

EMPLOYER & EMPLOYEE RIGHTS & RESPONSIBILITIES

WHAT ARE RIGHTS & RESPONSIBILITIES?

- ▶ Employers and Employees have specific rights and responsibilities to follow in order to ensure safety and fairness in the workplace.
- ▶ **EMPLOYEE**: A person employed for wages or salary.
- ▶ **EMPLOYER**: A person or organization that employs people.
- ▶ **RIGHTS**: A right is a freedom that is protected by law.
- ▶ **RESPONSIBILITIES**: A responsibility is a duty that you should do.



OCCUPATIONAL HEALTH & SAFETY

- ▶ Under the Occupational Health and Safety Act 2000 (renamed the Workplace Health and Safety Act), all employees have the right to a safe workplace.
- ▶ Failure of employers to provide safety for workers can result in heavy fines, business closure or imprisonment.



EMPLOYER RESPONSIBILITIES

EMPLOYEE RESPONSIBILITIES

Ensure the safety & welfare of employees

Cooperate with employers

Supply safe equipment & machinery

Work safely

Provide safe access to the workplace

Report problems

Provide information, supervision and training

Consult with employees on health and safety matters

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To prevent injury it is important that food service and catering staff:

- ▶ Use safety signage
- ▶ Wear protective clothes and shoes
- ▶ Have easy access to first aid and emergency contact numbers
- ▶ Are trained in safety
- ▶ Keep work areas clean and clear
- ▶ Store chemicals appropriately

ENVIRONMENTAL HEALTH OFFICERS

- ▶ Environmental Health Officers enforce legislation by inspecting food premises. They can enter at any time and have the power to take samples, issue warnings and fine or close a food premises if hygiene standards are not met.



INDUSTRIAL LEGISLATION

Industry Awards

Awards are the minimum working conditions of employees in a particular industry.

They are negotiated between unions and employers.

Through awards, all employees have the right to receive from their employer:

- ✓ Award wages
- ✓ Award conditions such as leave entitlements
- ✓ Staff amenities such as access to toilets
- ✓ Superannuation towards retirement
- ✓ Worker's compensation in case of illness or injury resulting from work.
- ✓ Training in use of machinery and safe work practices.

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Employees have a responsibility to:

- ✓ Work award hours
- ✓ Follow all reasonable instructions relating to employment
- ✓ Maintain confidentiality



ENTERPRISE AGREEMENTS

- ▶ Under enterprise agreements employees can negotiate with employers to gain conditions better than the award.
- ▶ For the agreement to come into effect it must be approved through a ballot process by a majority of the staff who cast a valid vote.
- ▶ All enterprise agreements must be approved by Fair Work Australia. Once these conditions have been approved and written down, they can not be breached.



ANTI-DISCRIMINATION LEGISLATION

- ▶ Under anti-discrimination legislation, employees and customers cannot be discriminated against on the basis of:
 - Age
 - Gender
 - Religion
 - Race
 - Culture
 - Disabilities
 - Sexual Preferences



EQUAL EMPLOYMENT OPPORTUNITY PRINCIPLES

- ▶ Equal Employment Opportunity is about ensuring that everyone who is qualified for a job is given an equal opportunity of being employed regardless of age, gender, religion, race, sexual preference, disabilities, marital status or political opinion.

