

November 2016

MEAT INDUSTRY NEWS

The WA Annual Awards Dinner

Our WA Retail Chairman Nathan Walmsley welcomed almost 100 guests to our Annual Awards Dinner at the Bentley Pines Restaurant in September. Our MC was the amiable and amusing David Gannon who entertained everyone with witty jokes throughout the evening. Members mingled with each other and with representatives from our sponsors while enjoying a superb meal served up by the talented team of hospitality apprentices at Polytechnic West.

Awards were given out to winners and place getters in the Sausage King, Best Butchers Burger and Apprentice of the Year Competitions. Congratulations to them all and best of luck to our winners who will represent WA in the National Finals of the Sausage King and Apprentice Competitions

in Tasmania in February. Please see our website for a list of all winners: <http://bit.ly/2dBE5dr>

The Retail Council also recognizes worthy members who have contributed to the meat industry over the years. This year we presented awards to Ted Weir of Weirs Butchers and Joe Di Fulvio of Crimea Meats for their many years of outstanding service and selfless support and contribution to AMIC.

We'd like to acknowledge and thank our many sponsors who help out in so many ways in making our competitions possible. We ask members to please consider these companies for when you next need their service or products.

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Joe Di Fulvio receives 1st place for Pork from Graham Martin, Linley Valley Pork



Milan Matutinovich receiving 1st place for Traditional Australian from Ted Weir

Thank you to our State Sponsors



Employment Records – Are You Covered?

One of the most common breaches of industrial relations legislative relates to employers having incomplete employment records. Employers can be left to the mercy of current and/or ex-employees in certain circumstances such as claims of underpayment of wages and accrued entitlements. Courts primarily rely on the completeness and accuracy of the businesses records in such cases of litigation.

It is therefore vital that all members should conduct an audit of their employment records to see if they are meeting the minimum requirements.

The following is an outline of the basic subjects and contents required:

1. Time and Wages Records
2. Leave
3. Pay Slips
4. Superannuation
5. Termination of Employment
6. Tax
7. Work, Health & Safety

1. Time and wage records

A time and wage record kept by an employer must specify:

- a) the employer's name
- b) the employee's name
- c) the employee's employment status (full-time, part-time, casual or daily hire)
- d) the employee's commencement date
- e) the Australian Business Number (ABN) (if any) of the employer
- f) the rate of remuneration paid to the employee
- g) the gross and net amounts paid to the employee
- h) any deductions made from the gross amount paid to the employee.
- i) Whether the employee is a casual or irregular part-time employee who is guaranteed a rate of pay by reference to a period of time worked, the record must set out the hours worked by the employee.
- j) whether the employee is entitled to be paid:
 - an incentive-based payment; or
 - a bonus, loading, penalty rate; or
 - another monetary allowance or separately identifiable entitlement
- k) The record must set out details of the payment, bonus, loading, rate, allowance or entitlement.
- l) Overtime
 - the number of overtime hours worked by the employee during each day
 - when the employee started and ceased

working overtime hours.

- m) Averaging hours
- n) If you and an employee agree in writing to an averaging of the employee's hours of work, you must keep a copy of the agreement as part of your employee records.

2. Leave

You must make and keep a record that sets out:

- a) any leave that an employee takes
- b) the balance (if any) of the employee's entitlement to that leave from time to time.

If an employer and employee agree to cash out an accrued amount of leave:

- a) you must keep a copy of the agreement as part of your employee records
- b) the record must set out: (a) the rate of payment for the amount of leave that was cashed out; and (b) when the payment was made.

3. Pay Slips

A pay slip (paper or electronic) must be issued to an employee within one day of paying any amount of remuneration to the employee. The pay slip must contain:

- the employer's and employee's name
- the date the payment was made and the period to which the pay slip relates
- if the employee is paid at an hourly rate
 - the ordinary time hourly rate
 - the number of hours in the period the employee was employed at that rate
 - the amount paid at that rate
- if the employee is employed on an annual rate, that rate at the latest date to which the payment refers
- the gross and net amount of the payment
- any amount paid as incentive, bonus, loading, allowance, penalty or other separately identifiable entitlement the employee has
- details of any deductions including the name, or name and number, of any fund or account into which the deduction was paid
- if the employer is required to make superannuation contributions for the employee
- the amount of contributions during the pay slip period and the fund; or the amount of contributions for which the employer becomes liable during the pay slip period and the fund into which they will be paid.

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4. Superannuation

If you make superannuation contributions for the benefit of an employee, you must make and keep a record that specifies:

- the amount of the contributions made
- the period over which the contributions were made
- the date on which each contribution was made
- the name of any fund to which a contribution was made
- the basis on which you became liable to make the contribution, including:
 - a record of any election made by the employee as to the fund to which the contributions are to be made; and
 - the date of the election.

5. Termination of employment

If an employee's employment is terminated (under Section 535(10) of the Fair Work Act 2009), you must make and keep an employee record that sets out whether the employment was terminated by consent, or by notice, or summarily (instant), or in some other manner (specifying the manner), and the name of the person who acted to terminate the employment.

6. Tax

Records relating to PAYG tax deducted from an employee's wages which need to be kept include:

- annual reports of PAYG withholding where no ABN was quoted
- copies of payment summaries and payment summary statements, or electronic annual reports (if applicable)
- current employment declarations, tax file number declarations and withholding declarations
- eligible termination payment records
- records of amounts withheld where no ABN was quoted
- records of personal services attributed income
- statements by a supplier where no ABN was quoted
- voluntary agreements
- wages records, including payment records.

For income tax purposes and superannuation guarantee purposes, these records include wages books, computer payroll records, bank transaction records relating to the deposit of salary or wages and any other records relating to employee remuneration, such as remittance advice, annual reconciliation statements, correspondence that relates to payments made on a PAYG employer account

(such as a request to transfer a payment from one financial year to another, or a transfer from one PAYG employer to another).

Copies of all payroll tax returns should also be kept.

7. Work health & safety records

Note that each state or territory has its own WHS/OHS legislation; but, generally, you must keep and maintain records relating to the following matters:

- a register of injuries requiring first aid as well as treatment given
- audiometric test records of employees, where applicable
- hazardous substances: all induction and training done, assessment reports that indicate a need for monitoring and/or health surveillance of employees together with the results of monitoring and/or health surveillance.

It is strongly advised that if your records are not complete then you need to ensure that they are as soon as possible. If you wish to discuss any aspect of this subject, please contact us on (02) 9086 2220.

Note: AMIC has wages books and register of injury books available for you to purchase.



Dress, Grooming and Appearance Policy

An employer asks if he can discipline staff, or even terminate in an extreme case, where an employee wears 'outlandish' clothing or insists on wearing peculiar jewellery items; nose or tongue studs or long or large dangling earrings.

Where the employer has a policy in place on dress, grooming and appearance and the policy can be shown to be fair and reasonable then employees who ignore the policy do put their jobs at risk.

When it comes to dress sense, we all have different ideas of what is fashionable or acceptable but workplaces need to

be flexible and able to adjust their attitude to how employees present in the particular workplace. For example, do employees interact with the public or other outsiders where appearance becomes more relevant?

Smart casual has become much more prevalent in workplaces where a uniform or distinctive style isn't required.

Safety is also an issue where certain types of dress, footwear and even jewellery could increase the potential of an accident.

Industrial tribunals have upheld the dismissal of employees who challenged

the dress policy of an employer which the tribunal found to be reasonable. But the alternative position has also arisen where dismissal was found to be unfair if, for example, the clothing or jewellery was neither offensive, inappropriate, obtrusive nor unsafe - or indeed where no official dress policy was in place to be relied upon.

The message is that one size doesn't fit all and compromise is needed when applying policy in this area. Remember that fashion and fads can change almost overnight so a policy needs to be flexible enough to adjust to otherwise acceptable social standards.

The WA Annual Awards Dinner



MC Dave Gannon



Luigi & Nicole Mammonne with their five trophies



Continental winner Dave Barbaro



Nathan Walmsley presenting Chris Lukaitis with the Apprentice of the Year award



Michael Thomas with recipients of the AMIC Recognition Award Joe Di Fulvio & Ted Weir



Joe Di Fulvio receiving 1st place for Best Butchers Burger from Kate Newham, Bunzl

Welcome to New Members

- Three Blind Mice Unit Trust, Russell Taylor, Maddington
- Geobay Butchering Company, Julie Hams, Besselton
- The Butchers @Drovers, Craig Herbert, Wanneroo
- Stirling Village Butchers, Richard Maio, Stirling
- Mindarie Gourmet Meats, C & J Grossman, Mindarie