



The Australian Government Fair Work Ombudsman

The Fair Work Ombudsman is an independent statutory office created by the Fair Work Act 2009. The Fair Work Ombudsman seeks to promote harmonious, productive and cooperative workplace relations and ensure compliance with Commonwealth workplace laws.

The Fair Work Ombudsman website contains useful and informative resources for employers and employees working under the national workplace relations system.

Useful topics include:

- Award finder
- Finding the right pay
- Leave calculator
- National minimum wage
- Notice periods
- Pay rates calculator
- Webinars

Legislative requirements

Employers and employees working in Western Australia are covered by either the state or federal industrial relations systems. Each has different employment laws, awards and minimum conditions. Employment agreements are required to meet state or federal legislation and incorporate the benefits.

The Western Australian state system is regulated by the Industrial Relations Act and Minimum Condition of Employment Act and state awards apply.

The federal system is regulated by the Fair Work Act 2009 and national modern awards apply.

Which system?

Legal advice should be sought to establish whether your business is governed by state or national conditions.

Conditions of employment

Employees of constitutional corporations (Pty Ltd) are protected by the national workplace relations system and are covered by the National Employment Standards (NES).

The NES include ten standards that set the minimum conditions of employment. Together with the national minimum wage, these standards are a safety net for employees.

If a modern award applies to your profession, the minimum standards may differ, for example, overtime and shift penalties may apply.

National Employment Standards

The National Employment Standards are:

- Maximum weekly hours
- Flexible working arrangements
- Parental leave entitlements
- Annual leave
- Personal, carers and compassionate leave
- Community service leave
- Long service leave
- Public holidays
- Notice of termination and redundancy
- Provision of the Fair Work Information Sheet

Whilst all care has been taken in preparing this document, this information is a guide only and subject to change without notice.

Practice Assist is an initiative of



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The Fair Work System

Under the Fair Work System, employers must:

- Meet the terms and conditions of the National Employment Standards
- Give every new employee the Fair Work Information Statement
- Pay at least the minimum rate of pay set by modern awards or the national minimum wage order
- Meet the terms and conditions of modern awards that cover your employees

More information

Practice Assist Fact Sheet: *Employment Contracts and Conditions*

Office of the Fair Work Ombudsman

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