

# Documents you will need to Employ Someone

## Introduction

Once you have decided on the type of employee you need, the next step is to outline your work expectations. It's important that both you and your employees share the same expectations to ensure a smooth working relationship.

The following three documents will help you and your employees stay on the same page.

- A position description
- An employment contract
- An employee details form



## Position description


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A position, or job description (often referred to as a PD) is a statement that explains the requirements of a job. Writing a position description will help identify the skills and traits you want the new employee to have.

Position descriptions should include:

- job title and location
- duties, responsibilities and tasks - what you need the person to do, who they are in charge of and who they report to
- required skills, qualifications, licenses, certificates, and experience
- other requirements - such as physical demands of the job
- your expectations - such as production targets
- any benefits - such as accommodation, meals, or training
- the type of employment - whether the position is full-time, part-time, or casual

Don't include anything that isn't necessary for the job such as gender, age or family responsibilities. Not only will you be limiting the people who will apply for the job, but it could amount to discrimination and break the law.

**IT'S THE LAW**


Under the Fair Work Act 2009 it's unlawful to discriminate against a person in the workplace because of an individual characteristic.

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## Employment contract

All employees, should be provided with a written contract signed by both the employer and the employee. See the reference section below for contract examples and templates

Contracts should include the classification, pay rate, hours of work, any shift penalties or loading, leave entitlements, and notice period for termination of employment. Refer to the [Awards section](#) for more information about classification or see the [Fair Work Ombudsman website](#) for access to additional awards.

**IT'S THE LAW**

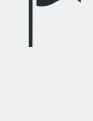
The Pastoral Award 2020, specifically requires you to give full-time employees a written statement setting out their classification, applicable pay and terms of engagement.

Part-time employees and employers must agree in writing as to the hours to be worked each day, the days of the week on which the employee will work and the actual starting and finishing times each day.

Casual employees must be told that they are employed as a casual employee, the identity of the employer, their hours of work, their classification and their rate of pay.

The Pastoral Award 2020 does not require employers to provide a written statement to casual employees, however, it is recommended that all employees sign a written contract.

The Cotton Ginning Award 2020 requires employers to advise all employees other than casual employees in writing of their employment category or classification when they are appointed.

**IMPORTANT**

The contract of employment must not contain any terms or conditions for work which are inconsistent with the Award or the National Employment Standards. If it does, these terms and conditions will not be enforceable.

**Individual Flexibility Agreements (IFA)** Some farmers find that the terms in the awards are inflexible and don't take into account busy times or the non-standard hours involved in farming work. All modern awards now contain an "Award flexibility" clause that allows employers and employees to vary some of the terms in the relevant award. Terms and conditions must be agreed on by both parties and be put into writing.

An IFA can only be made *after* an employee has begun work and cannot be made a condition of employment. For more information about Individual Flexibility Agreements, see the [IFA](#) section.

Creating an Individual Flexibility Agreement is not by any means a simple process. It is strongly recommended that you seek assistance and advice when creating one, especially when doing so for the first time!

## Annualised salaries (from 1st March 2020)


As of the first full pay period commencing on or after 1 March 2020, the Pastoral Award 2020 has been varied to enable employers and employees to agree in writing for the employee to be paid an annualised wage or a salary instead of being paid an hourly rate.

This is similar to the IFA and may be useful for farmers provided they keep excellent time records.

The annualised wage can take into account any or all of the following:

- Minimum weekly wages
- Allowances and special allowances
- Hours of work and rostering
- Overtime
- Penalty rates
- Annual leave loading
- Payment for public holidays


**No Disadvantage:**The annualised salary must be no less than the amount the employee would have received under the award for the work performed over the year of the Agreement – or less if the employment is terminated before a year. This is similar to the BOOT test for an IFA.

**Annualised salary resources and information**

**Download:** [annualised salary flat rate calculator](#) can be used to calculate the salary to ensure that the employee is not disadvantaged.

**Download:** [annualised salaries fact sheet](#) for further information about annualised salaries and how you might use them in your business.

**Download:** [full time/permanent employment contract template for employees on annualised salaries](#) which also contains details about the legal requirements for annualised salaries.

**RESOURCES AND REFERENCES**

[Employment contract, permanent full-time or part-time template](#) – Word Doc

[Employment contract, casual template](#) – Word Doc

[WA employment contract, permanent full-time or part-time template](#) – Word Doc

[WA employment contract, casual template](#) – Word Doc

[Pastoral Award 2020](#) – PDF

[Horticulture Award 2020](#) – PDF

[Cotton Ginning Award 2020](#)

[Fair Work Ombudsman – IFA](#)

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## Employee details form

It is a good idea to keep all employment records and employee personal records in the one file or form. These records can be kept on an employee details form (see template below).

All records should be kept securely and employees have the right to view, inspect, or copy any of their records. Records must be given to the employee at the workplace within 3 working days of being requested, or within 14 days if the record needs to be posted.

By law, all employment records must contain the following:

- the name of the employer;
- the name of the employee;
- whether employment is full time or part time;
- whether employment is permanent, casual or temporary;
- the date the employment began; and
- the ABN of the employer.

**RESOURCES AND REFERENCES**

[Employee Details Form](#) - Word Doc

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Also relevant [Employers](#)