**Workplace Requirements – Task Book 4**

**Legal Requirements for employers & employees in the workplace**

**Work Safety and Health legislation**

* Employers must
	+ Provide adequate training & information so employees know how to operate equipment correctly & safely
	+ Provide a safe workplace - Identify hazards and risks and eliminate or control risks - if unable to must provide PPE
	+ Provide a safe system of work
	+ Provide supervision
	+ Consult with employees
	+ Provide amenities e.g., clean toilets, lunch area
	+ Provide first aid facilities and personnel
	+ Provide for emergencies
	+ Ensure OH&S committee members and representatives are trained
* Employees must
	+ Follow correct protocols in the workplace for their & others’ safety
	+ Report hazards
	+ Wear PPE as required
	+ Take responsible care of the health and safety of people who are at the workplace
	+ Co-operate with employer and other people in the workplace
	+ Notify the employer or supervisor of any risk to health or safety
	+ Not to interfere with or misuse workplace equipment or things provided for health, safety and welfare
	+ Not to hinder aid to an injured worker
	+ Not to refuse assistance in either receiving aid or giving aid
	+ Not to disrupt the workplace by creating health and safety fears

**Equal Opportunity legislation**

* Protects against workplace discrimination & harassment
* Educates regarding equal opportunity
* Investigates instances of discrimination/harassment – provides a vehicle for redress of discrimination

Equal opportunity means that all people should be given the same changes to succeed regardless of sex, disability, race, age, sexual preference, religion, criminal record, trade union activity, political opinion.

Australia has national and state laws which cover equal employment opportunity & anti-discrimination in the workplace. These laws require people to create a workplace free from discrimination & harassment. It’s important that both employers & employees understand their rights & responsibilities under human rights & anti-discrimination law. Workplace productivity & efficiency are improved through effective anti-discrimination & anti-harassment procedures.

The Australian Human Rights Commission is the federal organisation while in WA we have the Equal Opportunity Commission. The Fair Work Ombudsman also provides education & assistance for employees & employers on preventing discrimination in the workplace.

**National Standards for Employment**

As of January 2010, the National Employment Standards (NES) make up a new safety net for employees covered by the national workplace relations system. The NES are set out in the *Fair Work Act 2009* and comprise 10 minimum standards of employment. Below is a summary of each standard, the NES involve the following minimum entitlements:

* **Maximum weekly hours of work** – 38 hours per week, plus reasonable additional hours.
* **Requests for flexible working arrangements** – an entitlement allowing employees in certain circumstances as set out in the *Fair Work Act 2009* to request a change in their working arrangements because of those circumstances.
* **Parental leave and related entitlements** – up to 12 months unpaid leave per employee, plus a right to request an additional 12 months unpaid leave, plus other forms of maternity, paternity and adoption related leave.
* **Annual leave** – four weeks paid leave per year, plus an additional week for certain shift workers.
* **Personal/carer’s leave and compassionate leave** – 10 days paid personal/carer’s leave, two days unpaid carer’s leave as required, and two days compassionate leave (unpaid for casuals) as required.
* **Community service leave** – unpaid leave for voluntary emergency activities and leave for jury service, with an entitlement to be paid for up to 10 days for jury service.
* **Long service leave** – a transitional entitlement for employees as outlined in an applicable pre modernised award, pending the development of a uniform national long service leave standard.
* **Public holidays** – a paid day off on a public holiday, except where reasonably requested to work.
* **Notice of termination and redundancy pay** – up to five weeks notice of termination and up to 16 weeks severance pay on redundancy, both based on length of service.
* **Provision of a Fair Work Information Statement** – must be provided by employers to all new employees.

**Impact of Information Communication Technologies (ICT) on the operational practices of workplaces**

* Rapid and constantly changing – dynamic nature
* Pervasive throughout most industries
* Facilitates globalisation and is facilitate by globalisation
* Changing nature of workforce composition – capital intensive rather than labour intensive workplaces
* Expectations of cutting edge technology
* Impacts on competitive nature of business – how do you compete if you don’t use latest technology

**Social media**

* Blurring boundaries between work and leisure life
* Opportunities for networking
* Procrastination/distraction at work – impact on workplace productivity
* Operational costs not incurred by employer – eg Facebook glitches fixed by Facebook not your employer
* Operation of social media platforms kept current as they operate for profit & must keep improving to remain competitive
* Potential for workplace bullying/harassment/discrimination

**Mobile technologies**

* Ties in with flexible workplaces/practices
* Ability to work from home, or at least not have to be in an office – eg. Real Estate salespeople multitask during home opens with updating websites, emailing clients etc, Trades people able to use time more efficiently by using smartphones and not having to return to office
* Impeding on work/life balance as never fully able to switch off from work

**High speed internet**

* Clients become accustomed to immediacy – lose clients if internet slow
* Increased pressure as expectation of immediacy

**Role of efficiency, productivity & sustainability in assisting businesses to become more globally competitive**

Efficiency – allocating resources to their best possible use to get the most out of them

Productivity – the amount of work (eg production of a good or service) that is able to be achieved in a set time frame. Getting as many outputs as possible from set inputs

Sustainability – being able to maintain level of production/output over the long term (avoiding burnout, stress, boredom, etc)

**PROFIT** – to become more globally competitive a business aims to decrease its production costs, increase its output and be able to maintain this ratio long term. In order to achieve this the business should allocate each of its resources so it achieves maximum gain from them (no resources are underutilised or wasted – this might involve up skilling workers to get more from them). Production processes should be streamline to get more out of inputs. Ensure sustainability by – not overtaxing workers, rewarding them so they don’t get burnout; using sustainable practices, not depleting necessary resources at a non replaceable rate.

The more a business can operate efficiently and productively the more globally competitive they will be. Their operating costs will be lower per unit of production which means they have the opportunity to decrease their sales price (making them more attractive to consumers) &/or experience higher profits.

**Importance of research & product development in assisting businesses to remain competitive in a global economy**

* Globalisation = trade liberalisation (removal of trade barriers & their protection to local businesses).
* MNC experiencing new opportunities for growth due to globalisation & its subsequent removal of protection.
* Increasing global competition means research & development crucial to the continuing global competitiveness of organisations.
* Foreign rivals with substantial financial resources, advanced technology, superior products, powerful brands, seasoned marketing & managerial skills, business need to R&D to find a competitive edge against their global competitors.
* R&D not always about NEW products, also about improving existing ones.
* Innovation through R&D crucial in sustaining competitiveness & improving productivity. Eg. Machinery to transform labour intensive manufacturing to capital intensive which can run all night.
* Dynamic economy means companies can’t just sit back and bask in past successes but must constantly adjust to changing circumstances in order to maintain their competitive edge.
* Ties in with culture of continuous improvement – otherwise organisations risk becoming outdated/obsolete

**Benefits of R&D**

* Increased productivity – eg discovering improved production processes
* Increased efficiency –eg finding ways of getting more from existing resources –up skill existing workforce
* Developing capability
* Developing new, novel products & services or improving current ones
* Ensuring long term sustainability of business through making the business responsive to consumer trends & improved technology

**Social justice, financial, cultural & ethical issues of global businesses**

* ICT ensures we have the ability to be aware of how businesses operate and to make informed decisions about purchasing from unethical businesses.
* Use ICT & social media to pressure positive change in unethical businesses

**Fair trade**

* Fairtrade is about stable prices, decent working conditions and the empowerment of farmers and workers around the world
* Chocolate example

**Environmental compliance**

* **Environmental Compliance means** conforming to **environmental** laws, regulations, standards and other requirements such as site permits to operate. In recent years, **environmental** concerns have led to a significant increase in the number and scope of **compliance** imperatives across all global regulatory environments.
* Bauxite mining example
* Vietnamese fish example
* Disposal of industrial waste example

**Unethical work practices – sweatshops, child labour, forced labour**

* Bangladesh textile workers example
* Chocolate example – machetes, child slavery
* Modern day slavery article from Time magazine
* Dubai – passport Asian workers example

**Factors to consider when working overseas**

* Caution & healthy dose of suspicion.
* Do your research from reliable sources & be careful who you trust.

**Cultural differences**

* Potential misunderstandings – language barriers
* Tripadvisor, Lonely Planet, Government websites, social media, word of mouth (friend who’s been there) – do your research so you don’t inadvertently offend another culture
* Importance of verbal & non verbal cues/understanding – eg. Japanese example
* Expectations differ – roles differ

**Conditions of employment**

* RESEARCH – **make sure you know what you’re getting into** – employment conditions differ between countries – different laws – be careful if trying to avoid tax that you don’t end up being exploited or in jail. – eg example 7/11 pay expose
* Read contract carefully, be sure to understand what you are agreeing to – pay, hours, conditions, roles/duties
* Get your contract in writing
* Make sure it is a legitimate job with a reputable company –eg. European trafficking example, withholding of passports in Dubai example
* Check that you have the required qualifications or what training will be provided for you
* Check about if your relocation is paid for
* Check on safety conditions and any past issues that organisation has had
* Australia has strict laws about pay & conditions that are not the same everywhere – do your research!
* Register with government organisation – SmartTraveller
* Check you are on the right Visa – potential jail if not