



Working and the law

1. Looking for a job

Looking for a job can be intimidating but the important thing is to put your best foot forward, keep going if you have set backs, and ask for help if you need it.

You can find jobs to apply for on websites like Seek, Indeed and EthicalJobs or on social media like TikTok, getahead and Facebook. You can also find jobs with the Victorian government on careers.vic.gov.au/jobs. You might even see posters about jobs in shop windows.

If you see jobs posted on socials, it's worth checking that the employer is legitimate by looking up their website and seeing if there any reviews of that business or workplace.

Many jobs are never advertised, so it's worth asking people you know about opportunities. You can also speak to your school careers advisor as they can give you ideas and advice, and often have connections to find employment or apprenticeship opportunities.

There are also employment services which work in particular communities, such as with Aboriginal and Torres Strait Islander youth or with people from a refugee or asylum seeker backgrounds, to assist with finding employment. Ask around or look online to see what services are available in your community.

If there is a specific place you'd like to work, you can ask them if they have any job openings or if they'll keep your resume for future openings.

Not sure where to start? Think about your skills and interests and speak to someone you trust to help you target your search.

What is a resume?

A resume is a document which provides a personal summary of your skills, experiences and achievements to help an employer consider why you might be good fit for a job.

A resume usually includes:

1. Your contact information – name, phone number and email address
2. Summary – a sentence or two explaining the kind of job you're looking for and why you're a great candidate
3. Experience – this shows any work you have done, part time jobs, internships, volunteering. If you haven't done any work yet you might include school projects, babysitting or some details about your interests and hobbies to show your character and skills.
4. Education – this section tells employers where you go to school and what you have learned. You can also list any other special classes or certificates you have earned.
5. Skills – you can include a summary of things you are good at like working with computers or speaking different languages. This will be really helpful if you have special skills that are relevant to the job you are applying for.

There are some great resume templates on Word and Canva and websites to help you write your resume.



Preparing for an Interview

If you are asked to attend an interview, well done – this is a big achievement!

Here is a checklist to help you get ready for your interview:

- Look at the business website and/or their social media. It can be helpful to find out more about what the business does.
- Find three things you like about the business which you can talk about in the interview.
- Look up practice interview questions online and think about how you would answer them.
- Think of two or three questions you can ask them about the role or the business.
- Figure out how you're going to get the interview and how long it will take. Plan your journey to arrive around 15 minutes early so you have plenty of time.
- Decide what to wear to the interview. Make sure your clothes are clean and tidy. If you are not sure what is appropriate you can ask the business if they have a dress code.

There are some questions that you should not be asked during an interview and do not have to answer. These include:

- if you are in a relationship
- what your political views are
- what your age is
- what your race is
- what your religion is
- what your gender identity is
- what your sexual orientation is
- whether you are pregnant or if you plan to be pregnant
- whether you have any mental or physical disability, unless it is relevant to the tasks you would have to do on the job

If you're asked any of the above questions, you do not have to answer. You can say something like "I would prefer not to answer that question."

Working with Children and Background Checks

When a job involves working with children you will need something called a '[working with children check](#)' (WWCC).

You can apply for a WWCC [online](#) which involves:

1. Verifying your identity through your phone camera to check your name, date of birth and document number. You will also be required to take a photo of yourself to see if it matches your existing photo IDs.
2. Fill out the online form.



3. Depending on the type of WWCC, you may need to pay a fee. Some employers may cover this fee or reimburse you.

If you are being paid for your job, you will need an employee WWCC.

You may also need a **police check** which you can apply for [here](#) or your employer may have a preferred provider. You may need to pay an application fee.

Where to get help

Youthlaw

Phone: (03) 9113 9500

Website: <https://youthlaw.asn.au>

2. What do I need to know before starting a new job?

Getting a Tax File Number

What is a tax file number?

A tax file number (TFN) is a unique number that forms part of your identity. It helps your employer know how much tax and superannuation they should pay you. Your TFN doesn't change, and you keep it for life, even if you change jobs, change your name, or move house.

It is free to get a TFN. To get a TFN, fill out a TFN application on the Australian Taxation Office website. Make sure you keep it safe or keep a digital record of it so you can give it to your new boss whenever you start a new job.

What is superannuation?

Superannuation is money your boss puts into a separate account for you. This account is called a super fund. This money is saved up during your working years and will be for you to live off when you retire. Your employer has to pay superannuation if you are over 18, or if you are under 18 but work more than 30 hours a week.

When you start a new job, your company might give you a form asking whether you want to "nominate a super fund" or use the company's "default super fund." Most companies will create a super fund account for all employees with a super fund company that they choose. If you've never had a super account before, it can be simple to use the default super fund used by your company.

Your boss will give you the details for your super fund. When you change jobs in the future, you can ask your next boss to pay your superannuation into your existing super fund from your last job.

Your Working Rights and the Law

You have **legal rights** which protect you while you're working.

These might be written in your **employment contract**, something called a **modern award**, an **enterprise agreement**, or just general workplace laws.

Your **employment contract** is an agreement between you and your boss which talks about things like:



- What your job is
- How much money you will make
- What you're supposed to do at work
- When you'll be working, and more.

If you do not have an employment contract, you may be covered by something called a **modern award**. This is a set of rules for people working in similar jobs. It talks about things like:

- The least amount of money you can be paid
- Extra pay for working weekends or holidays
- Allowances
- How long you can work each day
- Other work conditions.

There are different modern awards for different kinds of jobs. For example, there's a special set of rules just for restaurant workers.

Enterprise agreements are like modern awards, but they just apply for one specific company or group of companies. If your employer has one of these agreements, it sets the rules for your job instead of a modern award.

There are basic rules that everyone has to follow. These are called **minimum working conditions** which are set out in the National Employment Standards. These are like basic rights for workers, and they apply to everyone, even if you're covered by a modern award or an enterprise agreement, or if you have an employment contract.

The 10 minimum working conditions relate to:

- How many hours you can work in a week
- Asking for changes to your work schedule
- Changes from being a casual worker to a permanent one
- Taking time off when you have a baby
- Having time off for holidays
- Having time off when you're sick or for situations involving domestic violence
- Your pay on public holidays
- When you get long service leave
- Getting paid if you're made redundant
- What happens if you get fired.

If you're working as a **casual**, it means your boss might ask you to work with short notice, and you don't have guaranteed working hours. You also don't get paid when you're sick or on going on holidays.

Jobs in restaurants or offices often start as casual roles, but there is a chance to switch to part-time if you meet certain requirements (check out the 'casual conversion' factsheet).

Being **part-time** means you work fewer than 38 hours a week, but you have set days and times that you work. Part-timers get some paid leave, so if you're sick or want a holiday during your regular workdays, you may be covered.

If you're working **full-time**, you're putting in 38 hours each week. That comes with benefits like paid time off when you're sick or want a holiday.



If you're an **independent contractor**, you're not an employee, but you're hired by a business to do specific tasks. As a contractor:

- You don't get perks like paid leave for when you're sick or want time off
- You get to decide when and how you work
- You're responsible for your own equipment and tools
- You have to manage your taxes and retirement savings yourself (there are sometimes exceptions to this)
- You take on financial risks and responsibilities
- You might not have long-term work with the company.

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3. Have you been treated unfairly at work?

If you have been treated badly at work because of something like your race, your gender identity or sexuality, your marriage status, your age or a disability this may be unlawful discrimination.

For example, if this kind of discrimination is the reason you're not offered a job, or you get fired that's unfair and it's against the law. If people at work refuse to train you, give you less work hours, or give you impossible tasks, just because of who you are, this could also be discrimination.

Reasonable adjustments if you have a disability

If you have a disability you may need to ask your employer to provide adjustments for you at work so that you can do the job. To ask for an adjustment you will need to tell your employer about your disability and provide them with medical evidence, like a letter from your regular doctor, which explains why the adjustment is needed.

So long as the adjustment you are seeking is reasonable and required, and that you are still able to perform the key tasks in the job, your employer should provide it to you.

Bullying at work

Bullying means someone repeatedly treats you badly in a way that's not fair and could make you feel unsafe or unhappy. For example, if people spread rumours about you, leave you out, shout at you, threatens you, expect you to do way more work than others in the same job, or play mean jokes on you, that's bullying.

Adverse Action is a harmful action a person takes or threatens to take because of a part of your identity such as race, sexual orientation or disability. Adverse action may also include harmful action at your job because you have exercised a workplace right such as asking about your pay or leave entitlements.

Examples include, if your boss fires you or treats you unfairly such as reducing your hours or giving you worse treatment than other workers – just because of who you are.

Sexual Harassment is unlawful, and your boss has to do something about it if it happens.



Sexual harassment includes but is not limited to someone making unwanted sexual advances towards you, asking you for sexual favours, physically touching you, asking or making comments about your private life or your body, making sexually suggestive comments and jokes or doing things of a sexual nature you don't like.

It doesn't matter if it happens just once, and it doesn't matter if the person harassing you didn't mean to make you feel uncomfortable, embarrassed, or scared.

Victimisation is where you have been treated badly in your job because you have made a complaint of discrimination or sexual harassment, or you refused to do something which would breach the Anti-Discrimination laws.

For example, if you make a complaint of race discrimination at work and then your shifts are reduced or you are taken off the roster, this may be unlawful victimisation.

For example, a man agreed to be a witness for his co-worker who had made a race discrimination complaint against their manager. The manager called the man and threatened to fire him if he gave evidence for the co-worker. This would be victimisation.

If you've experienced discrimination, bullying, adverse action or sexual harassment and you want to **report** the situation, you can:

1. If you feel comfortable, talk to someone at your workplace: you can speak with your manager, supervisor, or the human resources team. Many workplaces have procedures in place for handling complaints.
2. Seek advice: you can get help from a union representative, if you are a union member, or a lawyer who can give you guidance on what to do next.
3. Make a complaint to the relevant authorities: you can report the situation to organisations like the Fair Work Commission, the Australian Human Rights Commission, or the Queensland Human Rights Commission.
4. Contact the police if needed: if you're in immediate danger or being threatened with violence, call the police right away at 000

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5. Can I go from being a casual worker to a permanent worker?

If you want to go from being a casual employee to being a full time or part time worker this is called **casual conversion**.

Your boss is required to offer you casual conversion if:

- You've been working there for at least 12 months
- For the past 6 months, you've been working a regular schedule of hours and
- You can keep working those hours without any big changes if you become a full-time or part-time worker.

However, if your boss is a 'small business employer' with less than 15 employees (not including casual workers, unless they work regular hours), they are not required to offer you casual conversion. You can still ask to have this conversation after you've worked for 12 months, but your boss won't have to say yes if it's a small business.



If you're eligible for casual conversion, your boss must offer it to you within 21 days of your 12-month work anniversary. If they don't, they have to explain why in writing.

If you decline their offer, you can ask again every 6 months.

If you work for a small business and ask for casual conversion, your employer has 21 days to respond in writing. If they do not offer you a permanent position, they must tell you why not. Reasons for this may include:

- Your position won't exist
- Your hours of work will significantly reduce or
- Your days or times of work will significantly change, and that can't be accommodated within your available days or times for work.

If your employer refuses to offer you casual conversion after you've requested it, you can dispute this with the [Fair Work Commission](#) if you think their refusal is not justified.

If you are part of a union, you can ask your union representative for advice on next steps and they may be able to give you advice and assistance to deal with the issue.

If you are not part of a union, you can also contact organisations such as the [Young Workers Centre](#) for confidential legal advice before bringing a claim against your employer.

If you're offered a permanent full-time or part-time job, you must reply within 21 days. If you don't, your boss might think you declined.

Once you accept, your boss should talk to you about whether you'll be full-time or part-time, your new hours, and when you'll start. They need to confirm this in writing within 21 days of your acceptance.

Your boss can't cut your hours or fire you to avoid accepting casual conversion.

If you have a disagreement with your boss about this, you can get help from the [Fair Work Commission](#).

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6. What happens if I get injured at work?

The law protects your health, safety and well-being at work.

When you're working you must:

- Be careful about your own health and safety
- Look out for others' health and safety too
- Follow any safety instructions your employer gives you and
- Follow all the safety rules your employer has in place.



You have the right to work in a safe place. This means you should have safe equipment and training on how to work safely.

Workers compensation

If you're hurt at work, you may be able to receive money from your employer's insurance to help with the injury. This is called 'workers compensation'.

Injuries can be physical or psychological. With workers compensation, you can get money to cover lost wages and medical expenses. Even if you're an unpaid intern, volunteer or apprentice you might still be eligible.

Note – YouthLaw cannot give advice on these types of issues, which are also known as 'personal injury.' However, if you experience an injury at work, you get more information from the [WorkSafe Victoria](https://www.worksafe.vic.gov.au/) website.

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7. Using the Fair Work Ombudsman Website/Checking Entitlements and Payrates

It is important to make sure you are being paid correctly and you are receiving your entitlements as set out by the law.

The Fair Work Ombudsman's website has a Pay and Conditions Tool (PACT) which will help you know which industry award applies to your job so you can find out what you should be getting paid.

If you find that you are not being paid correctly by your employer, you can take the following steps:

1. First, you should bring this issue up to your employer to see if this matter can be resolved internally or is occurring by mistake. For more information on how best to do this, please refer to this [website](#).
2. If you have already raised this issue with your employer and they still refuse to pay you and you are a union member, you should contact your union representative for expertise and advice. If you are not part of a union, you can also contact organisations such as [Young Workers Centre](#) and [Youth Law Australia](#) for confidential legal advice before bringing a claim against your employer.
3. From here, you can make a [complaint to the Fair Work Ombudsman](#) for unpaid wages.

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8. What happens if my employer contacts me outside of my work hours?

The 'Right to Disconnect'

It is important you have a healthy work-life balance. The law protects your right to switch off after work – this is called the '[right to disconnect](#).'

If your boss contacts you outside of your work hours, you do not have to respond until you are working again.

Contact from your boss or workplace can include the following:

- Telephone calls
- Text messages
- Emails
- Messaging services such as WhatsApp, Microsoft Teams, Zoom etc.

As long as your choice not to reply to your boss is **reasonable**, they cannot discipline you or punish you.

If you are a **casual** or **shift worker** and your boss contacts you asking to change your start time or they are asking you to work an extra shift, this **is** reasonable, and you should respond to your boss as soon as you can.

The right to disconnect protects employees of organisations which have 15 or more employees. However, employees of small businesses (with less than 15 employees) will have the right from 26 August 2025.

If you need help deciding if your boss contacting you outside of work hours is reasonable, please contact YouthLaw.

If an issue regarding the right to disconnect cannot be resolved within a workplace, the [Fair Work Commission](#) can become involved and has certain powers for example, they can order a workplace to stop contacting an employee outside of their normal working hours.

Where to get help

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9. What is a union?

What is a union?

A union is an organisation made up of people who all work in similar industries or do similar types of jobs. Unions are separate to the company and protect workers.

Employees who join unions are called union members. Unions can give members independent advice about their rights at work and help when they have an issue at work like being bullied or underpaid. Unions also negotiate on behalf of workers for better working conditions and pay.



When you start a job, you might be given information about joining the union from a coworker or the company. If no one gives you information, you can find what union will cover your job through searching online.

Everybody has the right to join a union, but it's not compulsory.

If you decide to join a union, you will pay a regular fee to the union called "union dues." This money pays the people who work at the union helping members with their workplace problems.

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