
3 FORMS FOR NEW EMPLOYEES ON COMMENCEMENT OF EMPLOYMENT

A Network SA Resource for Children's Services November 2011

Information for employers re: new employee

- Have you given them a Fair Work Information Statement?
- Is the PAYG Withholding Tax Declaration Form you are using the latest version?
- Are your employees able to choose their super fund, if so, have you given them a Choice of Super Fund form?

There are 2 – 3 forms which must be given to all new employees on commencement of employment.

1. Fair Work Australia

From 1 January 2010, all employers covered by the national workplace relations system have an obligation to give each new employee a Fair Work Information Statement (the Statement) before, or as soon as possible after, the employee starts employment.

Link to the Fair Work Information Statement:

<http://www.fairwork.gov.au/FWISdocs/Fair-Work-Information-Statement.pdf>

2. Australian Taxation Office

PAYG withholding tax declaration needs to be completed before an employee receives payment from the employer.

This form must be obtained by ordering it online or by obtaining a copy from a Newsagent

The ATO website online ordering link:

<http://www.ato.gov.au/corporate/content.aspx?doc=/content/34875.htm>

The ATO website has a sample of the form (not to be printed and used) and can be viewed at the following link:

http://www.ato.gov.au/content/downloads/OPS6360_nat3092_SO.pdf

3. Superannuation guarantee levy – new and existing employees

Are you aware that an employee may be able to choose their own super fund and not just from those listed in the Modern Award? If so, you must provide them with a

standard choice form within 28 days from the day they started working for you. Are you also aware existing employees may be able to change their choice of superfund?

Often employers are not sure if they have to give their employees a choice of fund. Information regarding the employer's superannuation obligations can be viewed at the following link:

Link to Choice of Super Fund – meeting your obligations:

<http://www.ato.gov.au/businesses/content.aspx?doc=/content/00108082.htm&pc=001/003/090/007/002&mnu=0&mfp=&st=&cy=>

The following link will allow you to print off the Choice of super fund form:

<http://www.ato.gov.au/content/downloads/SPR56761NAT13080.pdf>

This is an extract from the ATO publication regarding who is eligible to choose a super fund.

Who is eligible to choose a super fund?

Your employee can generally choose their super fund if they are:

employed under a federal award
employed under a former state award, now known as a 'notional agreement preserving state award
employed under another award or agreement that doesn't require superannuation support, or
not employed under any state award or industrial agreement (including contractors paid principally for their labour).

Who is not eligible to choose a super fund?

Your employee may not be eligible under the superannuation guarantee to choose a super fund if:

you pay superannuation for them under a:

state industrial award
preserved state agreement
federal industrial agreement such as an Australian workplace agreement (AWA)
pre-reform AWA, pre-reform certified agreement, collective agreement
old IR agreement, individual transitional employment agreement (ITEA)
workplace determination, or enterprise agreement (these are defined terms in Federal industrial relations law); or

They are in a particular type of defined benefit fund or they have already reached a certain level in a defined benefit fund.

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