terminated. If a P&C Association demonstrates ignorance of/or contempt for appropriate process, the dismissed worker may well commence an unfair dismissal proceeding and as a consequence may be reinstated, paid compensation or both. Under the Fair Work Act if the employee has worked for 12 months or more then they can make a claim for unfair dismissal. There is no minimum employment period for adverse action claims.

An employee has been unfairly dismissed if:

- the dismissal was harsh, unjust or unreasonable; and
- the dismissal was not consistent with the Small Business Fair Dismissal Code; and
- the dismissal was not a case of genuine redundancy.

The criteria for considering whether a dismissal was harsh, unjust or unreasonable are:

- (a) whether there was a valid reason for the dismissal related to the person's capacity or conduct (including its effect on the safety and welfare of other employees); and
- (b) whether the person was notified of that reason; and
- (c) whether the person was given an opportunity to respond to any reason related to the capacity or conduct of the person; and
- (d) any unreasonable refusal by the employer to allow the person to have a support person present to assist at any discussions relating to dismissal; and
- (e) if the dismissal related to unsatisfactory performance by the person--whether the person had been warned about that unsatisfactory performance before the dismissal; and
- (f) the degree to which the size of the employer's enterprise would be likely to impact on the procedures followed in effecting the dismissal; and
- (g) the degree to which the absence of dedicated human resource management specialists or expertise in the enterprise would be likely to impact on the procedures followed in effecting the dismissal; and
- (h) any other matters that FWA considers relevant.

In essence, an employee must be made aware of the suspected action/s and given a chance at a meeting with the employer to respond. Employees are permitted to have a support person attend such a meeting. Any failure to allow a support person to attend may be considered as harsh, unjust, or unreasonable.



***It is necessary to inform an employee of any unsatisfactory performance or conduct before instituting any termination of employment to defend any unfair dismissal claim an employee may bring.***

There are certain circumstances when you cannot dismiss an employee, some of these circumstances include:

- temporary absence from work through illness or injury
- if they are on parental leave
- because they have raised a complaint against you
- because a workers' compensation injury prevents them from returning to work

## The Small Business Fair Dismissal Code

The Small Business Fair Dismissal Code is an instrument that applies to employers with less than 15 employees. In calculating the number of employees, all employees employed by the employer are to be counted. However casual employees will only be counted if they have been employed by the employer on a *regular and systematic basis*.

The small business code provides that:

- An employer can ***summarily dismiss*** an employee for serious misconduct such as fraud, theft, violence and serious breaches of work, health and safety
- An employer can dismiss an employee for a valid reason based on their conduct or capacity to do the job
- The employee must be given notice (preferably in writing) as to why they are at risk of being dismissed
- The employee must have a chance to respond
- A small business employer will be required to provide evidence they have followed the code if a claim for unlawful dismissal is brought by their employee

In examining an unfair dismissal claim the Fair Work Commission will consider the size of an employer's business and their human resources capacity. The Fair Work Commission will consider the circumstances of a smaller business which does not have the resources to employ a specific human resources worker.

In other cases, the small business employer must give the employee a reason why he or she is at risk of being dismissed. The reason must be a valid reason based on the employee's conduct or capacity to do the job.

## Can a Casual Employee bring an unfair dismissal claim?

If a casual employee has been employed **regularly** and on a **systematic basis** and they are entitled to expect continuing employment, then they may be entitled to protection from unlawful dismissal.



***If the P&C Association is a small business (as would be the case for most P&C Associations) then in order to obtain unfair dismissal protections under the Act, the casual employee needs to have been employed on a regular and systematic basis for 12 months. If the P&C Association is not a small business, then the period is 6 months.***

If an employer is covered by the small business code some different questions and standards may be applied (discussed below).

## Adverse action

Employees that have been dismissed also have the option of bringing a general protection claim if they think that the reason for their dismissal would represent a breach of the general protections.

That is if the ex-employee thinks they were dismissed because:

- they had a workplace right
- had/had not exercised that workplace right
- proposed to exercise that workplace right
- did/did not belong to a union, or
- engaged/did not engage in industrial action.

For example, if an employee were dismissed after they complained about being paid the wrong amount under an Award they would likely conclude that they were dismissed because they complained about their pay. That employee could bring a general protection claim.



***There is no minimum employment period or limit on casual employees bringing general protections claims. In all instances of dismissal contact the P&C Federation before you act.***

## DISPUTE RESOLUTION

It is imperative that P&C Associations that have employees have policies in place to deal with disputes should they arise.

The employee should always have at least one nominated person (a P&C Association Officer) to approach regarding any issues in the workplace. During the resolution process, both parties would be well advised to keep diaries with records of any meetings or conversations held in relation to the dispute.

Where an employee needs to be issued a warning letter, the P&C Association as the employer needs to be clear regarding the ramifications of continued performance or behaviour issues and take all reasonable measures to improve the situation.

The main area reviewed in an unfair dismissal case would be whether the employee was given a "fair go". It is acceptable for employees to have a support person in attendance, however they are unable to take part in discussions between employer and employee.

## The Fair Work Commissioner Counselling Procedure

There are four steps in the counselling procedure, which must be followed where an employee is not in their probation period (under the *Fair Work Act*, called the minimum employment period):

### *Step 1 - Counselling and verbal warning.*

The purpose of the counselling session is to bring any issues of performance or behaviour to the attention of the employee and to provide a process to correct such performance or behaviour in a constructive but serious manner. Ensure you take notes on what happened and what was said during the meeting.

### *Step 2 - Counselling and written warning.*

Before issuing a second warning, sufficient time should have elapsed to allow improvement in the performance or behaviour initially raised. The second warning should not only involve a written warning detailing the performance and or behaviour issues, but a face to face meeting to discuss the issues. Ensure you take notes on what happened and what was said during the meeting. After a reasonable period of time following the second warning, say a couple of weeks, if there has been no improvement, move to step 3.

### *Step 3 - Counselling and final written warning.*

Make sure that the final written warning states clearly that failure to comply will result in termination of the employee's services. Ensure you take notes on what happened and what was said during the meeting.

### *Step 4 - Termination*

If after the third warning the employee has failed to modify their performance or behaviour, then you need to convene a termination meeting. During this meeting, written notification of termination will be given to the employee. As the employer, ensure you write down everything that happened and what was said in the meeting. Place any notes you have made in the employee's file.

## GIVING NOTICE

A notice period is the length of time that an employee or employer has to give to end employment.

To terminate an employee's employment, an employer has to give the employee written notice of their last day of employment. The employer can either:

- let the employee work through their notice period, or
- pay it out to them (also known as pay in lieu of notice).

## Notice during probation periods

If an employee's employment is ended while they're on probation, they still have to be paid out notice based on their length of service.

## FINAL PAY

Final pay is the amount an employer owes an employee when their employment ends.

An award, employment contract, enterprise agreement or other [registered agreement](#) can specify when final pay must be paid. If it doesn't then it's best practice for an employee to be paid on their last day of work or on the next scheduled pay day.

## Final pay payments

An employee should get the following entitlements in their final pay:

- outstanding wages for hours they have worked, including penalty rates and allowances
- any accumulated annual leave
- if it applies:
  - annual leave loading
  - accrued or pro rata long service leave
  - redundancy pay (if applicable).

Sick and carer's leave is not paid out when employment ends.



# APPENDIX A

## SAMPLE JOB DESCRIPTIONS

# CANTEEN MANAGER

## Reporting line

The Canteen Manager will report to the <Insert text e.g. President/Vice President> or their nominated officer.

## Main duties and responsibilities

The Canteen Manager is responsible for the management of the day-to-day operations of the school canteen. This includes the following responsibilities:

- Planning, organising, and monitoring the day to day operations of the canteen, including the rostering of workers (paid or otherwise), daily record-keeping, opening and closing the canteen, preparation and cooking for service and ensuring all workers sign in and out
- Developing, implementing and managing procedures to deliver the food service
- Providing leadership to canteen employees and volunteers to ensure the delivery of an affordable food service to the school community
- Ordering, purchasing and checking all supplies against invoices and delivery dockets
- Preparation of invoices for payment and approval by authorised officers weekly, with notification provided to the <insert employer representative name here> to allow for account payment
- Data entry of payments onto <insert software name>, including a balance each month, reconciling <insert software name> at end of each month to the bank statements of the canteen accounts
- Use food preparation and food handling skills to minimise waste, ensuring effective recording of wastage
- Induction and training volunteers in the food preparation and other procedures to deliver a safe and affordable food service to the school community including maintaining records of all inductions and training provided
- Ensuring that the products and services supplied by the canteen are marketed and promoted to maximize sales on a daily basis
- Ensuring that prices are monitored and value for money considered with any adjustments being approved by the P&C Association
- Counting, recording and reconciling the daily takings according to the P&C Associations policy for safe handling of money
- Ensure that stock is kept at appropriate levels and a stock take is carried out and reported at the end of each school term
- Implement procedures and processes regarding food safety to ensure that correct food handling and hygiene practices are performed to prevent food spoilage and contamination
- Ensuring all canteen workers including volunteers are familiar with correct food handling and hygiene practices in line with relevant legislation
- Co-operate with the <insert school name here> P&C Association, in organising the ordering, delivery and storage of items for special events being conducted by the P&C Association
- Ensuring the health, safety and welfare of others in the canteen including undertaking a canteen risk assessment and documentation for hazards every term according to WH&S legislation, the P&C Associations WH&S policy and any WH&S requirements set by the school
- Responsible for security of money, keys, stock and equipment related to the canteen
- Responsible for the arming of security alarms, locking of doors and windows, switching off all appliances (except refrigeration units) are completed at the end of the day
- Restricting entry to the canteen to only those who are authorised to be there

- Ensuring that the cleaning incidental to the main function of the canteen is carried out daily (e.g. dusting of shelves and stock, wiping down benches, cleaning of all equipment and fixtures) in accordance to the cleaning procedures set out in the food safety plan
- Logging maintenance issues and adhering to WH&S policies and procedures
- Ensuring a pleasant working environment for all
- Ensure that the operation of the canteen is in line with the values of the P&C Association and school community
- Ensuring that students are treated with respect and dignity and should any issues arise, these will be immediately reported in writing to both the P&C Association's employer representative and the school Principal
- Ensuring that any child welfare issue is reported to the school Principal
- Ensuring that any potential volunteer who does not have a child at the school obtains a Working With Children Check and that it is validated by the <insert school name here> P&C Associations Working With Children Check officer before the volunteer undertakes any work in the canteen.

# CANTEEN ASSISTANT

## Reporting line

The Canteen Assistant will report to the Canteen Manager or in the absence of the Canteen Manager to their nominated representative.

## Main duties and responsibilities

The Canteen Assistant is responsible to the Canteen Manager for assisting in the day-to-day operations of the school canteen. This includes the following responsibilities:

- Assisting in the preparation and delivery the food service as directed
- Providing assistance to the Canteen Manager and volunteers to ensure the delivery of reliable food service to the school community
- Use food preparation and food handling skills to minimise waste, ensuring effective recording of wastage. Sort and dispose of rubbish and recycling
- Assist with the preparation of food
- Wash and clean all utensils, dishes, pots and pans and ensure they are stored properly
- Assisting the Canteen Manager with the training of volunteers in the food preparation and other procedures to deliver an affordable food service to the school community
- Assist in cleaning food preparation equipment, floors and other kitchen tools and areas
- Follow and promote food safety handling instructions to ensure that correct food handling and hygiene practices are performed to prevent food spoilage and contamination
- Ensuring the health, safety and welfare of others in the canteen according to WH&S legislation.
- Help restrict entry to the canteen to only those who are authorised to be there
- Assist in maintaining a pleasant working environment for all
- Ensuring that students are treated with respect and dignity and should any issues arise, report to the canteen manger.

# UNIFORM SHOP MANAGER

## Reporting line

The Uniform Shop Manager will report to the <Insert text eg President/Vice President> or their nominated officer.

## Main duties and responsibilities

The Uniform Shop Manager is responsible for the management of the day-to-day operations of the school uniform shop. This includes the following responsibilities:

- Planning, organising, and monitoring the day to day operations of the uniform shop, including the rostering of workers (paid or otherwise), daily record-keeping, opening and closing the uniform shop, preparation for service and ensuring all workers sign in and out.
- Developing, implementing and managing procedures to deliver the uniform service.
- Providing leadership to uniform shop employees and volunteers to ensure the delivery of an affordable and quality service to the school community.
- Working within the budget approved by the <insert school name here> P&C Association
- Ordering, purchasing and checking all supplies against invoices and delivery dockets.
- Preparation of invoices for payment and approval by authorised officers, with notification provided to the <insert employer representative name here> to allow for account payment.
- Data entry of payments onto <insert software name>, including a balance each month, reconciling <insert software name> at end of each month to the bank statements of the uniform shop account.
- Induction and training of volunteers in the uniform shop procedures and maintenance of any records of inductions and training provided.
- Ensuring that the products and services supplied by the uniform shop are marketed and promoted to maximize sales.
- Ensuring that clothing products prices are monitored and value for money considered with any adjustments in price approved by the P&C Association.
- Counting, recording and reconciling the daily takings according to the P&C Associations policy for safe handling of money.
- Ensure that stock is kept at appropriate levels and a stock take is carried out and reported at the end of each school term.
- Ensuring all uniform shop workers including volunteers are familiar with correct policies and procedures in line with relevant legislation.
- Ensuring the health, safety and welfare of others in the uniform shop including undertaking a uniform shop risk assessment and documentation for hazards every term according to WH&S legislation.
- Responsible for security of money, keys, stock and equipment related to the uniform shop.
- Ensuring that the arming of security alarms, locking all doors and windows, switching off all appliances are completed at the end of the day.
- Ensuring that cleaning of the uniform shop is carried out as required.
- Raising and logging of WH&S and maintenance issues and adhering to WH&S policies and procedures.
- Ensuring a pleasant working environment for all.
- Ensure that the operation of the uniform shop is in line with the values of the P&C Association and school community.

- Ensuring that parents and students are treated with respect and dignity and should any issues arise, these will be immediately reported in writing to both the P&C Association's employer representative and the school Principal.
- Ensuring that any potential volunteer who does not have a child at the school obtains a Working With Children Check and that it is validated by the <insert school name here> P&C Associations Working With Children Check officer before the volunteer undertakes any work in the uniform shop.

# UNIFORM SHOP ASSISTANT

## Reporting line

The Uniform Shop Assistant will report to the Uniform Shop Manager or in the absence of the Uniform Shop Manager, to their nominated representative.

## Main duties and responsibilities

The Canteen Assistant is responsible to the Uniform Shop Manager for assisting in the day-to-day operations of the uniform shop. This includes the following responsibilities:

- Assisting in the sale of uniform stock including counter and on-line sales as directed
- Providing assistance to the Uniform Shop Manager and volunteers to ensure the delivery of a valued service to the school community
- Assist in stock control including stock-take
- Assist with the unpacking and safe storage of uniform stock
- Assisting the Uniform Shop Manager with the training of new volunteers in the uniform shop procedures and processes
- Assist in cleaning floors, counters and other areas as directed
- Follow and promote safe handling practices
- Helping ensure the health, safety and welfare of others in the uniform shop according to WH&S legislation
- Help restrict entry to the uniform shop to only those who are authorised to be there
- Help maintain a pleasant working environment for all
- Ensuring that parents and students are treated with respect and dignity and should any issues arise, report them to the Uniform Shop Manager.

# BOOKKEEPER

## Reporting line

The Bookkeeper will report to the <Insert text eg Treasurer> or their nominated officer.

## Main duties and responsibilities

The Bookkeeper is responsible for the day-to-day preparation and recording of the financial activities of the <insert school name here> P&C Association including and the preparation and submission of employment related statutory requirements. This includes the following responsibilities:

- Calculation of employee pays including PAYG instalments, superannuation, leave and other entitlements.
- Setting up of electronic payments for employee wages, PAYG instalments and superannuation ready for approval by Officers of the <insert school name here> P&C Association.
- Preparation, submission and recording of all PAYG (Pay As You Go) instalments for all employees of the <insert school name here> P&C Association.
- Preparation and submission of quarterly Activity Statements.
- Preparation and entry of end of month figures from <insert school name here> P&C Association enterprises prior to each P&C Association General meeting.
- Preparation of accounts to ensure readiness for auditing at the end of each financial year.
- Liaising with the <insert school name here> P&C Association Treasurer in relation to the record keeping and reporting of accounts.
- Maintaining the confidentiality of all personal information relating to employees of the <insert school name here> P&C Association.
- Maintaining the security of any accounting or personal information provided to you as part of your role.



# BAND DIRECTOR (NON-CONDUCTING)

## Reporting line

The Band Director will report to the <Insert text eg President, Vice President> or their nominated officer.

## Main duties and responsibilities

The Band Director is responsible for the day-to-day operation of the <insert school name here> P&C Association band program. This includes the following responsibilities:

- Be responsible for the musical direction of the <insert school name here> Band Program in line with established goals
- Developing, implementing and managing procedures for the delivery of the Band Program
- Providing leadership to Band Program employees and volunteers
- Provide guidance, advice to the <insert school name here> P&C Association in relation to the operation and direction of the Band Program
- Liaise with the <insert school name here> P&C Association Band Sub-committee, should one exist
- Organise a conductor(s) for the band program within the budget and any guidelines set by the <insert school name here> P&C Association
- Ensure that any potential band conductor(s) is equipped and/or qualified to conduct, teach and develop the musical skills of the students within the Band Program prior to engagement
- Coordinate employees, contractors and volunteers including any rostering, induction and training required for the effective operation of the Band Program
- Assist the conductor in selecting the musical repertoire of the Band Program
- Organise the purchase sheet music as required
- Liaise with the band librarian in the purchase of any new music
- Ensure that all copies of original sheet music comply with appropriate copyright laws
- Coordination of the annual instrument tryouts for the Band Program
- Coordination of the annual band camp
- Ensure availability of a conductor at all Band Program activities, performances and rehearsals
- Responsible for security of monies, keys and equipment belonging to the Band Program
- Attend meetings of the <insert school name here> P&C Association when requested
- Liaise with any representative appointed by the school in regards to child protection, supervision, WH&S, excursions and relevant Department of Education requirements
- That attendance at all band rehearsals and events is taken
- Ensuring that students are treated with respect and dignity and should any issues arise, these will be immediately reported in writing to both the P&C Association's employer representative and the school Principal (or their delegated representative)
- Ensuring that any potential volunteer who does not have a child at the school obtains a Working With Children Check and that it is validated by the <insert school name here> P&C Associations Working With Children Check officer before the volunteer undertakes any work for the Band Program.

# BAND DIRECTOR (CONDUCTING)

## Reporting line

The Band Director will report to the <Insert text eg President, Vice President> or their nominated officer.

## Main duties and responsibilities

The Band Director is responsible for the day-to-day operation of the <insert school name here> P&C Association band program. This includes the following responsibilities:

- Be responsible for the musical direction of the <insert school name here> Band Program
- Provide guidance, advice and assistance to the <insert school name here> P&C Association in relation to the operation of the Band Program
- Developing, implementing and managing procedures for the delivery of the Band Program
- Providing leadership to Band Program employees and volunteers
- Liaise with the <insert school name here> P&C Association Band Sub-committee, should one exist
- Be responsible for musical conduction of the Band(s)
- Ensuring availability at all Band Program activities, performances and rehearsals and if not providing a suitable alternative conductor
- Select the musical repertoire of the Band program in consultation with the <insert school name here> Band subcommittee, should one exist
- Coordinate employees, contractors and volunteers including any rostering, induction and training required for the effective operation of the Band Program
- Organise the purchase sheet music as required and as set and approved by the <insert school name here> P&C Association in the annual budget
- Coordination of the annual instrument tryouts for the Band Program
- Coordination of the annual band camp
- Attend meetings of the <insert school name here> P&C Association when requested
- Liaise with the band librarian in the purchase of any new music
- Ensure that all copies of original sheet music comply with appropriate copyright laws
- Responsible for security of monies, keys and equipment belonging to the Band Program
- That attendance at all band rehearsals and events is taken
- Liaise with any representative appointed by the school in regards to child protection, supervision, WH&S, excursions and relevant Department of Education requirements
- Ensuring that students are treated with respect and dignity and should any issues arise, these will be immediately reported in writing to both the P&C Association's employer representative and the school Principal (or their delegated representative)
- Ensuring that any potential volunteer who does not have a child at the school obtains a Working With Children Check and that it is validated by the <insert school name here> P&C Associations Working With Children Check officer before the volunteer undertakes any work for the Band Program.



