

MARCH 2016

Client eBrief



Pay Slip Obligations

Pay slips ensure that employees receive the correct pay and entitlements and allow employers to keep accurate and complete records.

When are pay slips given?

Pay slips have to be given to an employee within 1 working day of pay day, even if an employee is on leave.

How are payslips given?

Pay slips have to be in either electronic form or hard copy. Electronic pay slips must have the same information as paper pay slips.

What has to be on a payslip

Pay slips have to cover details of an employee's pay for each pay period. Below is a list of what to include:

- employer's and employee's name

ATO Lodgement Dates

These dates are from the ATO website and do not take into account possible extensions.

You remain responsible for ensuring that the necessary information is with us in time.

BAS/IAS Monthly Lodgement –
March Activity Statement: 21st April,
2016 final date for lodgement and
payment.

BAS/IAS Monthly Lodgement –
April Activity Statement: 21st May,
2016 final date for lodgement and
payment.

BAS/IAS Monthly Lodgement –
May Activity Statement: 21st June,
2016 final date for lodgement and
payment.

3rd Quarter of FY 2016: BAS

- employer's Australian Business Number (if applicable)
- pay period
- date of payment
- gross and net pay
- if the employee is paid an hourly rate:
 - the ordinary hourly rate
 - the number of hours worked at that rate
 - the total dollar amount of pay at that rate
- any loadings, allowances, bonuses, incentive-based payments, penalty rates or other paid entitlements that can be separated out from an employee's ordinary hourly rate
- the pay rate that applied on the last day of employment
- any deductions from the employee's pay, including:
 - the amount and details of each deduction
 - the name, or name and number of the fund / account the deduction was paid into
- any superannuation contributions paid for the employee's benefit, including:
 - the amount of contributions made during the pay period (or the amount of contributions that need to be made)
 - the name and / or number of the superannuation fund the contributions were made to.

Should leave balances be on payslips?

While it is best practice to show employee's leave balances on their pay slip, it's not a requirement. Employers do need to tell employees their leave balance if they ask for it.

Employers who give proper pay slips are able to keep good records that can be easily found if needed.



National Employment Standards

Lodgement – March Quarter 2016 (including PAYGI) 28th April, 2016
final date for lodgement & payment

4th Quarter of FY 2016: BAS Lodgement – June Quarter 2016 (including PAYGI) 28th July, 2016
final date for lodgement & payment

When a due date falls on a Saturday, Sunday or Public Holiday, you can lodge or pay on the next business day.

A public holiday is a day that is a public holiday for the whole of any state or territory in Australia

Due date for super guarantee contributions, for:

3rd Quarter of FY 2016, January to March 2016 - contributions to be made to the fund by 28th April, 2015.

4th Quarter of FY 2016, April to June 2016 - contributions to be made to the fund by 28th July, 2015.

The super guarantee charge is not a tax deduction if not paid by these dates.

Refer to the ATO for details regarding any SGC charges applicable if not paid by due date.

All employees who are covered by the Fairwork Act 2009 are entitled to the ten National Employment Standards. Some of the NES have their own internal eligibility criteria. Please refer to the dedicated NES Factsheet for detailed information about each of the ten NES

In addition to the NES, an employee's terms and conditions of employment generally come from an award or agreement. All references to an award or agreement in this newsletter include modern awards, enterprise agreements, and award or agreement-based transitional instruments.

What are the 10 NES Entitlements

The NES are set out in the *Fair Work Act 2009* and comprise 10 minimum standards of employment. Each standard is covered in detail in Fairwork fact sheets, but in summary, the NES involve the following minimum entitlements:

- **Maximum weekly hours of work** – 38 hours per week, plus reasonable additional hours.
- **Requests for flexible working arrangements** – an entitlement allowing employees in certain circumstances as set out in the *Fair Work Act 2009* to request a change in their working arrangements because of those circumstances.
- **Parental leave and related entitlements** – up to 12 months unpaid leave per employee, plus a right to request an additional 12 months unpaid leave, plus other forms of maternity, paternity and adoption related leave.
- **Annual leave** – four weeks paid leave per year, plus an additional week for certain shift workers.
- **Personal/carer's leave and compassionate leave** – 10 days paid personal/carer's leave, two days unpaid carer's leave as required, and two days compassionate leave (unpaid for casuals) as required.
- **Community service leave** – unpaid leave for voluntary emergency activities and leave for jury service, with an entitlement to be paid for up to 10 days for jury service.
- **Long service leave** – a transitional entitlement for employees as outlined in an applicable pre modernised award, pending the development of a uniform national long service leave standard.
- **Public holidays** – a paid day off on a public holiday, except where reasonably requested to work.
- **Notice of termination and redundancy pay** – up to five weeks notice of termination and up to 16 weeks severance pay on redundancy (if applicable, see below Fairwork link), both based on length of service.
- **Provision of a Fair Work Information Statement** – must be provided by employers to all new employees, and contains information about the NES, modern awards, agreement-making, the right to freedom of association, termination of employment, individual flexibility arrangements, union rights of entry, transfer of business, and the respective roles of the Fair Work Commission and the Fair Work Ombudsman.

Fairwork Link: www.fairwork.gov.au/ending-employment/redundancy/who-doesnt-get-redundancy-pay

How does the NES Apply

The NES apply to all employees covered by the national workplace relations system regardless of the applicable industrial instrument or contract of employment. Terms in awards, agreements, and employment contracts cannot exclude or provide for an entitlement less than the NES, and have no effect.

An employer must not contravene a provision of the NES. A contravention of a provision of the NES may result in penalties of up to \$10,800 for an individual and \$54,000 for a corporation.

Please Note: This newsletter is intended to provide general information only. It should not be relied upon as legal advice. This information is from the Fairwork Website March 2016

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