



# Fair Work fact sheet #9



## National Employment Standards

Under “Workchoices” basic employment rights were slashed to a handful of minimum conditions. Workers lost entitlements and take home pay. Many workers were forced to choose between dodgy non-union agreements or cop the minimum conditions. New starters were told to “take it or leave it”, or you don’t get the job.

The “Your Rights at Work” campaign got rid of “Workchoices” and paved the way for the Fair Work Act.

Under the Fair Work Act, your basic employment conditions have been restored and improved.

You can bargain above the minimum standards, but you cannot fall below the new improved safety net.

### Introduction to National Employment Standards (NES)

From 1 January 2010, employees now receive more protection, benefits and entitlements than under Work Choices.

Under the new Fair Work Act (FWA) you now have ten basic rights that are protected by legislation via National Employment Standards (NES). The NES is the new safety net – minimum standard of conditions provided to you. These include:

- Maximum weekly hours of work (average of 38 hours full-time per week)
- Your ability to request for flexible working arrangements
- Parental leave and related entitlements (up to 12 months unpaid with possible extension for another 12 months unpaid)
- Annual leave (4 weeks paid annual leave plus an additional week for shift workers)
- Personal, carer’s leave and compassionate leave (12 days paid, 2 days unpaid)
- Community service leave (up to 10 days paid for jury service)

- Public holidays (a paid day off for all national and state public holidays)
- Notice of termination and redundancy pay (up to 4 weeks notice of termination and up to 16 weeks redundancy pay respectively, according to years of service)
- Provision of a Fair Work Information Statement by employers to you.

### Who does this apply to?

The NES will apply to you if you are covered by the national workplace relations system. This means that if you are a full or part-time employee and work for a sole trader, partnership, corporation (or related entities including Pty Ltd, Limited, unincorporated and non trading companies), the Commonwealth Government agency/authority, the NES will apply to you.

### Contact us

For more information on any of these topics, please see the other United Voice fact sheets. If you are unsure or require further advice, please contact your union delegate or call United Voice Member Assist on 3291 4600 or 1 800 065 885 outside of the Brisbane area. Alternatively you can now lodge a request for information or assistance at [www.memberassist.org.au](http://www.memberassist.org.au)

