

# What do I need to know before starting a new job?

**You have legal rights which protect you while you're working.**



## Getting a Tax File Number

### What is a tax file number?

A tax file number (TFN) is a unique number that forms part of your identity. It helps your employer know how much tax and superannuation they should pay for you. Your TFN doesn't change and you keep it for life, even if you change jobs, change your name, or move house.

It is free to get a TFN. To get a TFN, fill out a TFN application on the [Australian Taxation Office website](#). Make sure you keep it safe or keep a digital record of it so you can give it to your new boss whenever you start a new job.

### What is superannuation?

Superannuation is money your boss puts into a separate account for you. This account is called a super fund. This money is saved up during your working years and will be for you to live off when you retire. Your employer has to pay superannuation if you are over 18, or if you are under 18 but work more than 30 hours a week.

When you start a new job, your company might give you a form asking whether you want to "nominate a super fund" or use the company's "default super fund." Most companies will create a super fund account for all employees with a super fund company that they choose. If you've never had a super account before, it can be simple to use the default super fund used by your company.

Your boss will give you the details for your super fund. When you change jobs in the future, you can ask your next boss to pay your superannuation into your existing super fund from your last job.

## Your Rights at work and the Law

You have **legal rights** which protect you while you're working.

These might be written in your **employment contract**, something called a **modern award**, an **enterprise agreement**, or just general workplace laws.

Your **employment contract** is an agreement between you and your boss which talks about things like:

- What your job is
- How much money you will make
- What you're supposed to do at work
- When you'll be working, and more.

If you do not have an employment contract, you may be covered by something called a **modern award**. This is a set of rules for people working in similar jobs. It talks about things like:

- The least amount of money you can be paid
- Extra pay for working weekends or holidays
- Allowances
- How long you can work each day
- Other work conditions.

There are different modern awards for different kinds of jobs. For example, there's a special set of rules just for restaurant workers.

**Enterprise agreements** are like modern awards, but they just apply for one specific company or group of companies. If your employer has one of these agreements, it sets the rules for your job instead of a modern award.

There are basic rules that everyone has to follow. These are called **minimum working conditions** which are set out in the National Employment Standards. These are like basic rights for workers, and they apply to everyone, even if you're covered by a modern award or an enterprise agreement, or if you have an employment contract.

The 10 minimum working conditions relate to:

- How many hours you can work in a week
- Asking for changes to your work schedule
- Changes from being a casual worker to a permanent one
- Taking time off when you have a baby
- Having time off for holidays
- Having time off when you're sick or for situations involving Family and domestic violence
- Your pay on public holidays
- When you get long service leave
- Getting paid if you're made redundant
- What happens if you get fired

If you're working as a **casual**, it means your boss might ask you to work at short notice, and you don't have guaranteed ongoing employment or working hours. You also don't get paid when you're sick or go on holidays.

Jobs in restaurants or offices often start as casual roles, but there is a chance to convert to part-time if you meet certain requirements (*check out the 'casual conversion' factsheet*).

Being **part-time** means, you work fewer than 38 hours a week, but you have set days and times that you work. Part-timers get some paid leave, so if you're sick or want a holiday during your regular workdays, you may be covered.

If you're working **full-time**, you would ordinarily work 38 hours a week unless your award or enterprise agreement specifies different hours). Full time work comes with benefits like paid time off when you're sick or want a holiday.

If you're an **independent contractor**, you're not an employee, but you're hired by a business to do specific tasks. As a contractor:

- You don't get entitlements like paid leave for when you're sick or want time off
- You get to decide when and how you work
- You're responsible for your own equipment and tools
- You have to manage your taxes, your own insurance and retirement savings yourself (there are sometimes exceptions to this)
- You take on financial risks and responsibilities
- You might not have long-term work with the company.

## WHERE TO GET HELP



### YFS LEGAL

Phone: (07) 3826 1599

Email: [legal@yfs.org.au](mailto:legal@yfs.org.au)

Website: [yfs.org.au/working-and-the-law](http://yfs.org.au/working-and-the-law)

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