



# Australia's Labour Law & Employment Regulations

**Presenter: Clara Tang,**  
**HR Service Delivery Manager**

**Organiser: BIPO** | Make Life Easier.

# Speaker



## Clara TANG

HR Service Delivery Manager, BIPO Australia

### Highlights:

- Trilingual HR Consultant with 15 years' experience in award-winning brands in Australia, New Zealand, HK and China
- Hands on and diverse standalone national role managing end-to-end employee lifecycle with a multi-site portfolio
- Tech savvy & resilient with entrepreneur mindset with all level's stakeholder management with a pragmatic approach
- Lead innovative projects with change management methodology in SME start-ups and non-profit organisation

### Education:

- Advanced Certificate in Psychology
- Bachelor of International Hotel Management
- Certificate IV in Work Health & Safety
- Certificate of Mental Health Response



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# **BIPO's One-stop Solution**



## Introduction

“  
Total HR Solutions  
for your Global Workforce  
”

# About Us

Established in 2010 and headquartered in Singapore, BIPO is a **global payroll and people solutions** provider.

Designed for businesses of any size from SMEs to MNCs, our total HR solutions include Human Capital Management solutions, Global Payroll Outsourcing, and Employer of Record service across **160+ global markets**.

At BIPO, we understand the power of technology in building the best-in-class solutions. That's why we leverage our award-winning **HR Management System (HRMS), Athena BI, Global Payroll Outsourcing and Employer of Record** technology platform to deliver customised services and scalable solutions that automate HR processes, simplify workflows, and generate actionable insights.

**40+**

Global Offices

**4,600+**

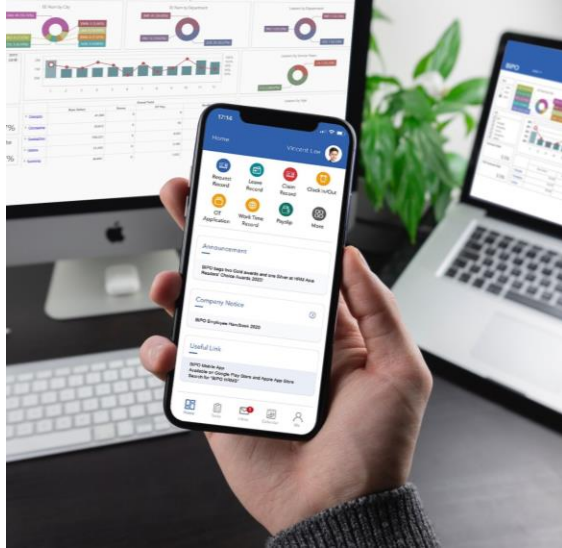
Clients

**560,000+**

Users



# Total HR Solutions for your Global Workforce



**10+**  
Years of  
experience

**560,000**  
Users  
globally

**160+**  
Countries  
covered for EOR

Payment in  
**180**  
Currencies

**900+**  
Employees  
worldwide

**40+**  
International  
offices

**20+**  
Payroll engines  
across countries

More than  
**4,600**  
Clients

## Leader in Asia

- Based in **Asia**, with **global reach**
- Helping global companies. expand **into and out of Asia**
- Core USP: 20+ specialist **payroll engines** in Asia.

## Recognised by Peers



# Awards & Accolades



## Centuro INT-X Awards – UK

- Most Inspirational Global Expansion 2023



## Grand Prize

- HR Vendor of the Year - **Hong Kong**

## Gold

- Best Payroll Software - **Hong Kong & Singapore**
- Best Payroll Outsourcing Partner - **Hong Kong & Singapore**
- Best HRMS (Enterprise & SMB) - **Malaysia**



## HKIHRM HR Excellence Awards 2023/24 – Hong Kong

- Payroll Provider Award (Excellent)



## Digitech Awards – Indonesia

- The Best IT Human Capital Development
- The Best Digital Technology Development Team



## Barcelona New Economy Week (BNEW)

- Talent Vertical - Best Startup Award 2024

# Security & Compliance

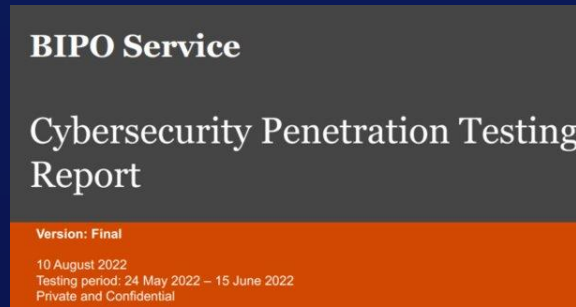
## Audit




Attested by:   
**pwc**

- SOC 1 – Type 2
- SOC 2 – Type 2

## Penetration Test



Performed by:   
**pwc**



*The OWASP Top 10 is a regularly-updated report outlining security concerns for web application security, focusing on the 10 most critical risks.*

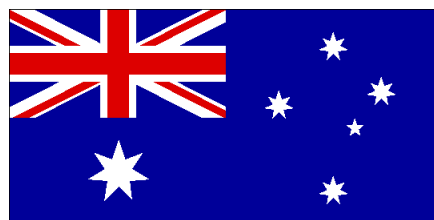
## Certification



**ISO-27001**  
Information Security  
Management System Certification



# Introduction to Australia



# AUSTRALIA SNAPSHOT



**Language:** English

**Currency:** AUD

**Diversified culture:**  
More than  
270 ethnic groups



**7 States:**

WA, NT, SA, QLD,  
NSW, VIC & TAS

**Capital:**

Canberra ACT

**Population:** 27.67  
Million (55th in the  
world)  
**Annual growth:** 2.1%  
**Unemployment Rate:**  
4.0%  
**Employment to  
population ratio:** 64.5%



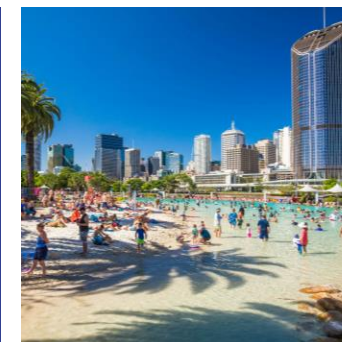
**GDP:** USD1,880 million  
(13th in the world)

**GDP per capita:**  
USD67,980

**Economic growth:** 0.8%

**Wage Growth** 3.5%

**Avg weekly earnings:**  
USD913.08





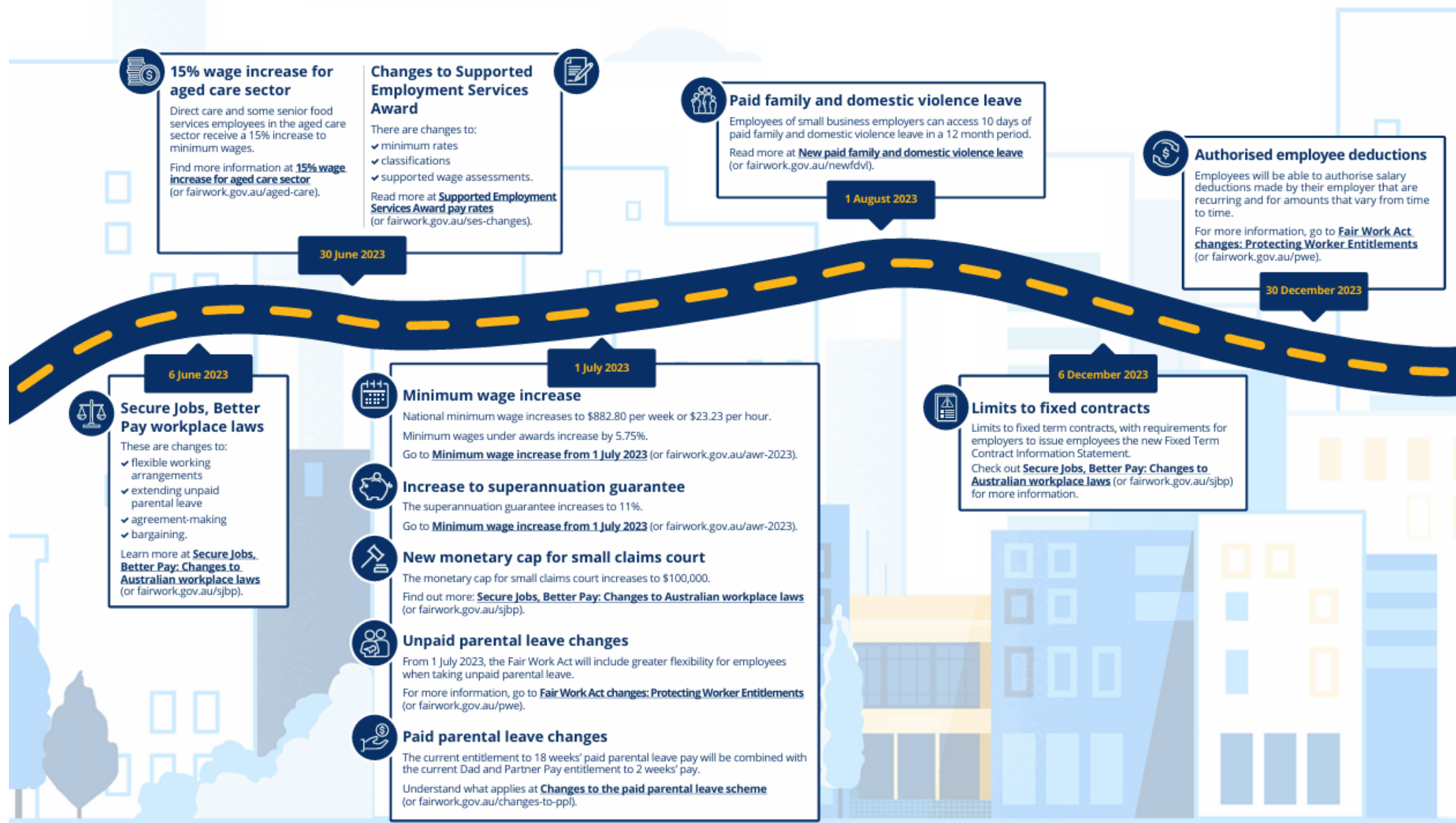
# Labour Law & Regulations

# Workplace law changes: June to December 2023

Below are some key workplace law changes happening June to December 2023.  
Use our timeline to help track each and ensure you're aware of when they take effect.



Fair Work  
OMBUDSMAN



Please note this isn't a complete list of upcoming workplace law changes. There may be other changes affecting employers and employees during this time not covered here.

[Subscribe to our email updates](#) to receive updates relevant to you.

Last updated: 11 July 2023

BIPO

# Key Regulations Changes - Closing Loopholes

*Fair Work Legislation Amendment (Closing Loopholes) Act 2023 (Cth)*

01

## Right to Disconnect

Employees have the right to refuse contact outside their working hours unless that refusal is unreasonable.

02

## Wages Theft

Deliberately underpaying employees, or 'wage theft', is becoming a criminal offense. From 1 January 2025, you can receive huge penalties for wage theft, including:

- up to 10 years imprisonment (for individuals); and/or
- a financial penalty that is three times the amount the employee was underpaid; or \$1.565 million for an individual or \$7.825 million for a company.

03

## Flexible Working Arrangements

Employees need to have worked for the same employer for at least 12 months. Examples of flexible working arrangements include changes to:

- hours of work – for example, changes to start and finish times
- patterns of work – for example, split shifts or job sharing
- locations of work – for example, working from home.

04

## Superannuation

Currently 11.5% from Jul 2024 and will increase to 12% from Jul 2025 onwards.

05

## Fixed Term Contracts

2 years maximum with new rules and exemption applies from 6<sup>th</sup> Dec 2023:

- Time limitations
- Renewal limitations
- Consecutive contract limitations

# Legislation Framework

## 01 Federal

- National Employment Standard
- Fair Work Act 2009
- Fair Work Regulations 2009
- Income Tax Assessment Act 1997
- Model Work, Health and Safety Act 2011
- Occupational Health and Safety Act 2004
- Fringe Benefit Tax Assessment Act 1986

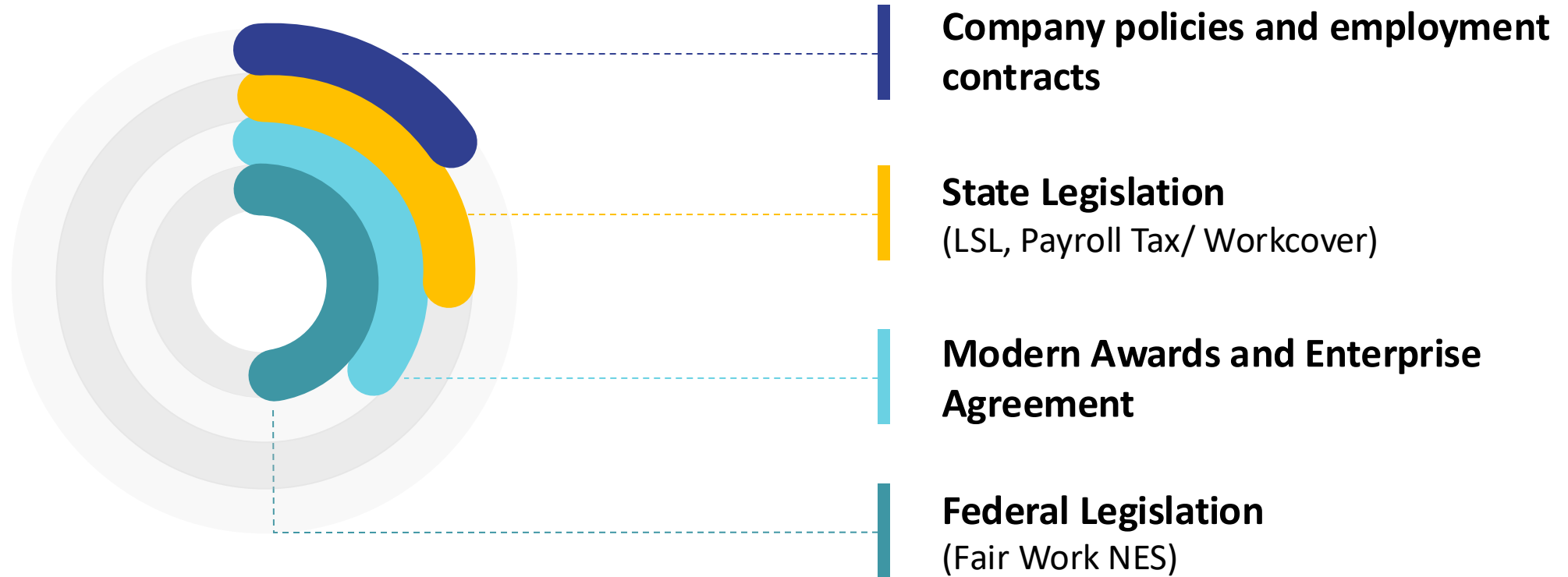
## 02 State

- Annual Holiday Act 1944
- Long Service Leave Act 1976
- Employment Protection Act 1982
- Payroll Tax Act 2007
- Privacy and Personal Information Protection Act 1998
- Protected Disclosure Act 1994
- Worker Compensation Act 1987

### THREE LEVELS OF GOVERNMENT IN AUSTRALIA



# Labour Laws



## Work in Fairness

The Australia Government introduced a “safety net” that comes into two parts.

- 11 National Employment Standards (the NES) in legislation – which applies to all employees
- Industry/Modern Awards which provide industry-relevant detail and build on the NES

# National Employment Standards (NES)

The NES are minimum employment entitlements that must be provided to all employees in the national workplace relations system, however only certain entitlements apply to Casual employees (rules and exclusions apply).

- Maximum weekly hours of work
- Requests for flexible working arrangements
- Parental Leave
- Annual Leave
- Personal/Carers Leave, Compassionate Leave
- Family and Domestic Violence Leave
- Community Service Leave
- Long Service Leave
- Public Holidays
- Notice of Termination and Redundancy Pay
- Superannuation
- Provision of the Fair Work Info Statement
- Employee choice about casual employment

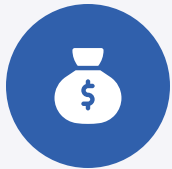


# **Modern Awards & Enterprise Agreement**

# Modern Awards

A Modern Award is a legal document which sets out the minimum terms and conditions of employment on top of the National Employment Standards (NES).

## Main Entitlements



**Pay**



**Hours of work**



**Rosters & break**



**Allowances**



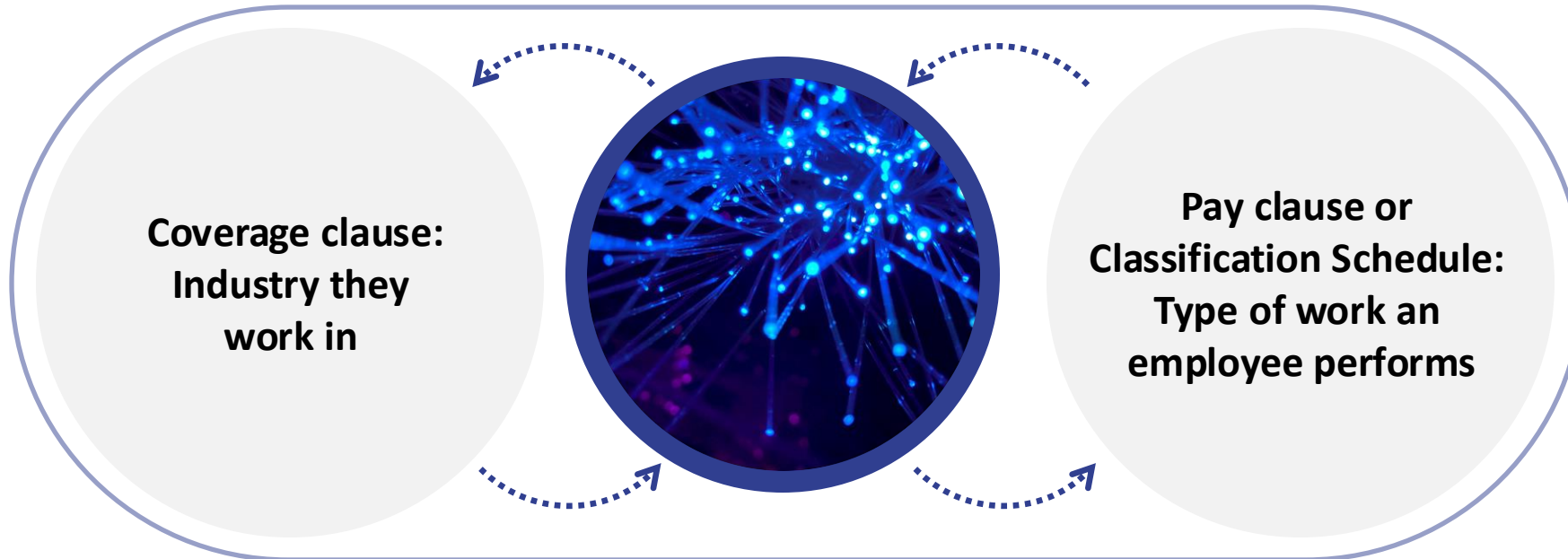
**Penalty rates**



**Overtime**

There are more than **120** industry or occupation awards that cover most people who work in Australia.  
Modern awards came into effect on 1 January 2010.

# How to work out which award applies?



## Example: 2 awards applying to 1 employer

Jo runs a building and construction business. He has qualified carpenters as well as office staff who do administration work. 2 awards will apply to his business:

- Building and Construction Award – for his qualified carpenter
- Clerks Award – for his office staff



**WARNING** **WAGE THEFT** is a criminal offence businesses cannot afford!  
No one should rely on the name of the award to determine if the award covers the employee.

Before deciding that an award covers the employee:

- carefully read the award's coverage clause and check if there are any exclusions to who the award covers
- check the employee's duties are covered within the classification structure
- consider whether another award could cover the employee

# Enterprise Agreements

## What?

An enterprise agreement is a legal document that sets pay and entitlements for employees. It covers one or more employers and some or all of their employees. Once made and approved by the Fair Work Commission, an enterprise agreement replaces any awards or previous agreements that would otherwise apply.

## Why?

Making an enterprise agreement can allow employers and employees to:

- create terms and conditions that suit the unique context and interests of their workplace
- simplify or clarify award terms
- provide certainty around pay and entitlements, and
- foster a more collaborative workplace culture.

## How?

Enterprise bargaining is usually done by a bargaining committee of employer and employee representatives, who negotiate terms and conditions like leave, allowances, hours of work and pay. Once the terms of the enterprise agreement are settled by the bargaining committee, it must be voted on by employees. If the majority of employees vote to approve the agreement, the vote passes.

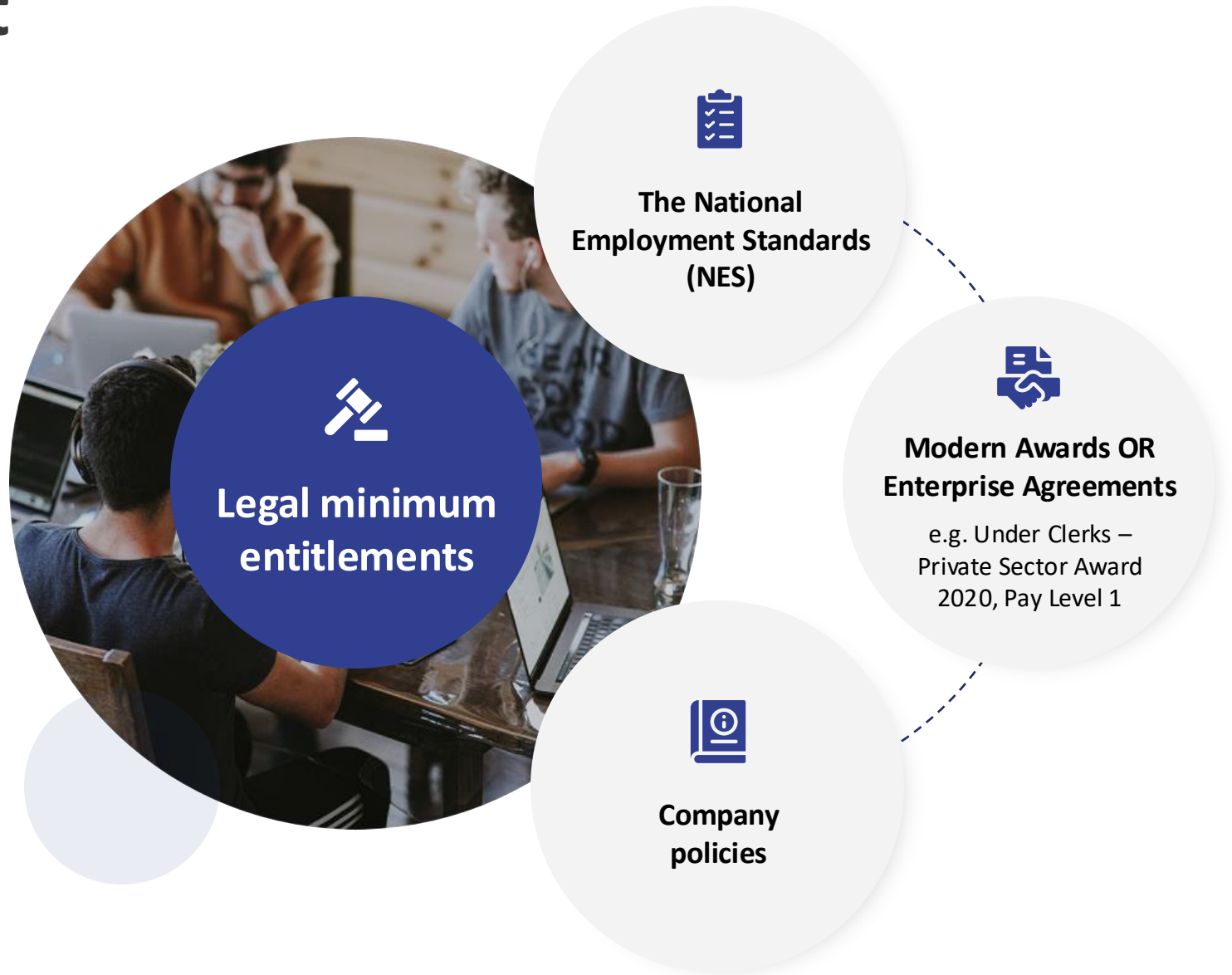
# Employment Contract

An employment contract is an agreement between an employer and employee that sets out terms and conditions of employment. A contract can be in writing or verbal.

## Fixed term contracts

A fixed term contract terminates at the end of a set period (for example, the contract ends on a set date, or after a set period of time or a season).

There are rules that apply to making a fixed term contract and employees on a new fixed term contract must be given the Fixed Term Contract Information Statement.



# Types of Employment Contracts



## Permanent (FT/PT)

- Full Timers usually works on average 38 hours each week.
- Part Timers works on average less than 38 hours per week (works regular hours each week).



## Fixed-term (FT/PT)

- A contract of employment that terminates at the end of a set period.
- Effective from 6<sup>th</sup> Dec 2023, a fixed term contract can't be for longer than 2 years. This includes any extensions or renewals.



## Casual

- Has no guaranteed hours of work (works irregular hours)
- Not entitled for paid Personal nor Annual leave

### Example: Renewal Limitations

Chelsea is given a contract for 6 months which has a right for her employer to extend twice for up to 4 months each time.

This contract breaches limitations because fixed term contract can't have an option or right to extend more than once, even if the total period is less than 2 years.

# Clauses in Employment Contract Template

## Annual Leave

- Accumulates from the first day of employment, even if an employee is under probation (Fair Work Act 2009 s.87)
- Full Time and Part Time employees get 4 weeks of annual leave, based on their ordinary hours of work.
- Shiftworkers may get up to 5 weeks of annual leave per year.

## Personal Leave

- Sick & Carer's Leave: NES includes both paid (10 days) and unpaid leave entitlements. (Fair Work Act 2009 s.12 and 97)

## Probation

- Employers can put their employees on a probation period (also known as a probationary period) to assess if employees are suitable for the role and business.
- The employer decides on the length of the probation period. It can range from a few weeks to a few months at the start of employment.
- Maximum 6 months

# Termination

## Notice

- Notice of termination and redundancy pay form part of the National Employment Standards (NES).
- An employer must provide an employee with written notice of the day of termination when ending their employment.

## Amount

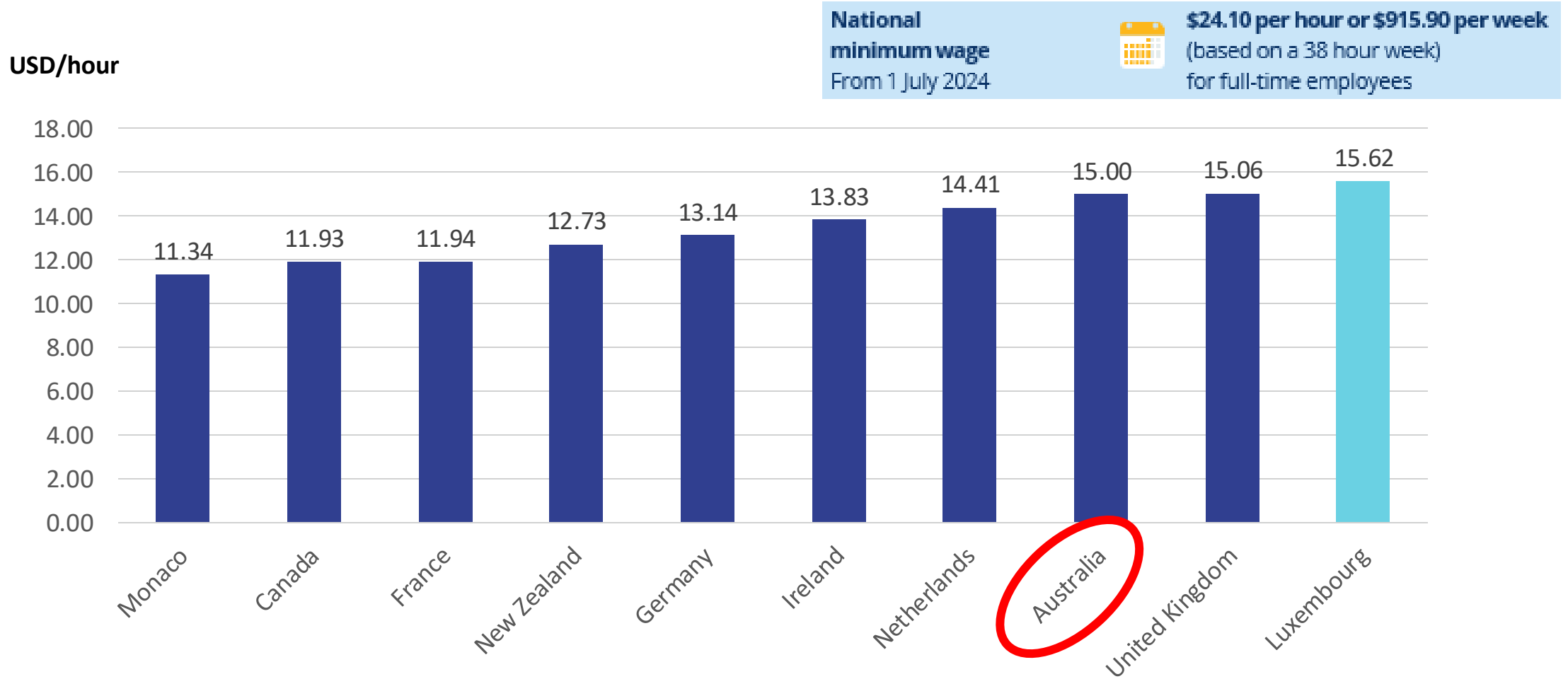
- An employer must not dismiss an employee unless they have either:
  - ✓ given the minimum period of notice
  - ✓ paid the employee instead of giving notice. This is paid at the employee's full pay rate as if they had worked the minimum notice period.
- An employee's full pay rate includes the following:
  - ✓ incentive-based payments and bonuses
  - ✓ loadings
  - ✓ monetary allowances
  - ✓ overtime or penalty rates
  - ✓ any other separately identifiable amounts.

Period of continuous service	Minimum notice period
1 year or less	1 week
More than 1 year – 3 years	2 weeks
More than 3 years – 5 years	3 weeks
More than 5 years	4 weeks



# **Minimum Wages & Statutory Contributions**

# Top 10 Countries with Highest Annual Minimum Wage (USD)



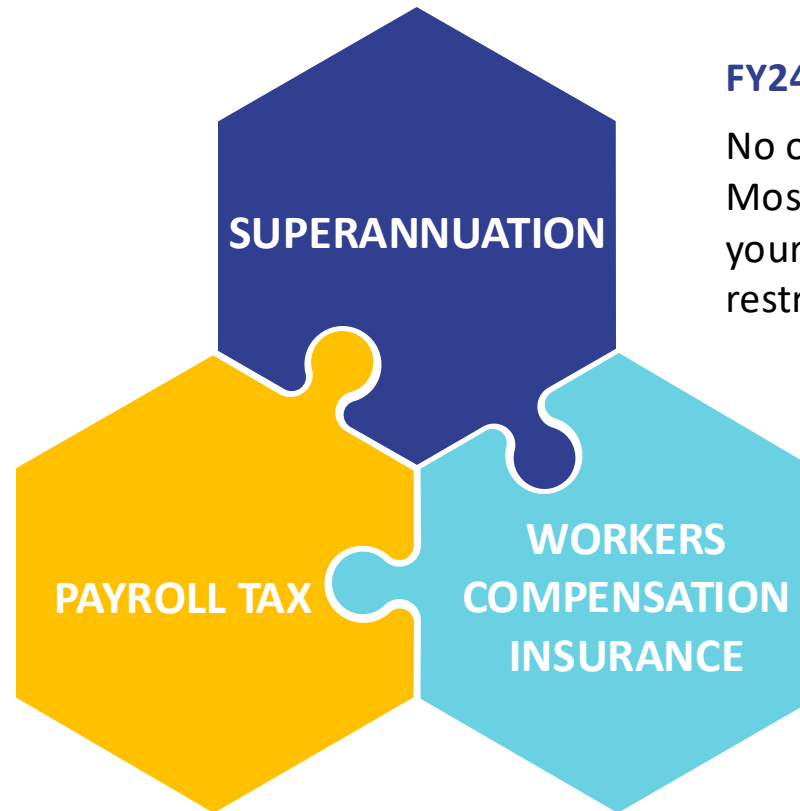
On 1 July 2024, the high-income threshold increased from AUD 167,500 to AUD 175,000 per annum.

Source: USD conversion as of 18 Feb 2025

# Statutory Contribution from Employer

## Different per State (4.85%-5.45%)

You will have to pay payroll tax if you are an employer with a wage bill over the statutory threshold.

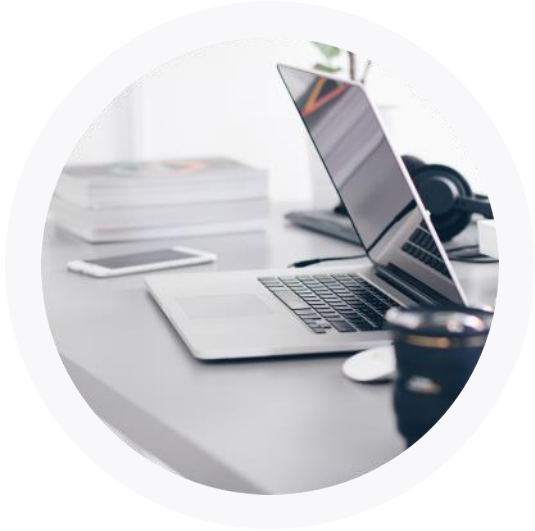


## FY24-25: Currently 11.5%

No official retirement age in Australia. Most funds allow you to access your superannuation investment without restriction when you reach the age of 65.

Under Australian law, employers must have insurance to cover their workers in case they are injured because of work.

# Employee Contribution



## Pay as you go (PAYG)

When you're working as an employee, you must pay income tax on payments you receive from your employer. Your employer deducts tax from your pay and sends those amounts to Australian Taxation Office (ATO).



## Superannuation (Voluntary)

Voluntary superannuation contributions are extra money you add into your super account. There are two types of voluntary contributions:

1. Those made after tax from your take-home pay or other money you have, and
2. Salary sacrifice contributions made before tax

### Resident tax rates 2024-25

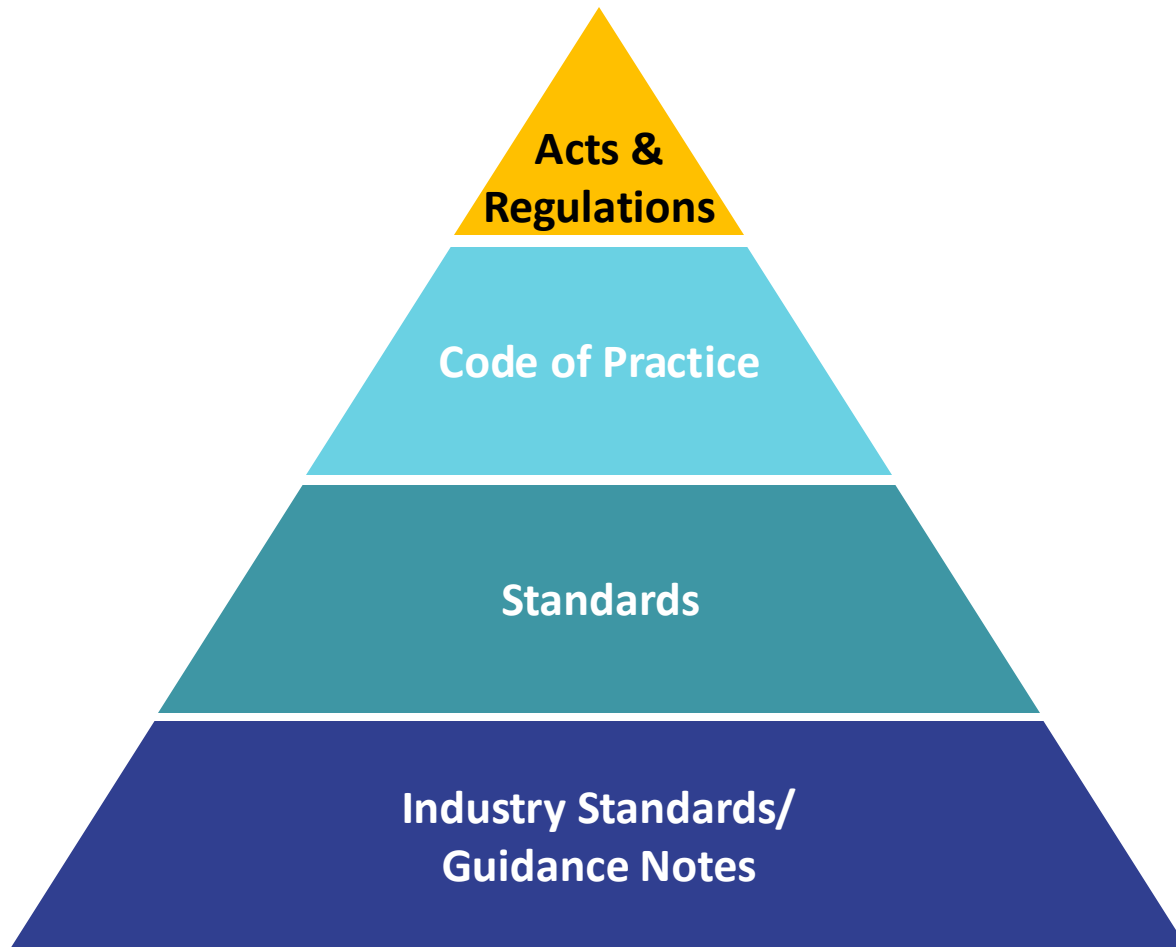
Taxable income	Tax on this income
0 – \$18,200	Nil
\$18,201 – \$45,000	16c for each \$1 over \$18,200
\$45,001 – \$135,000	\$4,288 plus 30c for each \$1 over \$45,000
\$135,001 – \$190,000	\$31,288 plus 37c for each \$1 over \$135,000
\$190,001 and over	\$51,638 plus 45c for each \$1 over \$190,000

The above rates **do not** include the Medicare levy of 2%.



# **Work Health & Safety in Workplace**

# Work Health & Safety Framework



## Work Health & Safety Act 2011

- Effective on 1 January 2012
- The main objective of this Act is to protect workers and other persons against harm to their HS&W through the elimination or minimization of risks arising from work.

### 1. Health

To be free from illness or pain – to not expose the employee to unhealthy substances like chemicals.

### 2. Safety

To protect against harmful events such as accidents and incidents/freedom from injury or danger

### 3. Welfare

Is concerned with the condition of well-being such as stress or bullying

# Workcover (Workers Compensation Insurance)

**Workers compensation** is a form of insurance payment to employees if they are injured at work or become sick due to their work. Employers in each state or territory have to take out workers compensation insurance to cover themselves and their employees.

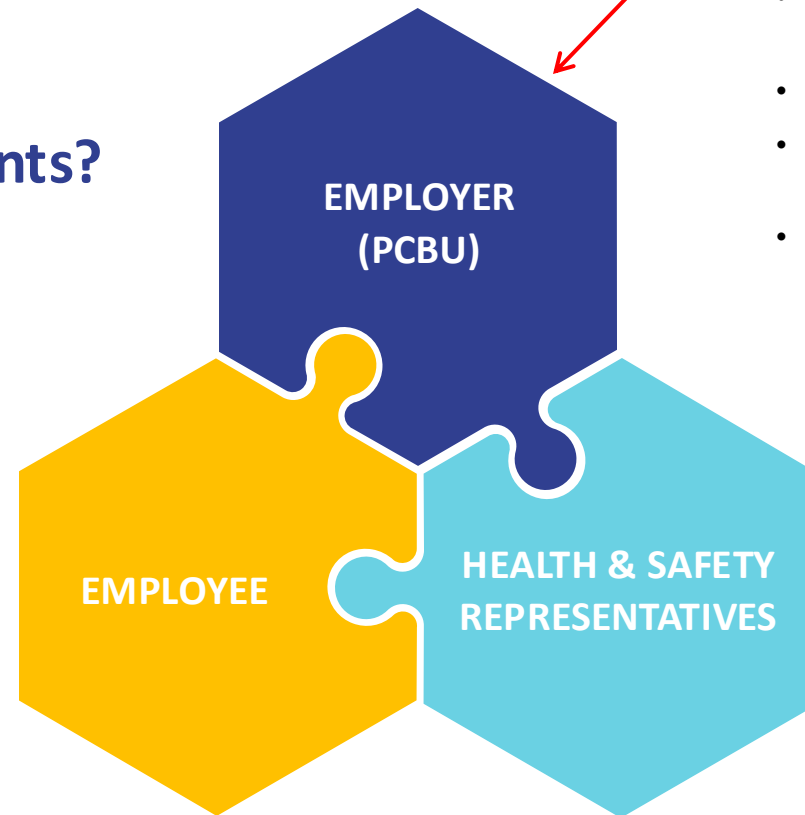
Workers compensation includes payments to employees to cover their:

- wages while they're not fit for work
- medical expenses and rehabilitation

## How to prevent accidents?

While at work a worker must:

- Take reasonable care for their own health and safety
- Take reasonable care for the health and safety of others
- Comply with any reasonable instructions, policies and procedure given by their employer, business or controller of the workplace.



### Primary duty of care

Employers and business have specific legal obligations under WHS law.

- Review of programs and health and safety knowledge forms part of their due diligence
- Duty to consult
- Register of injuries and RTW Program: workers injured at work need to be supported by the business
- Provide safe plant, equipment and system of work and ensure they are properly maintained; provide safe materials and substances and system of work so they can be used; provide information, instruction, training and supervision so those employees can carry out their jobs without risk to their health and safety; protect the health and safety of visitors

Workers elected to represent workers on health and safety issues in the workplace play an important role in gathering information about H&S issues of their work group. They work out ways to resolve issues and can direct a worker or work group to stop unsafe practices.

# Let us handle the complexities

HR teams face growing challenges in managing today's global workforce:

- ◆ Fragmented HR systems leading to inefficiencies and data silos
- ◆ Evolving workforce dynamics and shifting employee expectations
- ◆ Technology overload from juggling multiple systems



## Say Goodbye to International Borders

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# BIPO Resource Hub

Webinar Series  
UK Labour Law

Common Employee Benefits in the UK

BIPO

Laurence SAKS

Webinar Series  
Updates in Thailand's Labour Law

Statutory Contribution

**Social Security (submission: monthly)**

Base salary (Actual with max/cap 15,000 THB) 5% from both EE/ER (Minimum calculate base at 1,650 THB)

	EE <sup>1</sup>	ER <sup>2</sup>
Deduction & Contribution by EE & ER equally		
12,000 (5%)	600	600
15,000 (5%)	750	750
1,650 (minimum calculate base)	83	83

Submission method (Monthly)

Manual submission before 7<sup>th</sup> of next month

Online submission before 14<sup>th</sup> of next month (company need to have online credential)

**Workmen Compensation (submission: yearly)**

Base salary (Actual with max/cap 20,000 THB)

	Minimum Risk	Maximum Risk
15,000	0.1	1%
20,000	>15000*1% (15/month)	>15000*1% (150/month)
	>20000*1% (20/month)	>20000*1% (200/month)

Submission method (yearly, pro-rate)

Due Date (1<sup>st</sup> submission 31<sup>st</sup> Jan)

Second submission (after Workmen office revise the amount, 28<sup>th</sup> Feb)

<sup>1</sup>Employee <sup>2</sup>Employer

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Ken TIP

Ask Our Experts Series  
Payroll Compliance in Kenya

Minimum wage of Kenya compared to other East African Countries

Minimum salary wage in Kenya is 15120 KES/Month (101.505 USD/Month).

Employer's who are in other sectors not provided for in the sectoral minimum wage board should pay their employees a minimum monthly wage of TZS 150,000 (approx. USD 60 ).

As of 2024, the government proposed a bill that the minimum wage in Uganda was set at: 130,000 Ugandan Shillings per month for most sectors. This equates to approximately \$33 USD per month. The same is yet to be approved for implementation.

Rwanda introduced a minimum wage in 2013. As of 2021, the minimum wage in Rwanda was set at 3000 Rwandan Francs per day for non-agricultural workers, which is approximately \$1.84 USD per day.

BIPO

Jefferson Erick PELLE

Fawwaaz JALUNBOGUS

## BIPO TIMES

January 2025 Issue

The Netherlands' Labour Law & Employment Regulations

October 2024 Issue

UK's Labour Law and Employment Regulations

September 2024 Issue

Updates on Japan's Labour Law and Employment Regulations

June 2024 Issue

Updates on Thailand's Labour Law

# Trusted by Companies Worldwide

Our award-winning solutions have transformed over 4,600 businesses across diverse industries in 160+ markets. From technology to logistics and retail to finance, BIPO's HR software and solutions are the cornerstone of efficient, compliant, and productive HR departments around the globe.



*It has been a great experience working with the BIPO team! I greatly appreciate the seamless transition and proactive customer service. The BIPO HRMS platform enhances the effectiveness of our HR processes and our team enjoys using the new system.*

---

**Winson Lee**

Vice President, Asia Pacific  
AIT Worldwide Logistics



*BIPO has greatly supported our initiatives to improve productivity and go digital. We are very happy to recommend BIPO as a vendor for HRMS deployment!*

---

**Loh Lee Yng**

Finance Manager  
The Institution of Engineers, Singapore (IES)



*BIPO's cloud technologies and mobile app have significantly improved our employee engagement and streamlined our business processes. We are happy to have selected BIPO as our HRMS vendor!*

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**Janice See**

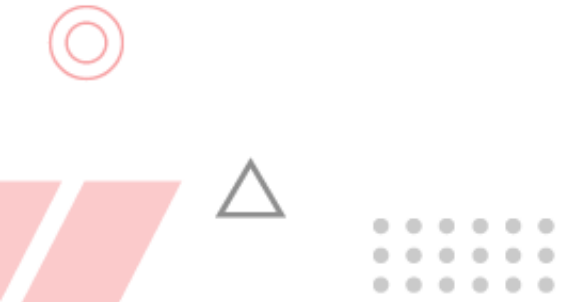
HR Manager  
Seafront Support Company



# BIPO

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# Upcoming Webinars

**BIPO** | Make Life Easier.

**Updates on Thailand's Labour Law & Employment Regulations**

22 Apr 2025 | 4:00 PM GMT+8

*\*Subject to change*



**Ken Tip**  
General Manager,  
Thailand



**BIPO** | Make Life Easier.

**Dubai's Labour Law & Employment Regulations**

15 May 2025 | 4:00 PM GMT+8

*\*Subject to change*



**Ashraf Abdulrahiman**  
HR Service Delivery Manager,  
Dubai



Find out more: [www.biposervice.com/resources/events/](https://www.biposervice.com/resources/events/)

THANKS



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in : [linkedin.com/in/claratang101/](https://www.linkedin.com/in/claratang101/)



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