

Employing young workers Best Practice Guide



Employing young workers

Best Practice Guide

This best practice guide is for managers and employers. It explains the advantages of taking a best practice approach to employing young workers and creating an inclusive and supportive workplace.

It includes:

- [Working at best practice](#)
- [Legal requirements](#)
- [Using best practice to support and engage young workers](#)
- [A Best practice checklist](#)
- [Links and resources.](#)

It also has practical tips and case studies to help you move your business towards best practice.

Working at best practice

The transition from school to work is a big one. Best practice employers understand how important it is to help young workers make this transition to the workforce and positively participate in the workplace. These businesses put practical, supportive and tailored policies in place to suit the needs of both the business and its employees.

Every workplace can enjoy the benefits of taking a best practice approach to employing young workers. These include:

- improving your recruitment and retention of young workers
- being able to communicate effectively with young workers and resolve workplace issues early
- building the future of your business through its young workers
- positively shaping young workers' attitudes to work and their future.

Legal requirements

There are workplace laws that only apply to young workers as well as laws that work differently for them. All employers must meet these laws.

Minimum age

Some state and territory governments have restrictions about:

- how old people need to be before they can start work
- the type of work they can do
- what hours they can work.

To find out if any restrictions apply to your business, contact the relevant government department in the [Links and resources](#) section of this guide.

Junior pay rates

Most awards and registered agreements have a specific minimum wage for juniors (workers under 21). This is usually a percentage of the relevant adult pay rate, based on their age. You can calculate junior pay rates, using our [Pay and conditions tool](#) at www.fairwork.gov.au/PACT

If there are no junior pay rates in the award or registered agreement, or if they're trade-qualified, a young worker should be paid the adult wage rate.

You can check your [award or agreement](#) to see if there are any junior pay rates for your young workers at www.fairwork.gov.au/awards-and-agreements

Keep in mind that if a registered agreement contains a base pay rate that is lower than the relevant award rate, the employee must be paid at least the award rate.

If there's no award or registered agreement that covers your business, the [national minimum wage](#) has rates for junior employees. Check the current National Minimum Wage Order at www.fwc.gov.au/awards-and-agreements/minimum-wages-conditions/national-minimum-wage-orders

Find more information about [junior pay rates](#) at www.fairwork.gov.au/pay/minimum-wages/junior-pay-rates



PRACTICAL TIP: Remember to keep a record of any junior employee's date of birth to work out their pay rate. Set up a reminder to adjust the pay rate when they have a birthday (until they reach the adult pay rate).

Unpaid work

Most of the time employees must be paid for when they work, but sometimes work can be unpaid if it meets certain rules.

Unpaid work can occur in the workforce in different forms - from vocational placements to unpaid job placements, internships, work experience and trials. They are entered into for a number of reasons.

Unpaid trials

Sometimes an employer might ask a person to do an unpaid trial while they evaluate them for a vacant job. This is used to determine if the person is suitable for the job by getting them to demonstrate their skills, and is sometimes called a work trial.

Unpaid work trials may be unlawful where:

- it isn't necessary to demonstrate the skills required for the job, or has continued for longer than is actually needed. This will be dependent on the nature and complexity of the work, but could range from an hour to one shift
- it involves more than only a demonstration of the person's skills, where they are directly relevant to a vacant position, or
- the person is not under direct supervision for the trial.

Any period beyond what is reasonably required to demonstrate the skills required for the job must be paid at the appropriate minimum rate of pay. If an employer wants to further assess a candidate's suitability, they could employ the person as a casual employee and/or for a probationary period and pay them accordingly for all hours worked.



PRACTICAL TIP: If you want longer to assess someone's suitability, you can employ them as a casual employee and/or for a paid probationary period.

During a paid probationary period an employees get entitlements like pay, leave and notice of termination. For more information about [probation](http://www.fairwork.gov.au/employee-entitlements/types-of-employees/probation) visit www.fairwork.gov.au/employee-entitlements/types-of-employees/probation

Work experience, internships and student placements

These arrangements give students a valuable chance to apply their learned theory and skills in the workplace. Student placements that are part of a formal education or training course can be unpaid if they meet the definition of a 'vocational placement' under the Fair Work Act.

If the arrangement isn't a vocational placement, and it involves productive work (rather than just observation and learning), the person may need to be paid as an employee.

For more information on [unpaid work](http://www.fairwork.gov.au/unpaidwork) including [unpaid trials](http://www.fairwork.gov.au/unpaidwork), [student placements](http://www.fairwork.gov.au/unpaidwork), and [work experience and internships](http://www.fairwork.gov.au/unpaidwork), visit www.fairwork.gov.au/unpaidwork

Apprenticeships and traineeships

It might benefit your business to employ young workers as apprentices or trainees. An apprenticeship or traineeship combines work and formal training. The formal training can be with a registered training organisation or 'on-the-job'. It can also be a combination of both, depending on how the apprenticeship or traineeship is structured.

To employ someone as an apprentice or trainee you must register a formal Training Agreement for them.

The apprentice or trainee might have to be paid a special pay rate under their award or registered agreement. This is usually based on their progress through their training. For trainees, this is usually based on the level of school they completed and how long ago they completed it.

For further information on [Apprentice & trainee pay rates](http://www.fairwork.gov.au/pay) visit www.fairwork.gov.au/pay

For more information about apprenticeships and traineeships, including details of state and territory training authorities, visit the [Australian Apprenticeships](http://www.australianapprenticeships.gov.au) website at www.australianapprenticeships.gov.au



PRACTICAL TIP: Remember to register your formal Training Agreement for your apprentice or trainee. Otherwise, you can't use the apprentice/trainee award pay rates in the award or registered agreement, even if you are 'training' them on the job.

Workplace bullying, harassment and discrimination

Everyone has the right to be treated with respect at work. It's not okay for you or your employees to treat people in any way that intimidates, offends, degrades, insults or humiliates them. This can include physical and psychological behaviour. This sort of treatment can be unlawful.

As an employer, you should actively take steps to ensure there's a 'no bullying' culture in your workplace. It's also important to encourage your employees to be welcoming to new workers. Be mindful that under some bullying, harassment and anti-discrimination laws, employers can be found liable for their employees' behaviour.

Young workers can be especially vulnerable to this kind of behaviour because they're inexperienced and might be unsure of their rights. Remember, a young worker's first experience in the workplace can shape their attitude to work and their future employment.

You can find out more about how to make your workplace free of [bullying and harassment](#) at www.humanrights.gov.au/employers



PRACTICAL TIP: Jokes and humorous conversations can be fun at work, but sometimes they can go too far and leave people feeling uncomfortable, offended, harassed or bullied. Employees might feel offended by a joke even if you or other workers wouldn't. It's important to know the difference between acceptable and unacceptable behaviour in the workplace, and make sure your employees know too.

There are also anti-discrimination laws that prohibit employers from treating workers differently because of their age and other protected characteristics. You can find out more about [protections from discrimination](#) at work at www.fairwork.gov.au/discrimination or from the [Australian Human Rights Commission's website](#) at www.humanrights.gov.au/employers

Individual agreements

There are rules that cover the procedures and documents that employees can agree to, such as Individual Flexibility Arrangements and deductions from wages. If you have any employees under 18 years of age, keep in mind that their parent or guardian may also be required to sign agreements.

For further information about [Individual flexibility Arrangements](#) visit www.fairwork.gov.au/flexibility. For information on [pay including deductions](#) visit www.fairwork.gov.au/pay

Using best practice to support and engage young workers

Best practice employers go beyond their minimum legal obligations and create an inclusive and supportive work environment for young workers.

Best practice doesn't look the same for all employers. It will vary depending on things like the number of employees, industry and the business environment.

Below are initiatives and suggestions that can help you move your business towards best practice.

Explain their rights and responsibilities

Young workers are often unaware of the laws that apply to their employment. Explain the basics of the employment relationship to them, so they know where they stand. You must also meet your minimum legal requirements towards them. For instance:

- provide them with a [Fair Work Information Statement](http://www.fairwork.gov.au/fwis) – this is a legal requirement for all new workers. You can find a downloadable copy at www.fairwork.gov.au/fwis
- provide them a copy of their award or registered agreement and inform them if they are full-time, part-time or casual – this may also be a legal requirement under the terms of your award or registered agreement
- explain how their pay is calculated, when it's paid and how they will receive their pay slips
- discuss:
 - work hours
 - meal breaks
 - duties
 - uniform requirements
 - probationary period, if there is one
 - entitlements to annual leave and personal leave (sick and carer's leave)
 - the process for requesting leave, and who to contact if they are unwell and can't come to work and evidence that they might need to provide, such as a doctor's certificate
 - taxation and any other lawful deductions and superannuation contributions
- make them aware of your employment-related policies and explain why these policies exist
- explain how they can contribute to a respectful workplace
- provide them with a contact person to ask further questions about their employment.

We have free resources that can help young workers start off on the right foot. You can direct your young workers to our:

- [Starting a new job online course](#)
- [Difficult conversations in the workplace - employee course](#)

These short free courses are available at www.fairwork.gov.au/learning



PRACTICAL TIP: Young workers may have important commitments outside the workplace such as school, study, exams or training. Discuss any requirements they might have attending these, and how you can support them in a way that still meets the needs of your business.

Highlight health and safety

Creating a safe work environment is a legal requirement for employers, so businesses must do all they can to make sure the work done by employees doesn't hurt them or make them sick. Employees also need to take care of their own and others' safety.

Young workers might not be aware or have little experience of potential hazards that relate to your workplace or industry. As you and your employees have rights and responsibilities under workplace health and safety laws, it's important to make them aware of workplace health and safety issues.

To help you meet your legal obligations and be a best practice employer, ensure that your young workers:

- understand the importance of safety
- receive proper safety training when they start work and during their employment.

You can:

- provide safety training as part of the induction process
- organise a safety tour of the workplace on their first day. This can be a 'walk and talk' tour where you stop at places around your work to highlight safety issues
- have a supervisor watch how they perform their job to make sure they're doing it right
- remind them to ask questions when they're not sure how to do a job safely
- encourage them to speak up if they think a task is dangerous or difficult for them
- explain how drugs and alcohol can impact their work and make them aware of your drug and alcohol policy if you have one
- know how to prevent harmful incidents in the workplace
- know how to report a safety problem.

Workers who deal with the public might require special training on how to deal with difficult or aggressive people. This can be particularly important for young workers, who may not have dealt with these types of situations before.



PRACTICAL TIP: Let your young workers know who they can talk to if they have any safety concerns. It may be a supervisor, mentor, buddy, or experienced workmate. Let your young worker know that raising issues does not reflect on their ability to do the job.

Encourage good communication

The way people communicate at work is often different to how they communicate at school, at home or socially.

For young workers, the workplace might be the first time they've had to make this type of adjustment. You can help them by explaining:

- why good communication is important
- appropriate communication for different circumstances
- how to communicate professionally, such as correct spelling, grammar and tone.

Young workers might need guidance with how to notify you if they're unwell and can't come to work, request a change of hours or ask for annual leave.



PRACTICAL TIP: Help young workers learn good communication practices and understand your expectations when it comes to communicating at work. This may include email etiquette and explaining when different methods of communication may be considered appropriate for different situations (i.e. face-to-face, email or text messages).

Provide workplace training

Training is an important part of improving your business and motivating employees. Training also makes workers more productive, engaged and safer in the workplace. This is especially true for young workers who are new to the workforce.

There are a variety of ways you can train and support young workers. Training methods include:

- using equipment manuals or website practice sessions
- demonstrations
- training by observation
- formal off-the-job training
- staff meetings
- a mentoring or buddy system.



PRACTICAL TIP: Consider if you can appoint both a mentor and a buddy to help young workers in your workplace.

A mentor:

- offers support and advice if the worker has concerns
- should be someone approachable and accessible, in a more senior position but not their direct supervisor
- can serve as a role model to the worker and demonstrate how employees should act in the workplace
- should touch base regularly with the worker.

A buddy:

- is a colleague or peer of the young worker (usually of a similar age) who knows the role and workplace
- should be someone approachable
- can answer or explain simple issues without the young worker worrying about what their superiors think of them.

Set clear expectations and manage performance

Young workers don't always understand the performance standards expected in the workplace. Set clear expectations so they can avoid bad habits and understand their duties and required behaviour.

When discussing a young worker's performance, consider that they may not have experience receiving feedback or talking about their work. You may need to spend more time with them to demonstrate or explain how they can improve.

Some useful tips for dealing with young workers' performance are:

- set job expectations from the beginning, as this helps to prevent performance issues later
- if there are issues, make it clear that you're talking about their work and not criticising them personally
- be prepared to demonstrate things a few times and let them know they can ask questions
- praise good performance, be encouraging and set goals for improving their performance.

For help, complete our free [Managing performance online course](#), available at www.fairwork.gov.au/learning or read our [Managing underperformance best practice guide](#) available at www.fairwork.gov.au/bestpracticeguides

Explain internet, social media and other policies

All workers and particularly young workers, need to understand the limits of internet and social media use during work. You should also explain to them what is considered 'reasonable' and 'unreasonable' use of workplace resources such as printers, vehicles, phones and data.

Workers also need to understand how their private internet and social media use can affect their job and the business.

Find out more about internet and social media policies in our [Workplace privacy best practice guide](#) at www.fairwork.gov.au/bestpracticeguides



PRACTICAL TIP: Introduce young workers to your policies during induction training. It's also important to review policies regularly and remind your employees of what's expected.



Best practice checklist

A best practice workplace involves more than just understanding and complying with the law. This checklist will help you meet your legal obligations and work at best practice to engage and manage young workers in your business:

- explain** – help young workers understand their rights and responsibilities at work, which may be unfamiliar to them. Take the time to explain their pay and conditions, key policies and procedures, expected communication standards, your workplace values and who to ask if they have questions
- train** – ensure they are given training that is appropriate to their level of experience, skills and knowledge
- buddy or mentor** – provide a buddy and/or a mentor to help them settle into the workplace
- expectations** – set clear job expectations and manage performance appropriately
- bullying** – ensure all staff know what’s expected of them and others at work. Be clear that your business doesn’t tolerate bullying, harassment or discrimination
- safety** – you must provide a safe work environment and appropriate safety training
- support** – recognise and support young workers’ commitments outside the workplace such as school, study, exams or training
- resources** – provide links to resources that will help young workers get off to a good start in the workforce, such as our:
 - free [Starting a new job online course](http://www.fairwork.gov.au/learning) available at www.fairwork.gov.au/learning
 - YouTube [video series for young workers](https://www.youtube.com/user/FairWorkGovAu) at www.youtube.com/user/FairWorkGovAu
 - [Apprentice and trainees page](http://www.fairwork.gov.au/find-help-for/apprentices-and-trainee) at www.fairwork.gov.au/find-help-for/apprentices-and-trainee

Links and resources

Resources

- You can access our free [online training](#) for employers and managers at www.fairwork.gov.au/learning. Available courses cover best practice approaches to starting a new job, difficult conversations in the workplace, hiring employees, managing employees, managing performance, diversity and discrimination, workplace flexibility and record-keeping and pay slips.
- You can find all our [Best practice guides](#) at www.fairwork.gov.au/bestpracticeguides. These easy-to-follow and practical guides will help you transform your business from compliant to best practice, so you can get the most out of your employees.
- For links to service providers that support hiring young people go to the Department of Education, Skills and Employment's [Generation Success – resources for employers](#) webpage at www.employment.gov.au/generation-success-resources-employers
- For information on creating a safe working environment for young people view Safe Work Australia's [videos on young people and workplace safety](#). Visit www.safeworkaustralia.gov.au/playlists/young-workers

Links

Minimum age of employment in your state or territory

- Australian Capital Territory Office for Children, Youth and Family Support
www.communityservices.act.gov.au/ocyfs or phone 133 427
- New South Wales Office of Industrial Relations
www.industrialrelations.nsw.gov.au or phone 131 628
- Northern Territory Department of Education and Training
www.education.nt.gov.au or phone (08) 8999 5659
- Queensland Department of Justice and Attorney-General
www.justice.qld.gov.au or phone 13 74 68
- SafeWork SA
www.safework.sa.gov.au or phone 1300 365 255
- Workplace Standards Tasmania
www.wst.tas.gov.au or phone 1300 366 322 or (03) 6166 4600 (when outside Tasmania)
- Business Victoria
www.business.vic.gov.au or phone 13 22 15
- Labour Relations – Western Australia
www.commerce.wa.gov.au/LabourRelations or phone 1300 655 266 or (08) 6251 2100 (when outside Western Australia)

State & territory anti-discrimination bodies

- Australian Capital Territory Human Rights Commission
www.hrc.act.gov.au
- Anti-Discrimination Board of New South Wales
www.antidiscrimination.justice.nsw.gov.au
- Northern Territory Anti-Discrimination Commission
www.adc.nt.gov.au
- Anti-Discrimination Commission Queensland
www.adcq.qld.gov.au
- Government of South Australia Equal Opportunity Commission
www.eoc.sa.gov.au
- Equal Opportunity Tasmania
www.equalopportunity.tas.gov.au
- The Government of Western Australia Equal Opportunity Commission
www.eoc.wa.gov.au
- Victorian Equal Opportunity & Human Rights Commission
www.humanrightscommission.vic.gov.au

CONTACT US

Fair Work Online: www.fairwork.gov.au

Fair Work Infoline: **13 13 94**

Need language help?

Contact the Translating and Interpreting Service (TIS) on **13 14 50**

Hearing & speech assistance

Call through the National Relay Service (NRS):

For TTY: **13 36 77**. Ask for the Fair Work Infoline **13 13 94**

Speak & Listen: **1300 555 727**. Ask for the Fair Work Infoline **13 13 94**

The Fair Work Ombudsman is committed to providing you with advice that you can rely on. The information contained in this fact sheet is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or a workplace relations professional.

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