

The Northern Territory Working Women's Centre

Providing information, advice and support to Territory Women since 1994

Equal Pay Case—National Day of Action 8 June

In late May workers within the community sector, and women workers everywhere, had a significant win, when Fair Work Australia (FWA) agreed that they were underpaid when compared to workers within the public sector. FWA also found that at least part of the reason for this underpayment was the gendered nature of community sector work.

In other words, it is no coincidence that the work is underpaid when over 85% of community sector employees are female. This is certainly history in the making. This decision opens the door for other women who have suffered gender based pay discrimination in other industries besides the community sector.

It remains to be seen at exactly what level FWA will order increases to community sector workers' pay, and, most importantly, how far Government will support this decision with increases to community sector funding. FWA will hold the next hearing in August.

We encourage everyone with an interest in equal pay to come along to the **National Day of Action on 8 June, at 12 noon at Rain Tree Park**, to ensure that federal, state and territory governments commit to funding the wage increases that are on the way.

Rachael Uebergang and Anna Davis
Co-coordinators

NTWWC visits the Red Centre in May 2011

Although the NTWWC only has a physical presence in Darwin, we constantly strive to ensure that women Territory wide know about and can access our service. To this end, Anna Davis and Rachael Uebergang have just returned from a fantastic trip to Alice Springs.

While there, we met with a large number of organizations and individuals in Alice to talk about issues for women at work such as; pay and entitlements, workplace bullying, discrimination and of course, pay equity.

As well as presenting to the Community Sector Inter-Agency Meeting, a seminar on Basic Workplace Rights and Responsibilities was presented which was open to all.

It was a very enjoyable and useful trip and we say thanks to the people that gave their time to meet with us.

In fact, it was so productive and so great to be there and meet with people and services face to face that we are planning our next trip for October 2011, and will conduct a number of community education sessions at that time.

If you are based in Alice Springs and would like to meet with us or have a community education session about a work related issue in your workplace please let us know by contacting Anna Davis on anna@ntwwc.com.au



Patron of the National Working Women's Centres
Her Excellency Ms Quentin Bryce AC, Governor-General of the Commonwealth of Australia



Inside this issue

NTWWC visits the Alice...1

Client Case Study ..2

Workplace rights for mothers 2, 3

Special points of interest

HELP SUPPORT THE PUSH FOR FUNDED PAY EQUITY FOR COMMUNITY SERVICES WORKERS.....NATIONAL DAY OF ACTION ON 8 JUNE 2011

Rain Tree Park, Darwin at 12 Noon, Wednesday 8th

FAIR WORK AUSTRALIA Minimum Wage Panel Annual Wage Review—to be announced 3 June 2011 see www.fwa.gov.au



NTWWC Client Case Study

Aung and Kyaw are young refugees who contacted the NTWWC at the suggestion of their school careers counsellor.

They had worked over the school holidays for a local fast food outlet and had not been paid at all for their time. At the time they contacted NTWWC, their teacher had already attempted to resolve the situation, however the employer was not returning her telephone calls, after initially telling the teacher they would 'sort it out next week'.

The NTWWC first contacted the employer in an attempt to obtain the girls' wages without involving the authorities. After a number of telephone calls and emails, and re-

providing bank account details, both girls received pay for approximately half the hours they had worked. Further attempts were made to contact the employer regarding the outstanding hours, however with no success.

The NTWWC then assisted the girls to complete Fair Work Ombudsman complaint forms. This was particularly difficult as they have limited English and no interpreter was available in their language in Darwin.

The Fair Work Ombudsman allocated the case to a senior investigator promptly and we hope for a positive result soon.

* Case Studies are based on actual clients however names and details are changed to protect privacy



NT Working Women's Centre

We help with Problems at work



“Professional, appropriate service offering some empowerment in a difficult time.” NTWWC Client Feedback

Have you just had a baby, or are you thinking of having one soon?

Read on for the basics of what working mothers need to know....for more information check out our Maternity Rights Fact Sheet at <http://www.ntwwc.com.au/index.php/factsheets>

While you are pregnant:

- ⇒ You only have to tell your employer that you are pregnant 10 weeks before the expected date of birth – although for many reasons you are unlikely to wait that long!
- ⇒ While you are pregnant, you have the right to transfer to a safe job if any aspect of your normal role poses a risk to you or your baby's health. You may need a medical certificate.
- ⇒ If your employer is unable to modify your role, or transfer you to another role, then they are obliged to provide you with **paid** leave (provided you are eligible for unpaid parental leave).
- ⇒ Special Maternity Leave is available if you are unable to work due to pregnancy related illness. You will need a medical certificate. This leave is unpaid, and reduces your twelve months of unpaid maternity leave by a corresponding period. (If you don't wish that to happen, you can take any sick or annual leave you have instead).

Unpaid parental leave:

- ⇒ If you have been in your job for 12 months or more at the expected date of birth or adoption, then you are entitled to take 12 months unpaid parental leave. This applies to casual employees, as long as their work has been consistent and they have a reasonable expectation of it being ongoing.
- ⇒ The leave must be taken to allow you to be the primary carer of your child. Each parent is entitled to take 12 months unpaid leave (provided they qualify, and not at the same time). Alternatively, you have the right to request a second year to continue as primary carer (but your employer can say no).

- ⇒ There are requirements around applying for parental leave that you need to be aware of, the details are in our Maternity Rights Factsheet <http://www.ntwwc.com.au/index.php/factsheets>
- ⇒ You are entitled to return to your position when you finish parental leave. If that job no longer exists, then you are entitled to a position as close as possible in status and pay. Any changes that take place while you are away which will affect this right must be discussed with you prior to your return.
- ⇒ If you don't return to your job at the end of your parental leave, you lose the right to the position.
- ⇒ *Some workplaces also offer paid parental leave – check your contract, any enterprise agreement, and your workplace policies. This leave can be taken concurrently with your twelve months unpaid entitlement, as can any annual leave you wish to use.*

Statutory paid parental leave:

- ⇒ The Federal Government now has a paid parental leave scheme (PPL) of 18 weeks paid at the minimum federal wage, currently \$570 week, which is taxed. You have a choice between PPL or the Baby Bonus (if you have twins, you can get both).
- ⇒ To be eligible for PPL, you need to have worked 330 hours in 10 of the last 13 months before your baby is born – this equates to about a day a week. It doesn't matter if you have had more than one employer during that time.
- ⇒ Self-employed people, contractors, and seasonal workers are eligible as well as permanent full and part-time and casual workers.
- ⇒ You apply for PPL through the Family Assistance Office (FAO), but from 1 July 2011 it will be administered by employers through their normal payroll system. For more information, contact the FAO on 13 6150 or go to <http://www.familyassist.gov.au/payments/family-assistance-payments/paid-parental-leave-scheme/>

Returning to Work:

- ⇒ You are entitled to return to your position when you finish parental leave. If that job no longer exists, then you are entitled to a position as close as possible in status and pay.
- ⇒ If your employer is restructuring or making any changes while you are away which will affect your position, they must discuss it with you prior to your return. If your position becomes genuinely redundant, then you should be offered another position. If no other position will exist, you should receive your redundancy entitlements.
- ⇒ You are entitled to request flexible working arrangements – such as working part time – for when you return from maternity leave. You need to make the request in writing, and your employer must respond in writing within 21 days.
- ⇒ In fact, anyone with a child under 6 (or a disabled child under 18) is entitled to request flexible working arrangements, provided they have been with their employer for 12 months (including casual employees).
- ⇒ Your employer can refuse your request, but if they do they should provide adequate reasons in writing.
- ⇒ If you do not return to your pre-leave position at the end of your maternity leave, you lose your right to reclaim it.

Discrimination:

- ⇒ It is unlawful for your employer to treat you differently or terminate your employment because you are pregnant, breastfeeding, on maternity leave, or because of your family responsibilities. If you think you are being discriminated against, call us.



UPCOMING EVENTS

- 8 June 2011
ASU National Day of Action

All around Australia, social and community services workers and their supporters will be taking to the streets to demand equal pay and telling governments at both the state and federal level that it's time to pay up! This is a critical point in the long campaign for wage justice and we need everyone to be part of this action.



NT Working Women's Centre

Free Call: 1800 817 055

Ph: (08) 8981 0655

F: (08) 8981 0433

E: admin@ntwwc.com.au

W: www.ntwwc.com.au

98 Woods Street Darwin

GPO Box 403 Darwin 0801

What is the NT Working Women's Centre?

The NT Working Women's Centre (NTWWC) is a community based, non-profit organisation that provides free and confidential advice to women about work related matters. The NTWWC receives funding from the Commonwealth and Northern Territory Governments.

The NT Working Women's Centre provides information, advice, representation and referral to NT women about work related issues such as: pay, working conditions, unfair dismissal, superannuation, discrimination, bullying and sexual harassment.

Every day women from all walks of life contact the centre for assistance, either through the free call number or personally in our office. Each year the NTWWC answers thousands of queries from Territory women from short inquiries to more complex matters involving case management.

Throughout the NT we provide advice and representation about unfair dismissal and discrimination. For example, assistance can be provided to help women to prepare their forms and statements and support them throughout the process. The centre also provides community education to women about their rights at work, and our staff members conduct visits to regional centres and some remote communities.



Please note: This newsletter contains general information available at the time of printing. While every effort is made to ensure that the information provided is accurate, it does not constitute legal advice.

For further advice about your individual situation, please contact the NT Working Women's Centre.

Join the NT Working Women's Centre

The NTWWC is a member based organisation, and so is dependent on support from the NT Community. For a nominal fee of \$10.00 a year any woman in the NT (or any organisation for \$30) can become a supporting member of the NTWWC.

Membership of the NTWWC will support the Centre to continue to provide services to women throughout the NT who are in a disadvantaged bargaining position, insecure and low paid work.

The Centre gives particular attention to vulnerable groups of women, including Aboriginal and Torres Strait Islander women, women from Culturally & Linguistically Diverse backgrounds, women who have a disability, women with family responsibilities and those living in regional and remote areas.

If you are interested in becoming a member of the NTWWC please contact us.

The NT Working Women's Centre gratefully acknowledges funding from the Australian Department of Education, Employment and Workplace Relations and the NT Department of Education and Training.