



Factsheet:

Trial work and work experience

Starting a new job? Willing to do anything? Make sure you know your rights!

Under our Australian workplace laws, you have the right to be paid for any work that you do.

School or Government-sponsored work experience programs are valuable and usually are unpaid. But watch out for other offers of unpaid trial work, even if they seem like a good idea. Unless it is part of a legitimate work experience program, you should be paid for any work that you do.

Most job offers are made after an interview. But some employers like to take people on for a trial period to see whether they can do the job. This is okay, but you should be paid for any work you do.

A good employer will tell you how long the trial will last and will pay you a proper wage during the trial period.

Most employers will give you a letter outlining your conditions of employment. If you do not get these details in writing, you may find it hard to prove that you were hired to do the job and not just offered the chance for some unpaid work experience.

If you are paid by commission only (that means, your pay is a percentage of your sales rather than a weekly wage), you may be a self-employed person rather than an employee. This means that you will not have the protection that employees have under the law. Think very carefully before entering into such an agreement.

What to look out for...

- trial periods on the job without any payment
- employers not giving you job offers in writing
- employers not paying you on time
- jobs which pay you only by commission
- work experience which is not recognised or approved.

Most employers will do the right thing. They will pay you the right wage, and pay you on time.

Your employer is obliged to have a copy of the relevant award that covers the work you are being asked to do and it has to be accessible to you. They also have to give you a payslip every time you are paid.

Your rights as an employee

You have the right to be paid for all the work that you do.

If most of your time is spent on tasks which are covered by an industrial award, you are entitled to be paid the award rate for that job.

You are entitled by law to a healthy and safe work environment, even if you are on work experience and are not being paid.



Useful websites and contacts

Fair Work Ombudsman

Hotline: 13 13 94 www.fairwork.gov.au

Work Cover NSW

Hotline: 13 10 50 www.workcover.nsw.gov.au

NSW Industrial Relations

Hotline: 131 628 www.industrialrelations.nsw.gov.au



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