

IMPORTANT NOTICE: The information outlined below applies to employees and employers who are under State industrial relations jurisdiction. Since the commencement of the federal government's workplace relations laws on 27 March 2006, employers who are constitutional corporations (e.g. a Pty Ltd or Ltd company) and their employees are now covered under federal industrial relations jurisdiction.

Additionally the federal government introduced the *Independent Contractors Act 2006* (the Act) which will take effect as from the first of March 2007

The Act excludes state unfair contract laws and provides transitional provisions about pre-reform commencement contracts.

The Act will generally apply to an independent contractor's services contract which is entered into in Australia or one of its Territories where at least one of the parties is a:

- Constitutional corporation or
- The Commonwealth or a Commonwealth authority or
- A body corporate incorporated in Territory in Australia.

These employees and employers should contact the Queensland Workplace Rights hotline on **1300 737 841** or visit www.workplacerrights.qld.gov.au for further information and assistance on the laws.

About Wageline

Wageline is a Queensland Government industrial relations information service to the private sector* provided by the Department of Employment & Industrial Relations.

The Wageline service provides state-wide information concerning Queensland industrial relations legislation, State awards and agreements, public holidays and trading hours.

Wageline clients include employers, employees, members of the accounting and legal professions, employer organisations, employee organisations (unions) and the general public.

Wageline provides a diverse range of helpful information services including:

- Telephone information service
- Recorded information service
- Correspondence service
- Historical research
- Internet site
- Publications
- Industrial Relations Information Service (IRIS)
- Contact point to request a face to face visit
- Contact point to access regional compliance services

* Public Sector employees should contact their own industrial relations/human resource area within their Department.

Telephone information service

Wageline – What information do we provide?

Wageline provides industrial relations information on Queensland awards, agreements and laws covering wages and employment. This includes wage rates and matters about dismissal, redundancy, occupational superannuation and leave (annual, sick, long service, parental).

We also provide information on time and wage records, pay slips, right of entry by union officials, public holidays and trading hours.

- Telephone: 1300 369 945 (Queensland callers)
- Telephone: (07) 3872 0550 (Interstate callers)

Wageline operator assistance – 1300 369 945

Wageline's services aim to make industrial relations information easily accessible. Our client service officers are available between 8:00am and 4:45pm Monday to Friday to take your call.

Wageline's friendly staff are trained to answer many common questions about award provisions and can assist clients by simplifying industrial relations jargon. They can pass on knowledge about specific facts or circumstances where that information is in the public domain. Wageline clients should consider whether or not the information provided is pertinent to their own particular circumstances. Wageline services do not extend to providing in-depth research or legal advice about particular industrial relations issues.

The Department, in instances covered by the Private Sector Industrial Relations Enforcement Framework, may express a position or view regarding case by case circumstances and the way that an industrial instrument should be applied to those particulars. The view expressed does not purport in any way to impede a person's right to have such issues determined before the Queensland Industrial Relations Commission or another Court of competent jurisdiction.

Correspondence service

If more comprehensive information is required, or you do not have access to a telephone during business hours, you may wish to use our correspondence service. Available options are:

- email through the website – www.wageline.qld.gov.au
- fax to (07) 3872 0519, or
- post to PO Box 820, Lutwyche Qld 4030

Research

We can research historical information on rates of pay and award conditions for a professional fee. Contact Wageline as an advance payment (made payable to the Department of Employment & Industrial Relations) is mandatory before any historical research is commenced.

Wageline Internet Site

Visit www.wageline.qld.gov.au

The Wageline internet site connects you to a wide variety of information on Industrial Relations topics including all state awards in a clause by clause format and summary sheets for major state awards.

You can also access information about:

- general industrial relations information and employment
- dismissal - the rights and responsibilities of employers and employees
- trading hours – types of regulated shops explained.
- redundancy - provisions, entitlements and exceptions
- superannuation - the rights and responsibilities of employers and employees
- leave – sick, annual, long service, bereavement, cultural, family and parental (maternity, paternity, adoption, carer's).

Publications

Wageline publishes easy-to-read and informative fact sheets on key website subjects. From the website you can get print-friendly copies.

If you do not have access to the website, ask the Wageline staff for assistance.

Note: Depending on the printer you are using, you may select a range of print options. E.g. black & white, colour, double sided, booklet format.

Visit the Department of Employment and Industrial Relations' resource page for more publications on industrial relations issues.

- www.deir.qld.gov.au/publications/index.htm

Industrial Relations Information Service (IRIS)

Get access to an online research database of documents including awards, agreements, decisions, orders and notices from Queensland Industrial Relations Commission.

While the Department provides general clients with a range of free services, it also recognises that some clients have specific needs for more extensive information.

For example:

- legal research - access to a research database of decisions given by the QIRC;
- accounting, reviewing or auditing wage liabilities - award history;
- to meet legislative obligations, accessibility to a consolidated or historical award information; and
- payroll - notification of changes to industrial instruments.

The IRIS range of products available for purchase includes:

- internet subscriber access to an extensive industrial relations research database that includes current Queensland state awards (on line), their associated history, advanced IRIS database search with options like full text or title only searching, Boolean Logic Search Parameters (e.g. With the Exact Phrase), the ability to search within results and a What's New section to flag important industrial relations issues as they are gazetted from the QIRC,
- an annual subscription service to individual awards, agreements and/or orders,

- sales of individual awards, agreements and/or orders, and
- award wage summary sheet - subscriber notification of changes
 - IRIS – telephone (07) 3225 2307
 - facsimile: (07) 3221 6764
 - email: iris@dir.qld.gov.au
 - IRIS internet site:
www.wageline.qld.gov.au/iris/index.jsp

Information audit service

Contact Wageline if you are a new or existing business in need of help meeting your obligations under Queensland awards, agreements or law. An inspector will contact you and discuss industrial relations and compliance issues.

Compliance services

The Queensland Government is committed to delivering responsive government, growing a diverse economy and creating jobs. Ensuring fairness in workplaces through industrial inspectors performing functions prescribed in the *Industrial Relations Act 1999* contributes to these priorities. Compliance service delivery is structured regionally and aligned to dedicated disciplines, viz wage resolution, enforcement and audit. For further information visit:

- www.wageline.qld.gov.au/compliance/index.html

Contact Wageline about employee claims concerning Queensland state award wages and conditions. Client service officers will inform you about options permitted under the law. These include:

- contacting your union
- engaging legal representation,
- providing information to aid discussions with your employer,
- how to resolve issues and recover wages and entitlements yourself (self recovery kit)
- grievance or dispute resolution procedures in your award

Alternatively, involve the Department of Employment and Industrial Relations. Claim forms can be obtained from Wageline. Unresolved claims can be lodged with your nearest regional wage resolution team. Issues not resolved in this process may be referred for mediation at the Queensland Industrial Relations Commission or forwarded to industrial inspectors who will examine wage and employment condition compliants

Where can I get more information?

Contact

- Wageline
4th Floor, Centro Lutywche
543 Lutwyche Road, Lutwyche Q. 4030
(or) PO Box 820, Lutwyche Q. 4030
- Wageline Information Centre: Ph: 1300 369 945*
- Fax: (07) 3872 0519
- Web site: www.wageline.qld.gov.au
- Telephone Interpreter Service: Ph: 131 450

* Local call cost (mobiles & payphones may be extra)

Disclaimer

The information in this fact sheet is provided on the basis that readers will be responsible for making their own assessment of the matters discussed and are advised to verify all relevant representations, statements and information.

Any information or advice given to you by Industrial Relations Services or its inspectors and advisors is given only to assist you to discharge your obligation under relevant state Acts where Industrial Relations Services has an information or compliance role. e.g. Industrial Relations Act 1999. Compliance with this information or advice does not relieve you of your obligation under the Act. Any information or advice is given based on circumstances that you have outlined and/or is given on the basis that you will make your own independent assessment of what action is necessary to ensure your compliance with the Act.

Whilst all care will be taken in providing information or advice to you, the Department of Employment and Industrial Relations and its inspectors and advisors will not be liable for any errors or omissions or for any loss or damage suffered by you or any person which arises (directly or indirectly) from your reliance on this information or for any breach by you of your obligations under the Act. Additionally, this advice does not purport to be in place of legal professional advice. If you wish to obtain such advice you should contact an independent professional consultant.

The Department of Employment and Industrial Relations disclaims all responsibility and all liability (including, without limitation, liability in negligence) for all expenses, losses, damages and costs you might incur as a result of the information being inaccurate or incomplete in any way, and for any reason

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