

# THE ULTIMATE GUIDE TO **GETTING A PAY RISE**



Australian **Unions**  
*We're for workers*



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# GETTING STARTED

The first step before taking action is to gather intel. If you want a pay rise, you'll need to make sure you understand that details of your current situation at work.

## Read your employment contract

Your employment contract is one of the many pieces of paper (hard copy or digital) that you would have signed when you first started your job.

Your employment contract is a legally binding agreement between you and your employer.

Employment contracts can never provide conditions that are worse than those in National Employment Standards or the award or agreement that covers your workplace.

Employment contracts can be written or verbal. It is best to get a written copy of your contract if you can. That way you have a record in case you ever need it.

Your employment contract will set out the terms and conditions of your employment and some basic information about your role including **your rate of pay**. It can also include things like:

- The day your employment starts
- Workplace location
- Your job title and description
- An outline of your responsibilities
- The number of hours you work each week
- How much notice you need to give or receive when ending your employment
- Commitment to workplace policies

Your rate of pay may come from an Enterprise Bargaining Agreement (EBA) or an Award. If the former, your employer should have provided you with a copy of your EBA when you started. If the latter, it is likely that your employment contract will tell you which Award you are on.

And keep an eye out for pay secrecy clauses in your contract. These clauses mean you cannot talk about your wage or salary with colleagues. The union movement is leading a campaign that should see these eradicated for all workers in the near future.







## Enterprise Bargaining Agreements

Enterprise agreements are deals made between employers and employees and their union about the terms and conditions of their employment.

This includes things like:

- Rates of pay
- Penalty rates and allowances
- Superannuation
- Hours of work
- Overtime arrangements
- Dispute resolution procedures

Enterprise agreements can be fine-tuned to suit the needs of a specific workplace or sector. They are required to offer better conditions than the relevant award that would otherwise apply.

Agreements are reached through negotiation between an employer and employees and their union.

Unionised workplaces usually have better wages and conditions, because employees working together with the resources of a union behind them have more bargaining strength.

Once an agreement is in place the relevant award no longer applies. The only parts of the Award that remain in place are:

- Minimum rates of pay
- All minimum standards provided by the National Employment Standards
- Any terms that apply specifically to outworkers

Although employers and employees can both make concessions when coming to an agreement, agreements must always leave employees better off overall than they would have been under the relevant award.

Agreements must be registered and approved by the Fair Work Commission before they come into effect. They remain in place until they expire or are terminated.

## Awards

Modern awards are documents which set minimum employment standards in a specific industry or sector.

This includes setting things such as:

- Minimum rates of pay
- Hours of work
- Leave entitlements
- Penalty rates and allowances

Modern awards often set standards that are higher than the minimums in the National Employment Standards—they cannot set standards that are lower.

It is your employer's responsibility to keep up with changes to your award and make sure that all employees are getting what they are entitled to.

If you are not covered by an award the National Employment Standards and the National Minimum Wage set the minimum standards of your employment.



## **Check your payslips**

Now that you know your rate of pay and other factors that may contribute to what goes into your pay packet (e.g. fuel allowance, uniform allowance), you need to make sure that matches with what you are regularly receiving.

To do that, you need to look at your payslips.

Your employer must give you a payslip within one working day of your pay day. It should be sent to you electronically or as a hard copy.

The Fair Work Act 2009 and the Fair Work Regulations 2009 set out what must be included on your payslip. All payslips in Australia must have:

- The employer's name and ABN (if any)
- Your name
- The date of the payment
- The pay period
- The gross (before tax) and net (after tax) amount of payment
- Any loadings, allowances, bonuses, penalty rates or other payments
- Any deductions made

There are other payslip requirements depending on your employment type and entitlements, including:

- If your employer is required to pay superannuation contributions:
  - The amount of the contribution
  - The name, or name and number, of the superannuation fund the contributions were made
- If you are paid at an hourly rate:
  - What the ordinary hourly pay rate is
  - The number of hours paid at that rate
  - The amount of payment made at that rate
- If you are paid an annual rate of pay (salary), what the rate of pay was on the last day of the pay period.

It's a good idea to keep copies of your payslip so you have proof of payment.

When the numbers aren't adding up, it's time to make a call to your union. The best way to land a pay rise and protect yourself against wage theft is to be a union member.



## **Talk to your workmates**

**If something doesn't look right or if you think you're not on the appropriate wage, then start talking to your workmates. It's likely you won't be the only one in the same situation.**

This is when being a union member really pays off. If you haven't already, chat to your union delegate and with your colleagues, you can bargain for a wage increase together. Read on to learn about what that looks like in practice.

As union members, our actions are never for the advancement of the individual alone. That's why we act to make changes that benefit everyone. You. Your coworkers. Your family. Their coworkers.

**[Joinyourunion.org.au](https://joinyourunion.org.au)**



# THREE WAYS TO GET A PAY RISE

The bills are coming in with higher numbers than ever, but our incomes are falling further behind. We need a pay rise. But how do we make it happen? We've rounded up the three best ways to get your next wage increase.

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## The Annual Wage Review

As you may already know, July kicked off with a 4.6 per cent increase for workers reliant on the minimum wage and Award wages. What you may not know is that this wasn't enforced instantly across the board and workers in certain industries (namely air travel, hospitality and tourism) were awarded their pay rises on 1 October.

This was achieved through the Annual Wage Review, our once-a-year opportunity to advocate for raising the minimum wage through the Fair Work Commission.

These pay increases don't appear out of thin air, but as a result of tireless campaigning by union members year after year to deliver a decent pay rise for millions of workers around the country.

The Annual Wage Review is one of the most powerful mechanisms at our disposal to ensure that those who earn the least aren't left behind. We'll never be complacent – and neither should you.



## Enterprise Bargaining

When workers stand together and negotiate with the bosses on pay and conditions, that's when Enterprise Bargaining Agreements are born.

The more workers who are union members, the stronger their bargaining power, the better the Agreements (for the workers, of course).

This system is not perfect though – far from it. In fact, updating industrial relations laws in line with modern workplaces is a top priority for the union movement.

We know that dodgy employers routinely use loopholes in the current legislation to dodge their responsibilities to give workers a real pay rise. Intimidation tactics and vast casualisation

of the workforce is par for the course, and union members make sure that they can't get away with it.

Nevertheless, collective bargaining is extremely successful in pushing for pay rises, and we know that union-backed EBAs do this far better. We have the stats to back this up, with pay rises for workers covered by union-backed EBAs consistently sitting at least 1 per cent higher than those under EBAs that haven't been negotiated with union support.

Collective bargaining shows us that we can give power to the workers and force the hands of employers to give us tangible pay rises.

## Putting an end to pay secrecy clauses

Deceit is a powerful weapon wielded by employers when it comes to denying workers their well-deserved pay rise. If your boss can legally mask the fact that your colleague – who is doing the exact same job – is actually taking home more pay, unfairness can grow unhindered in workplaces.

We've seen workers fired for discussing pay with their colleagues, all because their contract had a pay secrecy clause.

Women are the most impacted by this discriminatory practice. The gender pay gap in Australia sits overall at around 14 per cent for full-time workers and increases to a whopping 31 per cent gendered difference in pay for part-time workers. Pay secrecy is a huge catalyst for allowing this to happen.

Pay secrecy clauses press the 'mute button' on that structural discrimination. They prevent you from gathering the necessary information to effectively bargain and put forward the case for your skills and your capacities.

Joining your union is by far the most effective way to find out how much you should really be getting paid. The Finance Sector Union was

recently successful in pushing the big four banks to do away with their secrecy clauses in an industry that alone sees a 29 per cent gender pay gap.

No one should be shamed out of having these important conversations in the workplace, and unions are here to make sure of that.







# WHAT NEXT?

## Already a member?

Do the rounds at your workplace. Chat with your workmates. Check in with the colleague who normally keeps quiet. Get records in order. Elect delegates if you haven't already.

And the conversations don't just have to be about wage increases. The more union members there are at work, the stronger position you'll be in to improve conditions.

When we're organised, change happens. Together union members have made incredible achievements in their workplaces.

It was unionised workers who won climate disaster leave in their EBA. Universities won millions back in stolen wages after a union-led campaign. And union members haven't waited for laws to catch up: they've gone ahead and eliminated pay secrecy clauses at some of the biggest companies in Australia.

## Join your union

When you know your rights and how to advocate for them, you can enter any workplace with the confidence and calm of someone who knows exactly how to handle and avoid unfair working conditions – even when they might not be that obvious.

When it comes to negotiating your salary or knowing what you should be getting paid in your next job, the collective power and support that comes with being in a union is invaluable.

Whether advancing your career or advocating for workers and colleagues, it pays to be in your union.

**Want to become a member but don't know which union is right for you? Find out here.**

# FINE PRINT

The information in this guide was correct at the time of publication – November 2022. However, our industrial relations laws change (keep tuned, there's a big one happening now), Awards are updated and the minimum wage increases (slowly and not by enough).

If you're experiencing problems at work, contact your union if you're a member, or get in touch with the Fair Work Ombudsman or relevant authority for assistance and the most up-to-date information.