

Sadia是临时雇员还是永久雇员？

Sadia在一家工厂里工作了13年。她的老板称她为“临时雇员”。她每周工作5天，每天8小时。Sadia在休病假时得不到工资，她也没有带薪年假。Sadia没有任何书面文件证明她是这家工厂的员工。

Sadia能做什么？

因为Sadia已经每周5天地工作了这么久，很可能她已经是“永久”雇员了。这意味着她在生病时和休假时应该得到工资。

因为Sadia在这家工厂工作13年了，她也该得到带薪年假的长期服务休假。也就是说雇主应该让您带薪年假。通常您在某处工作了10年就能休这个假。

根据法律您的雇主不需要给您一份书面合同但是您应该能得到工资单。如果您的雇主拒绝给您工资单您就可以向公平工作申诉专员投诉。

您可以通过拨打13 13 94向公平工作申诉专员就无薪休病假、假期期间的工资和长期服务休假进行投诉。

从本应付给您的工资的日期起算，您在法庭上有6年的时间去索回工资。



PHOTO CREDIT: Goran Bogicevic / Shutterstock.com

您可以从以下机构获得免费法律援助：

Kingsford法律中心——请拨打9385 9566或1300 722 795

新州法律援助——www.legalaid.nsw.gov.au 或致电法律资讯

法律资讯——请拨打1300 888 529，如果您有听力或语言上的障碍，请拨打1300 889 529



Women at work

Never Stand Still

Law

Kingsford Legal Centre

IS SADIA A CASUAL OR PERMANENT EMPLOYEE?

Sadia has worked in a factory for 13 years. Her boss calls her a 'casual employee'. She works 5 days a week, 8 hours per day. Sadia doesn't get paid when she takes time off when she is sick and she does not get any holiday pay. Sadia doesn't have anything in writing that says she's an employee of the factory.

What can Sadia do?

Because Sadia has worked for 5 days per week for so long, it is likely that she is a 'permanent' employee. This means that she should be paid when she is sick or when she has a holiday.

As Sadia has worked in the factory for 13 years, she should also get paid long service leave. This is when your employer pays you to have time off work. This usually happens if you have worked somewhere for 10 years.

Under the law your employer doesn't have to give you a written contract but you should get payslips. If your employer refuses to give you payslips you can complain to the **Fair Work Ombudsman**.

You can make a complaint about not being paid sick leave, holiday pay or long service leave with the **Fair Work Ombudsman** on 13 13 94.

You have **6 years** to claim your money in court from the date it should have been paid to you.



PHOTO CREDIT: Goran Bogicevic / Shutterstock.com

You can get free legal help from:

KINGSFORD LEGAL CENTRE – Call 9385 9566 or 1300 722 795

LEGAL AID NSW – www.legalaid.nsw.gov.au or call Law Access

LAW ACCESS – Call 1300 888 529 or 1300 889 529 if you are hearing/speech impaired

