

# WORKPLACE FACTS & FIGURES

2023/2024



## ABOUT BARTIER PERRY

At Bartier Perry, we believe in helping workplaces work and business and people prosper. We understand that giving you the best advice and guidance to navigate the challenges of employment and industrial relations is important to your success.

This booklet is a small step in giving you ready access to some of the key facts and figures you may need when dealing with employment matters.

The Partners in our Workplace Law & Culture team are pictured at the back of this booklet. We'd love to hear from you.

## MINIMUM WAGE



**\$882.80** (\$23.23/hr)

The national minimum wage for non-award employees, or those who are not covered by an enterprise agreement, increased on 1 July 2023 from \$812.60 to **\$882.80 a week** (based on 38 ordinary hours worked), or from \$21.38 to **\$23.23 an hour**.

The **casual loading** remains at 25%.



**5.75%**

Modern award minimum wages rates increased by 5.75% payable in the first full pay period after 1 July 2023.

## UNFAIR DISMISSAL CAP



**\$167,500**

The **"high income threshold"**, which is relevant for access to the Federal unfair dismissal jurisdiction for non-award or enterprise agreement covered employees, increases from \$162,000 to **\$167,500 a year**.



**\$83,750**

The **compensation cap** on compensation for unfair dismissal increases from \$81,000 to **\$83,750**.

## SUPERANNUATION



**11%**

The minimum superannuation guarantee rate is up from 10.5% to **11%**. An increase to 11.5% is scheduled for 1 July 2024.



**\$62,270**

The **maximum contributions base** for superannuation has risen from \$60,220 to **\$62,270 per quarter** (or \$269,080 per annum).

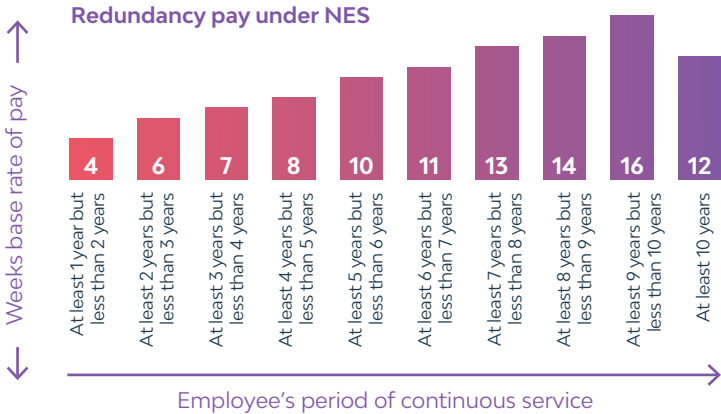
# NOTICE/REDUNDANCY

## Minimum NES notice scale

**Minimum statutory notice** based on employee's period of continuous service with the employer:



Increase the period by 1 week if the employee is over 45 years old and has completed at least 2 years of continuous service.



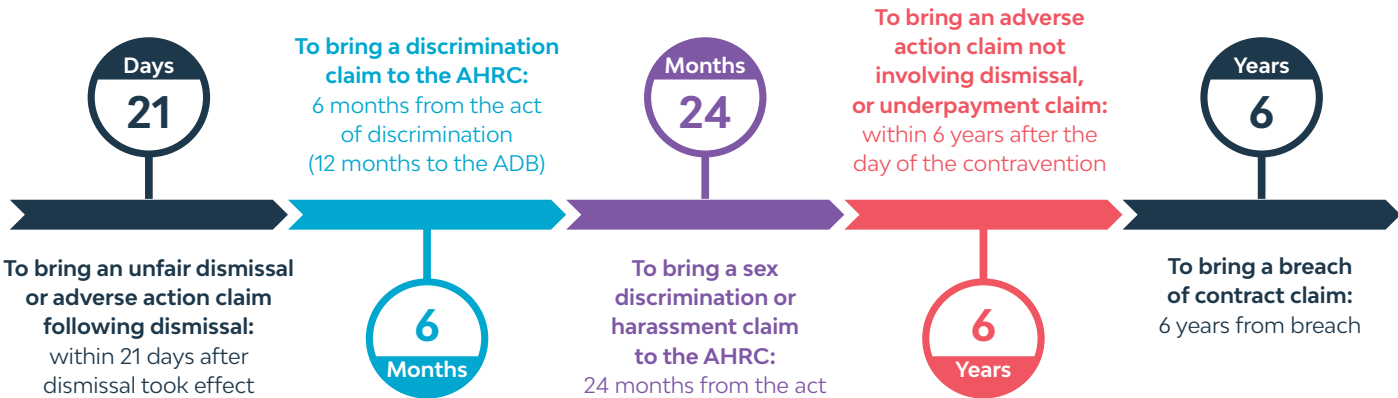
Length of service will be deemed to commence on 1 January 2010 for the purposes of redundancy, unless the employee had an entitlement to redundancy before 1 January 2010.

## Tax treatment for redundancy pay

For **2023/2024**, the tax-free component for genuine redundancy payments is **\$11,985** plus a further **\$5,994** is tax free for each subsequent completed year of service.

# STATUTORY TIME LIMITS

## Time limits for bringing claims



# PENALTIES

Under the FW Act (as at 1 July 2023)

|  |   |
|--|---|
| <b>CORPORATION</b><br>up to <b>\$93,900</b> per contravention or <b>\$939,000</b> for serious contraventions | <b>INDIVIDUAL</b><br>up to <b>\$18,780</b> per contravention or <b>\$187,800</b> for serious contraventions |
|--|---|

Under the WHS Act (NSW) (as at July 2023)

|             | <b>CATEGORY 1:</b><br>Reckless and risk of death/serious injury | <b>CATEGORY 2:</b><br>Risk of death/serious injury | <b>CATEGORY 3:</b><br>Breach of duty |
|-------------|---|--|--------------------------------------|
| INDIVIDUAL  | \$399,479 or five years prison (or both)                        | \$199,451  | \$66,291                             |
| OFFICER     | \$798,383 or five years prison (or both)                        | \$399,479  | \$133,159                            |
| CORPORATION | \$3,992,492   | \$1,996,246  | \$665,223                            |

A ‘serious contravention’ requires the person to knowingly contravene the provision with conduct that is part of a systematic pattern of conduct relating to one or more persons.

# ENTERPRISE AGREEMENT TIME FRAMES



\*NERR is Notice of Employee Representational Rights. \*\*BOOT is Better Off Overall Test.

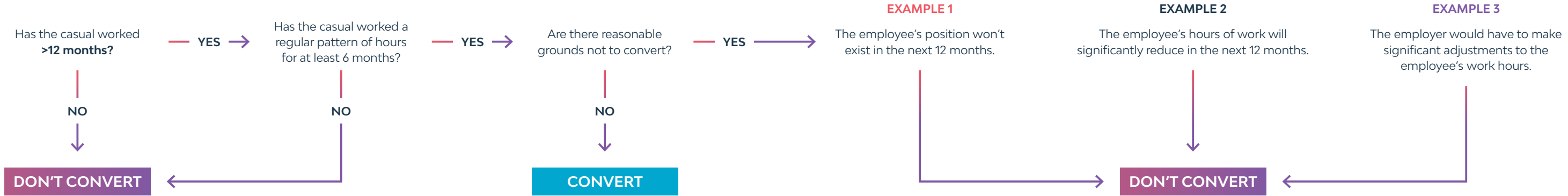
# STATUTORY LEAVE ENTITLEMENTS

|                                      |  |
|--------------------------------------|--|
| Annual leave                         | 4 weeks paid per year (or 5 weeks for some shiftworkers) (or pro rata for part-time employees)     |
| Personal/carers leave                | 10 days paid per year (or pro rata for part-time employees)  |
| Compassionate (or bereavement) leave | 2 days paid for each permissible occasion (or unpaid for casual employees)                         |
| Community service leave              | Unpaid for voluntary emergency management activity e.g. SES  |
| Jury service leave                   | 10 days paid (less the court's pay); unpaid leave for the remainder of jury service                |
| Family and domestic violence leave   | 10 days paid per year  |
| Long service leave (NSW)*            | 2 months paid leave after 10 years continuous service with 1 month's leave each subsequent 5 years |
| Maternity and Parental leave         | 12 months unpaid with ability to request additional 12 months                                      |

\*Long service leave entitlements vary from state to state.

# CASUAL CONVERSION

Other than small business employers, employers need to make a written offer to convert casual employees within 21 days of 12 month working anniversary:



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# WORKPLACE LAW & CULTURE TEAM

With Accredited Specialists in Employment and Industrial law, the Workplace Law & Culture Team provides expert support for your business and HR personnel.

**Helping workplaces work and people and business prosper.**



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