

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.



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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

