



CATHOLIC ARCHDIOCESE OF MELBOURNE

HUMAN RESOURCES OFFICE



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CIRCULAR HR0809 (22 DECEMBER 2009) TO ALL PARISH PRIESTS AND ADMINISTRATORS IN THE ARCHDIOCESE OF MELBOURNE

Fair Work Regulations Record keeping requirements for non school based parish employees

1. Summary

As the Fair Work Regulations have replaced Workplace Relations Regulations, Circular 01/2007 (18 January 2007) is redundant. The following advice is a summary of key elements of the Fair Work Regulations as they relate to record keeping for non school based parish employees.

2. Obligations - General Records

- a. An employee record must be a record in a legible form and in the English language and in a form that is readily accessible to an inspector.
- b. It must specify:
 - (i) the employer's name; and
 - (ii) the employee's name; and
 - (iii) whether the employee's employment is full-time or part-time; and
 - (iv) whether the employee's employment is ongoing, temporary or casual; and
 - (v) the date on which the employee's employment began; and
 - (vi) the Australian Business Number (if any) of the employer.

3. Obligations – Overtime Hours Worked

- a. If a penalty rate or loading must be paid for overtime hours actually worked by an employee, the employer must make and keep a record that specifies:
 - (i) the number of overtime hours worked by the employee during each day; or
 - (ii) when the employee started and ceased working overtime hours.

4. Obligations - Pay Records

- a. An employer must make and keep a record that specifies:
 - (i) the rate of remuneration paid to the employee; and

- (ii) the gross and net amounts paid to the employee; and
 - (iii) any deductions made from the gross amount paid to the employee.
- b. If the employee is a casual or irregular part-time employee who is guaranteed a rate of pay set by reference to a period of time worked, the record must set out the hours worked by the employee.
- c. If the employee is entitled to be paid:
 - (i) an incentive-based payment; or
 - (ii) a bonus; or
 - (iii) a loading; or
 - (iv) a penalty rate; or
 - (v) another monetary allowance or separately identifiable entitlement;the record must set out details of the payment, bonus, loading, rate, allowance or entitlement.

5. Obligations - Payslips

- a. A pay slip must be in electronic form or a hard copy.
- b. A pay slip must specify:
 - (i) the employer's name; and
 - (ii) the employee's name; and
 - (iii) the period to which the pay slip relates; and
 - (iv) the date on which the payment to which the pay slip relates was made; and
 - (v) the gross amount of the payment; and
 - (vi) the net amount of the payment; and
 - (vii) any amount paid to the employee that is a bonus, loading, allowance, penalty rate, incentive-based payment or other separately identifiable entitlement; and
 - (viii) the Australian Business Number (if any) of the employer.
- c. If an amount is deducted from the gross amount of the payment, the pay slip must also include the name, or the name and number, of the fund or account into which the deduction was paid.
- d. If the employee is paid at an hourly rate of pay, the pay slip must also include:
 - (i) the rate of pay for the employee's ordinary hours (however described); and
 - (ii) the number of hours in that period for which the employee was employed at that rate; and
 - (iii) the amount of the payment made at that rate.

- e. If the employee is paid at an annual rate of pay, the pay slip must also include the rate as at the latest date to which the payment relates.
- f. If the employer is required to make superannuation contributions for the benefit of the employee, the pay slip must also include:
 - (i) the amount of each contribution that the employer made during the period to which the pay slip relates, and the name, or the name and number, of any fund to which the contribution was made; or
 - (ii) the amounts of contributions that the employer is liable to make in relation to the period to which the pay slip relates, and the name, or the name and number, of any fund to which the contributions will be made.

6. Obligations - Leave Records

- a. The employer must make and keep is a record that sets out:
 - (i) any leave that the employee takes; and
 - (ii) the balance (if any) of the employee's entitlement to that leave from time to time.

7. Superannuation contributions

- a. The employer must make and keep a record that sets out:
 - (i) the amount of superannuation contributions made for the benefit of the employee;
 - (ii) the period over which the contributions were made;
 - (iii) the day on which each contribution was made; and
 - (iv) the name of the fund(s) to which a contribution was made.
- b. If a superannuation contribution is made to a fund chosen by the employee, the employer must keep a record of:
 - (i) the employee's choice of superannuation fund election; and
 - (ii) the date of that election.

8. Obligations - termination of employment

- a. The employer must make and keep a record that sets out whether the employment was terminated:
 - (i) by consent; or
 - (ii) by notice; or
 - (iii) summarily; or
 - (iv) in some other manner (specifying the manner); and
 - (v) the name of the person who acted to terminate the employment.

If you require any assistance in respect to these requirements, please ring me on 9926 5629.

A handwritten signature in black ink that reads "Tom Carr". The signature is fluid and cursive, with a large initial "T" and a long horizontal stroke at the end.

Tom Carr
Human Resources Manager