

## What You Need To Know

### WHAT IS A CONTRACT OF EMPLOYMENT?

A contract of employment is a legally binding agreement between you and your employer which sets out the terms and conditions of your employment. It is distinctly different from your Award or Enterprise Agreement and only pertains to you and your job. A contract can be in writing or verbal.

### CAN A CONTRACT OF EMPLOYMENT PROVIDE FOR LESS THAN MY AWARD OR AGREEMENT?

No, a contract of employment cannot override an Award, Enterprise Agreement or the National Employment Standards. A contract of employment must either contain the same or better entitlements.

This applies whether you have signed the contract or not.

### WHAT SHOULD A CONTRACT OF EMPLOYMENT CONTAIN?

Some Enterprise Agreements stipulate what should be set out in the employment contract but as best practice, your employment contract should contain:

- Your name and employer details;
- Your commencement date with the employer;
- The Award or Enterprise Agreement that you are covered by;
- Your classification;
- Your job title and description;
- The number of hours that you are engaged for;
- Your pattern of hours;
- The location of your position;
- Your salary; and

- Any other benefits or entitlements that are above your Award or Enterprise Agreement.

### MY CONTRACT OF EMPLOYMENT IS OUT-DATED OR DOESN'T REFLECT MY POSITION, WHAT SHOULD I DO?

Your employment contract should always reflect the work that you undertake with your employer. If your position has changed, your contract should change to reflect this. In the first instance, you should speak with your employer and contact our Union for assistance.

### WHAT SHOULD I DO IF I DISPUTE MY CONTRACT OF EMPLOYMENT?

You should never feel pressured to sign your employment contract without reading and understanding the terms and conditions. You always have the right to tell your employer that you wish to speak to your Union to get advice on this before signing.

### I DON'T UNDERSTAND A TERM IN MY CONTRACT OF EMPLOYMENT, WHAT SHOULD I DO?

Contact our Union for advice as our Industrial team can interpret and explain this to you. It is not uncommon for employment contracts to use complex language that may be difficult to understand and it never hurts to have someone with expertise look over this.

### HOW DO I OBTAIN A COPY OF MY CONTRACT OF EMPLOYMENT?

You should be provided with a contract of employment and a copy of the National Employment Standards when you commence employment with your employer.