



# GUIDE TO EMPLOYING YOUNG WORKERS

CURRENT AS AT NOVEMBER 2017

## CAN I EMPLOY YOUNG WORKERS?

Whether you are entitled to employ persons of a young age will depend on which state or territory you are in. Some governments have restrictions on the minimum age of young people for employment, the type of work they can perform and at what times they can work. The NRA is well versed in this area of law and can assist you with understanding the relevant laws in your state or territory. For more information at a discounted rate for NRA members, call the NRA on **1800 RETAIL (738 245)**.

## WHAT SHOULD I BE TELLING YOUNG WORKERS?

### Fair Work Information Statement

For all new employees, including young workers, employers must provide a copy of the Fair Work Information Statement, before or as soon as possible after they start their new job. Remember this obligation applies regardless of the employee's age. The Fair Work Information Statement can be accessed from the Fair Work Ombudsman website and provides employees with information about their conditions of employment.

### Nature of Employment and Entitlements

Young workers will often be unaware of the laws surrounding their employment. It is likely that they will not possess a thorough understanding of the nature of their employment and their subsequent entitlements.

As such, it is best practice to spend some time explaining to young workers the differences between casual, part-time and full-time employment. Naturally, this would entail an explanation of their entitlements to leave, any relevant policies and procedures, and the payment of wages (i.e. the date and manner in which wages are paid) that goes with their type of employment offered.

### Sickness or Injury

A common issue that arises with young workers is their use of sick leave. This often stems from a lack of understanding as to the correct procedure to follow when an employee falls sick.

It is vital that employers explain to young workers from the outset, the correct procedure to be followed if they are unwell and unable to attend work. It is best practice to write this procedure in a formal policy that employees then sign off on. The NRA can assist with drafting a leave policy and offers special rates for NRA members. To find out more, call 1800 RETAIL (738 245).

### Primary Contact

It is also important that young workers are given the contact details of someone within the business they can approach with any questions or concerns regarding their employment.

## WORKPLACE HEALTH AND SAFETY CONCERNS

Young workers tend to be at greater risk of injury given their lack of experience and understanding of the potential hazards within the workplace. As with all employees, it is necessary to ensure that they have a sufficient understanding of:



- the importance of safety,
- how to prevent accidents and injuries from occurring; and
- how to carry out their duties safely and responsibly.

On their first day, you might consider conducting a tour of the workplace, stopping to highlight particular safety concerns, fire exits and so on.

Workplace health and safety also extends to workplace bullying, sexual harassment and discrimination. In complying with your duty of care, you should inform young workers of what constitutes this sort of behaviour and the process that will be followed in the event of a complaint. Again, a policy is the most effective way of dealing with these issues and is viewed favourably by the Fair Work Commission. The NRA can assist in preparing a policy that is specific to your business and industry. To find out more on our special rates for NRA members, contact the NRA today on 1800 RETAIL (738 245).

## MANAGING PERFORMANCE

Where young workers fail to perform to the standards expected of them, it is vital that employers take the necessary steps to address these issues. Otherwise they may form the impression that what they're doing is satisfactory and bad habits may begin to emerge throughout the workforce. In some cases, it will be necessary to spend more time with young workers in order to sufficiently explain how their performance might be improved. Consider the following tips:

- Prepare a comprehensive job description which clearly outlines your expectations and standards, including the processes for starting and finishing work (eg clocking on and off, leave processes etc);
- Avoid criticising the worker or sandwiching criticism between positive attributes – young workers tend to be less confident than others and therefore you should remember to praise good performance when you can;
- Pair the young worker with a mentor or buddy who is encouraging and supportive and can provide them with workplace guidance;
- Detail a performance management plan with dates for review;
- Remind the young worker to ask questions and seek help when necessary.

The NRA can assist with performance management processes and drafting performance management plans. We can offer templates specific to the retail industry or tailored policies specific to your business at a discounted rate for NRA members. To find out more, call 1800 RETAIL (738 245).

## PARENTAL CONSENT

Employers should be aware that, in some circumstances, employees under 18 will need a parent or guardian to sign legally binding documents. This would include, for example, their employment contract or an individual flexibility arrangement.

### For more information:

Phone: 1800 RETAIL (738 245) | Email: [law@nra.net.au](mailto:law@nra.net.au)

### IMPORTANT INFORMATION

*The information contained in this fact sheet is accurate at the time of distribution to you. Award conditions and industrial relations laws change regularly, however, and you should ensure that you maintain your copy of this fact sheet in an up to date form. Any revised fact sheets issued will be available at [www.nra.net.au](http://www.nra.net.au). The information contained in this fact sheet is not a substitute for independent professional advice. You should obtain any appropriate professional advice relevant to your particular circumstances.*