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Australian Government

Fair Work
OMBUDSMAN

Best Practice Guide An employer's guide to employing young workers

Working at best practice

Employers should implement best practice when it comes to employing young workers for a variety of reasons. First, young workers can be a vulnerable section of the workforce and deserve particular protection. Your guidance and support for young employees can shape their attitude to work and their futures.

Second, young workers can become loyal and valuable employees who will form the basis of a company's future. They can also bring new enthusiasm and ideas to your business.

Third, by implementing best practice, employers improve their chances of recruiting and retaining quality young workers. On the flip side, poor treatment of young workers can give your business a bad reputation in the marketplace, which is something that all sensible employers want to avoid.

This Best Practice Guide explains:

- what an employer should tell a young worker early in the employment relationship

- the particular importance of health and safety issues when it comes to young workers

- the options for apprenticeships and training

- performance management of young workers.

There is also a checklist to help determine whether you are acting as a best practice employer.

This guide illustrates best practice when it comes to employing young workers. For specific information regarding your minimum legal obligations, contact the organisations listed under the 'For more information' section at the end of this guide.

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Can I employ a young worker?

Some state and territory governments have restrictions about the age that young people can be employed, the type of work they can do and when they can work. To find out whether any restrictions apply to your business, contact the relevant government department in your state or territory. You can find their contact details under the 'For more information' section at the end of this guide.

Explain things to young workers

Young workers are often unaware of the laws that apply to their employment. It can be helpful to explain the basics of the employment relationship to your young workers. That way, the young worker knows where they stand. For instance, you should:

- make sure you provide all new workers with a Fair Work Information Statement

- explain the worker's basic entitlements to annual leave, personal leave (sick leave and carer's leave) and the payment of wages

- explain your process for authorising different forms of leave, and explain the date and manner in which wages are paid

- explain what an employee should do if they're unwell and can't come to work

- make the young worker aware of your employment related policies and explain why such policies exist

- provide the young worker with a contact person they can approach if they have any further queries regarding their employment.

Workplace health and safety

Generally, young workers are at greater risk of being involved in accidents as they are new to the workforce or a particular job. Because they have very little experience, or are only working on a casual basis, they may not have gained enough knowledge to be aware of potential hazards that relate to your workplace or industry.

It is important to ensure that your young workers:

- know why safety is extremely important

- know what to do to prevent harmful incidents in the workplace, and

- are properly trained.

On a young worker's first day, you should ensure a safety tour of the workplace is conducted. This tour can be on a 'walk and talk' basis, and should stop at various points within the workplace to highlight particular safety concerns.

Young workers are more vulnerable to workplace bullying. Workplace bullying is unfair and inappropriate workplace behaviour which intimidates, offends, degrades, insults or humiliates a worker or workers and can include physical or psychological conduct. As an employer, you should make efforts to ensure that there is no bullying culture within your workplace. In particular, you may wish to encourage other employees to be welcoming to new young workers commencing in your business. Remember, a young person's first experience in the workplace can shape their employment future.

Apprenticeships

One way of recruiting and training young workers is through a formal apprenticeship scheme.

Apprenticeship schemes can be of great benefit to both employers and employees and you should keep such schemes in mind when thinking about employing young workers.

As an employer of choice, you should be aware of any relevant apprenticeship arrangements that apply in the states or territories in which your business operates.

You may wish to contact your state training authority, chamber of commerce or industry association for more information regarding apprenticeships.

Workplace training

Training is an important part of improving your business and motivating employees. Young workers are often more likely to apply for jobs when they know they will receive training, and are more motivated in the workplace when they understand what to do.

Training can also help ensure a safer work environment. If a young worker asks to undertake a particular work related training program, you should seriously consider it, as it may ultimately improve workplace morale and productivity.

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

- a mentoring or buddy system (see overleaf)

- formal off-the-job training

- demonstrations

- training by observation

- staff meetings

- tool box talks

- using equipment manuals or websites

- practice sessions.

A buddy or mentoring system can be particularly effective for quickly improving the skill sets of young workers.



Mentor and buddy systems — the process explained

A mentoring system operates in the following manner:

- the employer appoints a 'mentor' to each new young worker

- the mentor should be a superior of the young worker

- the mentor should be encouraged to touch base regularly with the young worker to ensure the worker is coping in the workplace

- the mentor's role is to encourage and assist the young worker in a professional manner. They are not necessarily there to be a 'personal friend' of the young worker

- although a superior to the young worker, the mentor should be more approachable or accessible than other superiors, by virtue of the special mentoring relationship. This way the young worker can be encouraged to raise any concerns with the mentor, before such concerns become serious workplace problems

- sometimes, because of the mentor's superior position, the mentor can also have an influence on tasks allocated to the young worker or better identify training opportunities for the young worker, to ensure that the young worker's skills are fully utilised

- finally, the mentor can provide a role model to the young worker of how employees should perform and act in the workplace.

A buddy system operates slightly differently. The buddy is often:

- a colleague or peer of the young worker (someone of a similar age or experience, who has simply been around a bit longer) who can develop a friendly working relationship with the young worker

- a person who the young worker can ask 'silly questions' about work or the workplace, if they are afraid or hesitant to ask their mentor or supervisor

- a person who is easily approachable to the young worker. The buddy can explain simple issues to the young worker, without the worker feeling concerned about what their superiors think about them.

Mentoring and buddy systems often work best when they are used in conjunction with each other. You should consider appointing both a mentor and a buddy system to help new young workers in your workplace.

Managing performance

Young workers don't always understand the performance levels that are expected of them. Without help or guidance from their employer, a young worker may not understand what is expected of them and therefore may not improve their performance. This is when bad habits can set in.

Care should be taken when addressing a young worker's performance, as young workers are likely to be less confident than other workers. You may need to spend more time with young workers in order to demonstrate or explain how they can improve their performance.

Some useful tips for dealing with young worker performance issues are listed below:

- make your expectations clear to begin with – this helps to prevent performance issues from arising in the first place

- don't make things personal. Make it clear that it is the young person's work you are talking about. Avoid criticising the young person themselves unless this is clearly necessary

- be prepared to repeat demonstrations a number of times and let the young person know that they can ask questions and seek help

- praise good performance

- remember what it is like to be new at something – be encouraging

- set goals or a plan for improving the performance.

For more information refer to Best Practice Guide No 9 'Managing underperformance'.

Procedural requirements

The same laws that exist for older workers apply to young workers. However, employers should be aware that, in some circumstances, employees under 18 may need a parent or guardian to sign documents on their behalf.

For instance, the law requires that individual flexibility arrangements (see Best Practice Guide No 3 'Use of individual flexibility arrangements') entered into by employees under 18 must be signed by both the employee and their parent or guardian. This applies to all individual flexibility arrangements made under any enterprise agreement or modern award.

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Checklist for best practice employers

Best practice employers understand that young workers are a vulnerable part of the workforce and therefore should:

- ✓ recognise and be supportive of the special needs of young workers, including their study requirements

- ✓ ensure they comply with applicable legislation and instruments (awards or agreements) that apply to the young workers

- ✓ provide information to young workers in a way that is appropriate so they understand what is expected in terms of workplace policies, procedures and practices

- ✓ provide young workers with safe systems of work, safe equipment and proper training

- ✓ ensure that all employees are aware that the business does not tolerate bullying

- ✓ ensure there is appropriate training given to young workers that takes into account levels of experience, skills and knowledge

- ✓ ensure that any performance management is done in a manner which takes into account the more sensitive nature of young workers

- ✓ keep a record of the dates of birth of employees under 21 so you can pay them the correct pay increases if junior rates apply.

Helpful hint

Have you thought of mentioning the training you conduct for young workers in job interviews? It might just be the issue that convinces workers to join your business, as opposed to taking up a position somewhere else.

For more information

Employment

Fair Work Ombudsman
13 13 94
www.fairwork.gov.au

Termination of employment

Fair Work Commission
1300 799 675
www.fwc.gov.au

Tax or superannuation

Australian Tax Office
13 10 20
www.ato.gov.au

Minimum age of employment in your state or territory

Australian Capital Territory
Office for Children, Youth
and Family Support
13 34 27
www.dhcs.act.gov.au/ocyfs

New South Wales Office
of Industrial Relations
13 16 28
www.industrialrelations.nsw.gov.au/Young_workers

Northern Territory
Department of Education
and Training
(08) 8944 9274
www.det.nt.gov.au

Queensland Department of
Justice and Attorney-General
(07) 3225 2299
www.justice.qld.gov.au

SafeWork SA
1300 365 255
www.safework.sa.gov.au

Workplace Standards
Tasmania
(03) 6233 7657
www.wst.tas.gov.au

Business Victoria
13 22 15
www.business.vic.gov.au

Labour Relations
– Western Australia
1300 655 266
www.commerce.wa.gov.au/LabourRelations

Discrimination

Fair Work Ombudsman
13 13 94
www.fairwork.gov.au

Australian Human
Rights Commission
1300 369 711
www.humanrights.gov.au

Australian Capital Territory
Human Rights Commission
(02) 6205 2222
www.hrc.act.gov.au

New South Wales
Anti-Discrimination Board
(02) 9268 5544
www.lawlink.nsw.gov.au/adb

Northern Territory
Anti-Discrimination
Commission
1800 813 846
www.adc.nt.gov.au

Anti-Discrimination
Commission Queensland
1300 130 670
www.adcq.qld.gov.au

South Australian Equal
Opportunity Commission
(08) 8207 1977
www.eoc.sa.gov.au

Tasmanian Office of the
Anti-Discrimination
Commissioner
(03) 6233 4841
www.antidiscrimination.tas.gov.au

Victorian Equal Opportunity &
Human Rights Commission
1300 891 848
www.humanrights.commission.vic.gov.au

Western Australian Equal
Opportunity Commission
(08) 9216 3900
www.eoc.wa.gov.au

For more information

Occupational health and safety in your state or territory

ACT Work Safety
Commissioner
(02) 6207 3000
www.worksafety.act.gov.au

WorkCover NSW
13 10 50
www.workcover.nsw.gov.au

NT WorkSafe
1800 019 115
www.worksafe.nt.gov.au

Queensland Workplace Health
and Safety
1300 369 915
[www.deir.qld.gov.au
/workplace/index.htm](http://www.deir.qld.gov.au/workplace/index.htm)

SafeWork SA
1300 365 255
www.safework.sa.gov.au

WorkCover Tasmania
(03) 6233 5343 (from outside Tas)
1300 776 572 (from within Tas)
www.workcover.tas.gov.au

WorkSafe Victoria
1800 136 089
www.workcover.vic.gov.au

WorkSafe Western Australia
1300 307 877
[www.commerce.wa.gov.au
/WorkSafe](http://www.commerce.wa.gov.au/WorkSafe)

Apprenticeships

Australian Apprenticeships
13 38 73
[www.australian
apprenticeships.gov.au](http://www.australianapprenticeships.gov.au)

Disclaimer

The Fair Work Ombudsman is committed to providing you with advice that you can rely on.

The information contained in this Best Practice Guide 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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