



Special Edition - February 2010

Fair Work Information Statement

As from 1 January 2010, all employers covered by the national workplace relations system have an obligation to give each new employees a Fair Work Information Statement before, or as soon as possible after, the employee starts employment. The new employee's right to receive the Statement is one of the 10 minimum standards in the National Employment Standard (NES) which now apply to the employment of employees.

This statement may be given to an employee as follows:

- giving it personally to the employee;
- sending it by pre-paid post to the employee's residential address or a postal address nominated by the employee;
- sending it or an electronic link to the page on the Fair Work Ombudsman's website where the statement is located, to the employee's email address at work or to another email address nominated by the employee;
- faxing it to the employee's fax number at work, fax number at home or another fax number nominated by the employee; or
- another method in which case the employer will need to ensure that this meets the requirements to give the Statement to the employee (e.g. by courier, where there is a signed acceptance by the employee of receipt of the statement).

If the employer employs the same employee more than once in any 12 month period and gave the statement to the employee when he or she commenced employment the first time then there is no requirement to give the statement more than once in the 12 month period. An employer who does not give the Statement to a new employee before or as soon as possible after the employee starts employment contravenes the terms of the NES. Significant penalties are imposed for failing to give the Statement to a new employee.

A copy of the Fair Work Information Statement is attached to this newsletter for ease of reference.

If you have any queries concerning the Fair Work Information Statement or the Fair Work legislation, please contact Michael Kobras.



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