

Know your work rights.



A guide for women and gender-diverse individuals who are new to Australia to understand workplace rights.

WWQ
WORKING WOMEN
QUEENSLAND



Basic Rights
Queensland

CONTENTS

4 HOW TO USE THIS RESOURCE

6 DISCRIMINATION AND INFORMATION- SHARING

14 CONTRACTORS VS EMPLOYEES

18 NATIONAL EMPLOYMENT STANDARDS

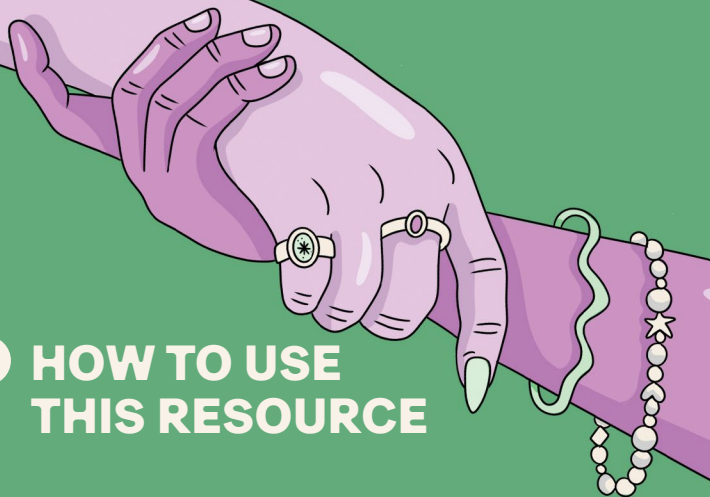
Maximum Weekly Hours
Flexible Working Arrangements
Becoming A Permanent Employee
Parental Leave
Other Parental Leave Related Entitlements
Annual Leave
Personal/Carers Leave (sick leave)
Other Types Of Leave
Superannuation
Notice Of Termination
Redundancy pay

36 UNDERPAYMENT AND WAGE THEFT

42 GENERAL PROTECTIONS

44 WHERE TO GET HELP

46 GLOSSARY



HOW TO USE THIS RESOURCE

PART
01



This is a resource to help you when you are looking for, or just starting a new job. The information in this resource is accurate as at **1 July 2025**.

It contains:

General legal information

CASE STUDIES

Green case studies
applying the information
to one situation

Based on real-world situations.

TIPS

Purple tips of things for
you to look out for, or
actions you can take

TIPS

Red terms, where you can find
a definition in the glossary at
the back of the document

When you are reading the document, you might come across a comment that if you are in certain situations, you should get specific legal advice. Organisations you can contact for help are included under the section “Where to Get Help”, and these can be a good starting point if you are confused or need more help.

DISCRIMINATION AND INFORMATION -SHARING

PART
02

Discrimination is when you are treated less favourably because of something about you, like your race, age, or sex.

When working in Queensland, it is **against the law** for you to be **discriminated against** because of your:



- Age
- Disability or impairment
- Sex
- Race and religion
- Pregnancy, parental status, relationship status, family and caring responsibilities, and breastfeeding
- Sexuality, gender identity, and sex characteristics
- Sex work activity
- Political belief or activity
- Trade union belief or activity
- Association with someone with one or more of these characteristics.

In Queensland, discrimination because of an attribute is against the law at work. 'Work' applies to all categories of work, whether it be full-time, part-time, casual, voluntary, placement, a traineeship, a contractor relationship or some other working arrangement.

IT EXTENDS TO ALL PARTS OF WORK, INCLUDING:

- When advertising jobs,
- During recruitment and selection processes,
- Terms and conditions on which a job is offered,

- Employment benefits,
- During transfer and promotion opportunities, and
- Termination of employment.

In **some circumstances**, discrimination is **not against the law**. These are called '**exemptions**'.

SOME EXEMPTIONS INCLUDE:

- Something done to protect the health and safety of people at work.

For example, a person with a chronic back injury may not be suitable for work requiring heavy physical labour.

- Something done to promote equal opportunity for a group of people.

For example, special employment programs to support women in male-dominated professions.

- Genuine job requirements

For example, employing only women for positions involving body searches of women.

- Where the work would be to perform domestic services at the employer's home

For example, a woman with disability could choose to hire a woman to help her to cook meals in her kitchen and to clean her home.

Discrimination based on your race and religion is not always obvious. Sometimes it will be comments about your name, your accent, your skin colour, or any religious dress you might wear.

TIPS

TIPS

TIPS

TIPS



CASE STUDY

LEENA'S EXPERIENCE OF RACE + RELIGIOUS DISCRIMINATION

Leena is a Pakistani woman who wears a hijab. Leena was offered a job as a disability support worker based on a phone interview. She was invited into the office to meet the team and sign some onboarding paperwork.

When Leena attended the office, and the boss saw her for the first time, the boss told her that she would not be allowed to wear her hijab at work because it was not part of their uniform. They then withdrew the job offer and told Leena that they had decided not to hire a new worker. Leena later found out they had instead hired a white Australian woman in this role.

Telling Leena she can't wear her hijab just because it is not their uniform and not hiring her once they have seen she is Pakistani is discrimination based on her race and religion.

Leena can phone Working Women Queensland to talk about her options.

If you believe you have been discriminated against, there might be a few different ways you can resolve the problem. You should get legal advice about what action is best for you.

When you are applying and interviewing for a job, your potential boss will ask you questions to figure out if you are suitable for the role. They must have a lawful reason to ask these questions. Some employers will ask you questions in a casual way at an interview or in a job application about your kids, or about other attributes on page 7. Just because the question is asked in a friendly or supportive way, does not mean it is coming from a good place.

It is against the law for a potential employer to ask you questions just so they can discriminate against you because you have a protected attribute. These are called requests for unnecessary information.

There are other laws that say employers must take 'reasonable steps' at 'reasonable times' to check a potential employee's visa status. This might include a VEVO (Visa Entitlement Verification Online) check, or asking to see your visa. If you have questions or concerns about your visa, you can speak to a Registered Migration Agent, or a migration lawyer.

A potential employer can make reasonable requests for medical information in some circumstances, like where that information is directly linked to your ability to perform the **inherent requirements** of the job, or where that question is allowed by another law.

CASE STUDY

WHEN WILL A QUESTION BE A REQUEST FOR UNNECESSARY INFORMATION?

If you are applying for a job where everyday you will be required to lift weights of 15kg, the interviewer is allowed to ask if you have any conditions that will stop you from lifting 15kg.

BUT, the interviewer is not allowed to ask you "do you have a disability?". Even though some disabilities might stop you from lifting 15 kg, this question is too broad and the answer might be irrelevant to your job. For example, being deaf would not impact your ability to lift 15kg.



After an interview, you can **ask for feedback** about how you went from the interviewer. This can be a **helpful** way to know how you did, especially if you were unsuccessful. An employer does not legally have to give you feedback.


VIDEO

Speaking with a Social Worker



<https://wwwq-knowyourworkrights.carro.co/>

When you have a work issue, support calls with community support workers can be an opportunity for you to be heard, believed and understood. WWQ support workers will try to help you feel less overwhelmed and more connected to yourself, others and community supports.

This video shows an example of what it can be like to call Working Women Queensland and speak with one of our support workers - so you can feel more comfortable and know what to expect.

CONTRACTORS VS EMPLOYEES



Employees and contractors have different work rights.

IF YOU ARE A CONTRACTOR:

- You are running your own business and giving your services to your boss.
- You have to look after your own tax and make sure you are getting paid enough.
- Your boss won't pay you leave, and you probably will have to use your own equipment at work.
- You should get more control over your hours, your pay and how you work.

BEING AN EMPLOYEE CAN LOOK A FEW DIFFERENT WAYS:

Full-time

Full-time employees usually work an average of 38 hours each week. They're usually employed on a **permanent** or **fixed term** basis.

Part-time

Part-time employees work less than 38 hours per week and their hours are usually regular each week. They're usually employed on a **permanent** basis or on a **fixed term** contract.

Casual

A person is a casual employee if they accept an offer for a job from an employer knowing that there is no firm advance commitment to ongoing work with an agreed pattern of work.

If you are not working as an employee, you may be an 'independent contractor'.

When checking if you are an employee or contractor, read your contract and also think about how you are working day-to-day.

Below we have put together some example questions to help you know if you are an employee or contractor:

1 Does your boss control how and when you work?

Yes ☐ No ☐

2 Does your boss provide your equipment for work?

Yes ☐ No ☐

3 Do you agree with the following statement: *I do not provide invoices to my boss before getting paid*

Yes ☐ No ☐

4 Does your boss pay your tax?

Yes ☐ No ☐

5 Do you get paid leave from work?

Yes ☐ No ☐

6 Do you agree with the following statement: *I am not working under an ABN*

Yes ☐ No ☐

If you said **YES** to these questions, you are likely an employee.

If you said **NO** to some or all of these questions, you may be an independent contractor.

This is a complex area of law, so if you're confused, get some legal advice.

YOUR BOSS MIGHT SOMETIMES BE REFERRED TO INSTEAD AS 'REPORTING MANAGER', 'SUPERVISOR', 'TEAM LEADER' ETC.



WHAT ABOUT CASH-IN-HAND WORK?

Cash-in-hand work is risky because there is no evidence of your employment. Because of that, this type of work is difficult to regulate. This can make it easier for your boss to exploit you in your employment.



NATIONAL EMPLOYMENT STANDARDS

PART
04

The National Employment Standards are a set of minimum work entitlements. They apply to almost all employees in Australia. In Queensland, the National Employment Standards do not apply to state or local government employees. They are written in the law.

What types of things do the National Employment Standards cover?

Maximum Weekly Hours *p20*
Flexible Working Arrangements *p21*
Becoming A Permanent Employee *p23*
Parental Leave *p24*
Other Parental Leave *p26*
Related Entitlements
Annual Leave *p27*
Personal/Carers Leave *p28*
(sick leave)
Other Types Of Leave *p30*
Superannuation *p32*
Notice Of Termination *p32*
Redundancy pay *p34*



MAXIMUM WEEKLY HOURS

Full-time employees cannot be asked to work more than 38 hours per week unless extra hours are reasonable.

All other employees cannot be asked to work more than their normal hours, OR more than 38 hours per week (whichever is fewer) unless extra hours are reasonable.

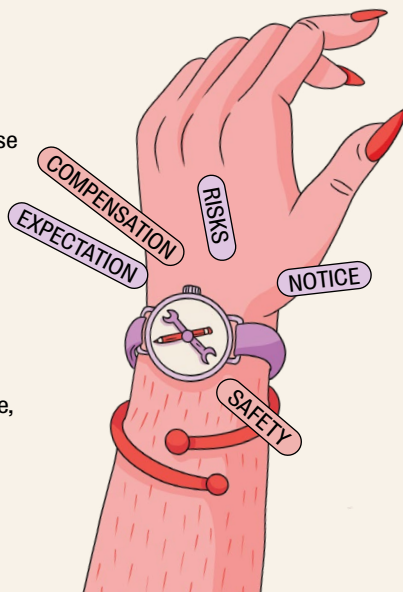
Employees have the right to refuse to work additional hours if hours are unreasonable.

THINK ABOUT:

When considering whether working extra hours is reasonable, think about:

- Does your pay reflect an expectation of extra hours?
- Was notice given?
- What is the nature of your role and responsibility?
- What is the industry you work in?

For example, in the **modern award** that covers nurses at private hospitals it allows them to work more than 38 hours in a week, but to balance this the award does not allow more than 152 hours of work over 28 days.



- Risks to health and safety?
- Compensation?

CASE STUDY

CAN SURI SAY NO TO HER MANAGER ASKING HER TO DO MORE THAN 38 HOURS OF WORK?

Suri currently works 38 hours per week in a retail store.

Suri's manager wants her to start working longer hours. He wants her to work 44 hours per week.

Suri doesn't know if she can commit to the extra hours. When she tells her manager this, he says, 'If you want this job, you need to make it work'.

Suri does not think the extra hours of work are reasonable.

→ Under the National Employment Standards, Suri has the right to refuse the extra hours.

→ Suri can phone Working Women Queensland to talk about her options.

FLEXIBLE WORKING ARRANGEMENTS

Full-time and part-time employees may be allowed to request flexible working arrangements if they've worked with the same employer for at least 12 months.

Requests for flexible working arrangements must be in writing and follow a specific format. The Fair Work Ombudsman provides further guidance and a template for requesting flexible working arrangements here:

[Flexible working arrangements - Fair Work Ombudsman](#)



www.fairwork.gov.au/employment-conditions/flexibility-in-the-workplace/flexible-working-arrangements#how-employees

CASE STUDY

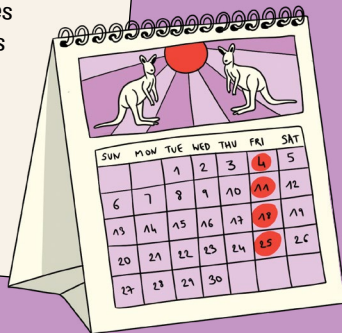
CARMEN'S REQUEST FOR FLEXIBLE WORKING ARRANGEMENTS

Carmen has been working full-time in a marketing role for the past four years. Recently, she found out that she's expecting her first baby. With many doctor appointments and checkups ahead, she's unsure how she'll manage these around her work schedule.

After giving it some thought, Carmen writes to her boss to ask if she can work a half-day every Friday so she can attend all her appointments in the morning. To make up for the lost time, she plans to work an extra hour on other days during the week.

Carmen writes an email to her boss to request the flexible working hours. Her employer arranges a meeting to discuss the request and agrees that the proposed changes won't significantly affect the business operations.

Carmen's boss replies to her email approving the arrangement and suggests they check in about it again in 8 weeks.



BECOMING A PERMANENT EMPLOYEE

You may be employed as a permanent employee at the start of your employment. If you are instead employed a casual employee, there is a formal way for you to ask your boss to make you a permanent employee if you meet the following criteria:

- ① If your workplace has **15 or more staff**, → you need to have been employed for **more than 6 months**
- ② If your workplace has **less than 15 staff**, → you need to have been employed for **more than 12 months**

+ and +

You believe you are **no longer** working like a **casual employee**.

You can read more information about becoming a permanent employee here: [Becoming a permanent employee - Fair Work Ombudsman](https://www.fairwork.gov.au/starting-employment/types-of-employees/casual-employees/becoming-a-permanent-employee)

www.fairwork.gov.au/starting-employment/types-of-employees/casual-employees/becoming-a-permanent-employee



TIPS

Remember you can always go to your boss at any time and just ask about becoming a permanent employee. If you both agree, then you can become permanent.

TIPS

PARENTAL LEAVE

Parental leave is unpaid leave to allow parents to care for their new child. It is usually taken following the birth or adoption of a baby.

YOU ARE ENTITLED TO 12 MONTHS OF UNPAID PARENTAL LEAVE WHEN:

- 1 You are a **permanent** employee or a **regular casual employee**; Regular casual employees have:
 - been working for their employer on a regular and systematic basis for at least 12 months
 - a reasonable expectation of continuing work for their employer on a regular and systematic basis, had it not been for the birth (or expected birth) or adoption (or expected adoption) of a child.
- 2 You have been working for the employer for 12 months;
 - Working for 12 months means: at least 12 months of continuous service with their employer.

- 3 You adopt a child or you or your partner give birth; and
 - Can be your spouse, or a current **de facto** partner or ex-**de facto** partner.

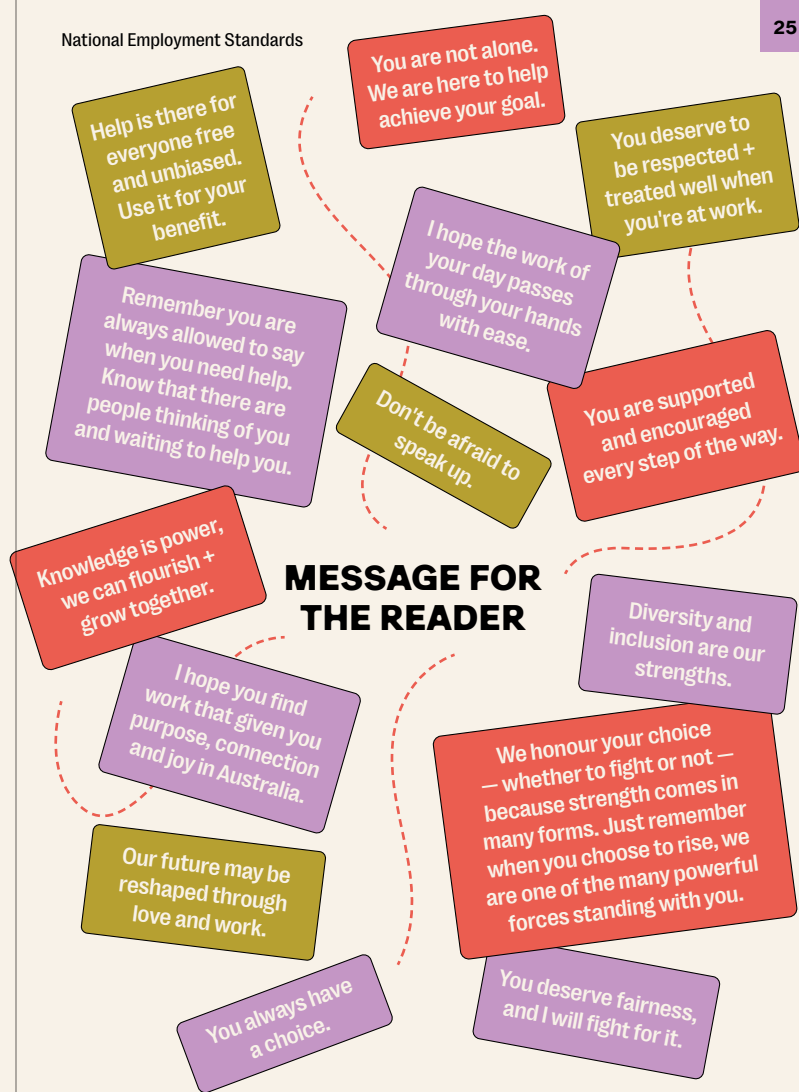
- 4 You are responsible for the care of the child
 - Employees who have, or will have, responsibility for the care of a child.

THE BASICS

Employees can access up to 12 months of unpaid parental leave initially. Employees can also request up to a further 12 months leave. This means employees can access up to 24 months of unpaid parental leave. It can be taken as:

- a single continuous period
- flexible parental leave for up to 100 days
- a combination of a continuous period and flexible days.

Your entitlement to unpaid parental leave is not affected by how much leave your partner takes.



OTHER PARENTAL LEAVE RELATED ENTITLEMENTS

There are other parental leave and pregnancy-related entitlements, including:

•PAID PARENTAL LEAVE:

Certain carers will be eligible to receive Centrelink's Parental Leave Pay. This will depend on your residency and visa status. This scheme allows access to government-funded pay at the National Minimum Wage for 24 weeks of pay. **Enterprise agreements, modern awards** and workplace policies may also provide for paid leave during this period.

•THE RETURN TO WORK GUARANTEE:

With some exceptions, after a period of parental leave you have the right to return to your pre-parental leave position; or to a position you are qualified or suited for, which is nearest in status and pay to your pre-parental leave position.

•SAFE JOBS:

If workers feel they are being exposed to something at work that is affecting the health of their pregnancy, they can speak to their manager, HR representative or union representative. If employers cannot make minor adjustments to a worker's role and it is not safe for them to continue in their usual role, the employer must offer them a different job (a safe job). If there is no safe job available, your employer may pay you 'no safe job leave' until a safe job is available. Before you can receive paid no safe job leave, you need to meet certain criteria. If you don't meet the criteria, you can still take unpaid no safe job leave. Please receive legal advice if you have questions.

ANNUAL LEAVE

Annual leave allows you to be paid while having time off from work.

Full-time and part-time employees get 4 weeks of paid annual leave per year. 4 weeks of leave is calculated based on how many hours you have agreed to work per week. When describing the amount of annual leave that a part-time employee has, an employer might say that their amount of annual leave is calculated **pro rata**.

'Shift workers' may get up to 5 weeks of paid annual leave per year. Shift workers work fixed hours (e.g. shifts or rosters) that are outside or partly outside of normal working hours from 9am – 5pm. **Modern awards and enterprise agreements** often contain a specific definition of shift worker.

Casual workers do not get paid annual leave.

Annual leave can be taken as soon as it is accumulated. It also does not have to be taken each year.

Employees need to ask their employer's permission to take annual leave. Your employer can only refuse a request for leave if their refusal is reasonable.

CASE STUDY

HOW MUCH ANNUAL LEAVE DOES LINH HAVE?

Linh is a part-time employee who works 10 hours per week for a year.

During one year, Linh will build up 40 hours of annual leave (the equivalent of 4 weeks work for her).

PERSONAL / CARERS LEAVE (SICK LEAVE)

Can be taken if you are ill or injured and unable to work.

Can also be taken if you need to care for an **immediate family** or household member who is sick, injured or has an unexpected emergency.

An emergency could also include something like your washing machine plumbing breaking and the house flooding.

Your Entitlement

- Full-time employees have 10 days of sick leave and carers leave per year.
- The number of sick leave days part-time employees have depends on how many days they work.
- Casual employees do not have paid sick leave and carer's leave, however they have flexible hours and a higher wage.

CASE STUDY

SUPPORT DURING PARTNER'S HOSPITAL STAY

José is a nurse and works full time. He has two children and his partner is pregnant with their third child. Last week, José's partner gave birth prematurely and was hospitalised two hours away from their home. José told his employer he needed to take sick and carers leave to care for their other two children. His employer was understanding and supported him to take the leave.



OTHER TYPES OF LEAVE

You might be entitled to other types of leave where:

- You have experienced family and domestic violence,
- The life of someone you live with or your **immediate family** member is seriously threatened because of sickness or injury, or if one of these people pass away
- Your child is stillborn;
- You are required to serve on a jury in court proceedings;
- You are doing voluntary emergency management services as a member of a recognised emergency management body; and/or
- You are eligible for the taking of long service leave.

VIDEO

Samira and the National Employment Standards



<https://www.q-knowyourworkrights.carrd.co/>

In this video, Samira enters the lift at her new office in Brisbane City for the first time, about to start her first day at a new job. As the elevator creeps up towards her floor, she meets workers who teach her about the National Employment Standards.

Watch this video to learn more about your rights under the National Employment Standards and where to get help if you need it.

SUPERANNUATION

Superannuation payments are small amounts of money that go towards your retirement. Tax is money that goes to the government to pay for communal services.

If you are an employee:

- ❶ Your boss should automatically take out your tax contribution and give it to the government on your behalf.
- ❷ Each pay cycle, your boss should automatically take out your tax contribution and give it to the government on your behalf.

If you think your employer is not paying your superannuation, you can call the Australian Taxation Office on **13 10 20** for information about your superannuation and making a report. The Australian Taxation Office will then investigate your report, and if they find that there was a failure to pay superannuation, they will be in contact about recovering your superannuation.

NOTICE OF TERMINATION

Most employees are entitled to notice of termination if their boss terminates their employment. Notice of termination is essentially when your employer informs you that they intend to end the employment relationship.

The National Employment Standards sets out the minimum amount of notice that your employer must give you depending on how long you have continuously worked for them - known as your 'period of continuous service'. Some casual employment and most types of unpaid leave will not be counted in your period of continuous service.

An employer can dismiss you without notice if you have engaged in serious misconduct. This is called summary dismissal. Serious misconduct might include theft, fraud, violence, and serious breaches of occupational health and safety procedures.

CURRENT ENTITLEMENT TO NOTICE OF TERMINATION:

Period of CONTINUOUS SERVICE	Less than 1 YEAR	More than 1 YEAR	More than 3 YEARS	More than 5 YEARS
	↓	↓	↓	↓
Minimum NOTICE PERIOD	1 WEEK	2 WEEKS	3 WEEKS	4 WEEKS

Some people are entitled to a longer period of notice of termination. This could be because of your age and length of service, your industry, your employer, or your employment contract. If your employment is terminated, you should check your employment contract, **modern award** and/or **enterprise agreement**, and the Fair Work Act for how much notice you should have been given. It is good to get legal advice about this.

Your employer can either give you the minimum amount of notice that you are being dismissed (for example, telling you that you are dismissed, and your last day of work is in 1 week) or your employer can provide you with 'pay in lieu of notice'. Pay in lieu of notice is when your employer pays you an extra amount in your final pay that aligns with your minimum notice period.

REDUNDANCY PAY

Some employees have a right to receive redundancy pay if their role is made redundant. Redundancy is when your employer no longer requires your job to be performed by anyone because of changes in the operational requirements of their enterprise, they have consulted with you, and there is no possibility for you to be redeployed to another role in the business.

If you are entitled to a redundancy payment, the minimum amount of this payment is set out under the National Employment Standards:

Employee's period of continuous service with the employer on termination	Redundancy pay period
At least 1 year but less than 2 years	4 weeks
At least 2 years but less than 3 years	6 weeks
At least 3 years but less than 4 years	7 weeks
At least 4 years but less than 5 years	8 weeks
At least 5 years but less than 6 years	10 weeks
At least 6 years but less than 7 years	11 weeks
At least 7 years but less than 8 years	13 weeks
At least 8 years but less than 9 years	14 weeks
At least 9 years but less than 10 years	16 weeks
At least 10 years	12 weeks

Your entitlement to a redundancy payment might also be higher because your employment is covered by a **modern award** and/or **enterprise agreement**. You should always check this.

If your employer says you are not entitled to redundancy pay, please seek legal advice.

CASE STUDY

HOW MUCH NOTICE OF TERMINATION AND REDUNDANCY PAY SHOULD MARIA RECEIVE?

Maria was a **permanent** full-time employee for a large cleaning company for 5 years and 4 months. The cleaning company had 100 employees.

Recently, the company was experiencing financial difficulties and had lost a few of their bigger clients – clients Maria had cleaned for. Maria’s boss consulted with her about how they were considering making her role redundant because there was not enough work for her anymore. They had discussed the matter, and both agreed that there were no other jobs Maria could do with the company.

Maria is entitled to four weeks notice of her termination, and 10 weeks redundancy pay.

UNDERPAY- MENT AND WAGE THEFT

PART
05



You have the right to be paid at least your minimum pay rates and entitlements.

Your **modern award** or **enterprise agreement** will contain your minimum pay rates and entitlements. To determine what award you are covered by, **you can**:

①

Check your
employment
contract

②

Go to:

<https://services.fairwork.gov.au/find-my-award>

③

Call the Fair Work
Ombudsman on
13 13 94

If your job isn't covered by a **modern award** or **enterprise agreement**, you are covered by the National Minimum Wage.

As of 1 July 2025, the National Minimum Wage is \$24.95 per hour or \$948.00 per week.

The National Minimum Wage is reviewed each year. These should be reflected in, and maybe built upon, in your contract.

If you are not paid the minimum pay rates and entitlements you are owed under the National Minimum Wage, or your **modern award** and **enterprise agreement**: **this is called Underpayment, and it is illegal.**

WHAT TO DO IF YOU ARE BEING UNDERPAID

1 CHECK THE LAW

Look at your **modern award** or **enterprise agreement**. Get some legal advice if you need help. Gather supporting documents.

2 TALK TO YOUR EMPLOYER

Think about what you want to say and who could be the right person to speak to. If you're feeling worried about the conversation, think about what support you might need.

3 WRITE A LETTER TO

YOUR EMPLOYER

Set out the amount you are owed and how it is calculated. Ask that your employer pay you the amount owing within a reasonable period of time. You can email or hand a letter to your boss. Make sure to keep your own copy.

4 MAKE A COMPLAINT TO

THE FAIR WORK OMBUDSMAN

The Fair Work Ombudsman might:

- Give advice, tools or resources
- Inquire about and investigate potential non-compliance
- Use enforcement tools like compliance notices, infringement notices, enforceable undertakings or legal proceedings

5 TAKE LEGAL ACTION

IN THE COURTS

You can take your own legal action to recover your underpayment in the courts. You can represent yourself. You have 6 years to make your claim. Seek legal advice about options.

▶ **Remember to keep records of everything! Create your own records, in case your employer does not give you written records, or if their records are wrong.**

▶ **Gather supporting documents like:**

- your payslips or other financial records showing your pay,
- diary entries of hours worked and significant events and conversations,
- rosters, timesheets, leave requests and approvals, position descriptions.
- Receipts for any purchases relating to work, for example uniform costs and any laundry/dry cleaning costs for your uniform.

▶ **If driving is part of your duties, keep records of the number of kilometres driven and any petrol you purchased.**

▶ **If you are not able to find your copies of any of your records, employers have obligations to keep records relating to your pay and hours worked for 7 years, and you have a right to request copies of your employee records.**



VIDEO**Getting Legal Advice**

<https://wwq-knowyourworkrights.carrd.co/>

When you have a work issue, getting legal advice from a community legal centre can be a free and private way to talk through your legal question, understand your rights and learn about next steps you can take.

This video shows an example of what it can be like to get legal advice from our community legal centre, Working Women Queensland.

RESOURCES

The Fair Work Ombudsman website can be translated into over 20 languages by clicking on the language button at the top of the page.

**FAIR WORK OMBUDSMAN'S RECORD MY HOURS APP:**

www.fairwork.gov.au/tools-and-resources/record-my-hours-app

**FAIR WORK OMBUDSMAN'S INFORMATION ABOUT RECORD-KEEPING:**

<https://shorturl.at/DJDMk>

**FAIR WORK OMBUDSMAN'S COURSE AND GUIDE TO DIFFICULT CONVERSATIONS IN THE WORKPLACE**

(English only)

<https://shorturl.at/jqZPN>



GENERAL PROTECTIONS



General protections safeguard your rights and entitlements, including your right not to experience unlawful discrimination, your right to access different types of leave, your right to make complaints and inquiries about your work, and your right to apply for WorkCover (to name a few common workers' rights). These are contained in the Fair Work Act and the Industrial Relations Act.

Under the General Protections, it is against the law for your employer to take 'adverse action' against you because you have exercised one of these rights or entitlements. Adverse action can come in many different forms, and a few examples include:

- **Dismissal**
- **Having your shifts cancelled**
- **Being issued a formal warning**
- **Suspension from duties**

More information about the general protections can be accessed here: [Understand general protections | Fair Work Commission](https://www.fwc.gov.au/job-loss-or-dismissal/dismissal-under-general-protections/about-general-protections/understand-commission)



<https://www.fwc.gov.au/job-loss-or-dismissal/dismissal-under-general-protections/about-general-protections/understand-commission>

Different kinds of workers have different protected rights, and adverse action against them might look different. If you think you have experienced adverse action because you have exercised a workplace right - you should seek legal or industrial advice. It is important to know that if you are dismissed from work because you exercised a workplace right, there may be a very short timeline (21 days) for you to take action so you should seek advice ASAP.

WHERE TO GET HELP

PART
07

GOVERNMENT

COMMUNITY



JOIN YOUR UNION

LOCAL COMMUNITY CENTRES

GOVERNMENT

National Employment Standards,

General Work Rights:

Fair Work Ombudsman

www.fairwork.gov.au

13 13 94

Sexual harassment:

www.respectatwork.gov.au

Other places for information on your rights at work:

www.humanrights.gov.au

www.qhrc.qld.gov.au

COMMUNITY

General Work legal advice:

Working Women Queensland

www.wwq.org.au

1800 358 511

Caxton Legal Centre

www.caxton.org.au

(07) 3214 6333

Visas and Work legal advice:

Refugee and Immigration Legal Services

www.rails.org.au

(07) 3846 9300

Sexual harassment helpline:

1800RESPECT (1800 737 732)

Worker's Compensation

Information Advisory Service:

1800 102 166

wcias.org.au

LOCAL COMMUNITY CENTRES

In your local area, there might be an organisation that can provide you with support or connect you in with other local services. You might be able to find your local community centre here:

www.mycommunitydirectory.com.au/info/community-centres-halls-facilities

JOIN YOUR UNION

Union members come together to make workplace improvements.

Unions advocate for working people to keep us safer.

www.australianunions.org.au/

GLOSSARY

PART
08

DE FACTO

'De facto' is a legal term used to describe a kind of romantic relationship where two adults who live together are not legally married, and are not related by family. The definition for de facto is different in different circumstances, and you should get legal advice if you think you are in a de facto relationship.

ENTERPRISE AGREEMENT

An enterprise agreement is an agreement made at the enterprise level that contains terms and conditions of employment, including wages, for the workers of that enterprise.

FIXED TERM

Fixed term contract employees are employed on a contract that terminates at the end of a set period. Fixed term is where there is no ability to end the employment before end of contract, and maximum term is where you can terminate employment before end of contract.

INHERENT REQUIREMENTS

Inherent requirements of a job are not a wish list of items that would make up the employer's ideal candidate, but are the essential duties required to fulfil the position.

IMMEDIATE FAMILY

Immediate family has a specific legal definition. It includes:

- a) a spouse, **de facto** partner, child, parent, grandparent, grandchild or sibling of the person; or
- b) a child, parent, grandparent, grandchild or sibling of a spouse or **de facto** partner of the person.

MODERN AWARD

A modern award is a document which sets out the minimum terms and conditions of employment on top of the National Employment Standards (NES). Modern awards are industry and/or occupation specific and there are more than 100 awards that cover most people who work in Australia.

PERMANENT

Permanent employees have signed a contract that has no end date. The employment relationship will continue until either party brings it to an end.

PRO RATA

When calculations of your entitlements are done on a pro rata basis, it means the amount is calculated as a proportion of the entitlement granted to full-time employees. For example, if you are part-time and work 4 full days per week while full-time employees work 5 full days per week, you work 80% of the amount of time that a full-time employee works. So, on a pro rata basis you would only be entitled to 80% of the full entitlement to annual leave.

WWQ and BRQ acknowledge the Aboriginal and Torres Strait Islander peoples as First Nation peoples and Traditional Custodians of the land and water where we live and work. We pay our respects to their Elders, knowledge holders, and leaders — past, present, and emerging. We are a statewide service, and recognise that our office is on the traditional lands of the Turrbal and Yuggera people.

We acknowledge that sovereignty was never ceded, and we acknowledge the strength and resilience of Aboriginal and Torres Strait Islander peoples.

**WWW.BRQ.ORG.AU-WORKING-WOMEN-QLD/
FOR TELEPHONE ADVICE ON EMPLOYMENT ISSUES
CALL: 1800 358 511
EMAIL: WWQ@BRQ.ORG.AU/**



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