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Welcome to our September Newsletter

Spring is here! So take this time to:

- Review your policies and see that they are in order; and
- What about your employee leave entitlements are they correct and up to date?
- If you need help don't hesitate to contact us.

CMS staff have again had a busy month. Susan, Neale and Anne spent two days in Townsville and visited around 6 members as part of one of our Roadshows. Susan also did a trip out to visit some members in Charters Towers.

We had a few cases in Fair Work Commission on General Protections and we had good results for our members.

A few of our members have taken up our WH&S Audit Service, so if you are interested please contact us for more information, it is always good to have this done every couple of years.

Fair Work Commission handed down a few decisions this month, updated annual leave conditions were inserted into most modern awards and just recently there were some changes to time in lieu (TOIL) provisions under some awards. If you didn't receive the notice we sent out please contact us.

To our P&C members, the new award was released on the 31st August 2016, it is effective from the 1st September 2016. CMS will be running various education seminars and webinars on this new award keep an eye out for these notices.

If you have a question or a situation with employees that you are not sure about, please do not hesitate to contact us, we are here to help you!

Until next month. Happy reading!

Attention all P&C Associations - 2016 Queensland State Wage Increase

The Queensland Industrial Relations Commission has handed down its decision in relation to the State Wage Increase for 2016.

The decision allows for the following increase in State Awards for employers/employees still under the Queensland State Industrial Relations system.

Effective from the 1st September 2016, all Award wages and monetary allowances will increase by **2.4%** per week.

Pay rate sheets have been emailed out to all members and are available on the Community Management Solutions website

<http://www.cmsolutions.org.au>

Now the new P&C Award has been released there will be a second pay rate sheet sent out to all Members and Award Service Subscribers with the updated classifications.

If you have any questions or require any further information please do not hesitate to contact the CMS team on 07 3852 5177 or 1300 007 110.



Leave without pay

CMS receives many enquiries regarding what to do with employee requests for leave without pay which are for reasons other than those permitted by legislation such as carer's and parental leave and community service leave.

Some of the reasons provided for wanting non-statutory leave without pay are:

- Extended travel;
- Visiting family overseas;
- To recuperate from a non-work related illness or injury.

None of the above have a statutory obligation for the employer to approve the leave. CMS recommends that each request be decided on the individual merits, taking into consideration the following:

- Impact on the business operations;
- Benefit to the business; and
- Any special considerations e.g. length of employment, previous leave.

It is rare for non-statutory leave without pay to be prescribed by an award or enterprise/certified agreement, and is not generally provided under the terms of a contract of employment.

Non-statutory leave without pay is an unpaid leave of absence from employment authorised or consented to by the employer and is usually granted at the complete discretion of the employer.

Leave without pay is mainly granted to a full-time employee with a reasonable length of service with the employer, for the above reasons when all other available paid leave has been exhausted.

The employer has no right to send an employee on leave without pay unless otherwise provided by the applicable award, enterprise / certified agreement or the terms of the contract of employment.

Should you be in doubt of your responsibilities regarding such a request please do not hesitate to contact CMS on 07 3852 5177 or 1300 007 110.

Let CMS look after the finances

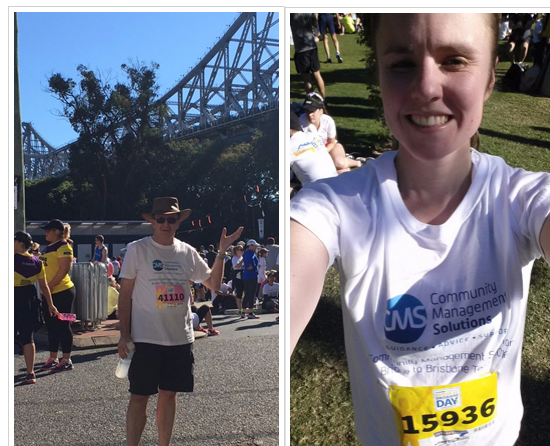
Over the past 5 years we have had more and more members asking us to help with aspects of financial management. It helps take the pressure off Treasurers (making it easier to recruit and keep one!) and provides a level of comfort to the Committee that all the right processes are being followed.



For every member we tailor a solution to suit your specific needs. For some we simply process timesheets and make sure staff are paid, for others we include processing of Super payments and leave calculations and we also provide full bookkeeping services including producing reports for committee meetings.

So call us today on 07 3852 5177 or 1300 007 110 to get a quote today!

Bridge to Brisbane



We would like to congratulate the CMS team that took part in the Bridge to Brisbane Fun Run Sunday, 28th August 2016. Enjoyable day had by all that attended and they look forward to beating their times next year.

Overtime vs Extra Time

What is overtime?

Overtime is when an employee works extra time. This can include work done:

- beyond their ordinary hours of work;
- outside the agreed number of hours; or
- outside the spread of ordinary hours.

The spread of hours is the times of the day ordinary hours can be worked e.g. between 7.00 am to 7.00pm.

When overtime applies

An award, enterprise/certified agreement will set out when overtime rates apply.

Overtime is requested by the employer and is not usually at the discretion of the employee. CMS recommends that the employment contract should contain a condition of employment, in which the employee is to seek prior approval before working extra hours. In general, if approval is not sought or the overtime is not requested by the employer and unless evidence can be provided of the necessity and efforts to seek approval, the employer may refuse a request for overtime payments.

For permanent employees the hours of work clause in the contract of employment will provide the agreed number of hours of work per week and the times within which the hours must be worked. Casual employees will be requested to work when required and notified at the time of engagement the duration of the shift.

What to do if you currently have an employee working additional hours of work and claiming overtime?

Are these additional hours of work necessary e.g. has the job requirements substantially changed or is the employee covering for employees on approved leave or has nothing changed within the position;

- If the job requirement have substantially changed due to an increase in business or legislative requirements, contracted hours of work may no longer be adequate for the position and new hours of work may need to be negotiated with the employee. Should the employee be a full-time employee, it may indicate a need for additional staff to meet growth of the business.
- If additional hours are being worked because other staff are on approved leave and it is for a significant period of time you should consider bringing in relief staff to back-fill the positions. As the employer you must consider the health and safety aspects that arise from working extra hours e.g. fatigue, effectiveness.
- In the event that the requirements of the job have not changed then you may need to consider:
 - what other elements in the workplace may be distracting the employee for their duties e.g. constant interruptions;
 - are they effectively managing their time;
 - were they allocated enough hours initially for the work being expected;
 - are they competent to do the work i.e. do they have skills and ability to do the work; and
 - are there any external factors which may be impacting on the ability do their work?

All of the above should be considered and discussions held with the employee to determine what if any issues need addressing from the contract of employment and agreed conditions of work.

Once the above issues have been addressed and hours of work agreed, overtime should not be paid unless prior approval is given or overtime is requested by the employer.

An employee who attends work early and stays back late of their own volition does not automatically qualify for overtime payments.

CMS recommends that in addition to a clause in the employment contract, employer should have policy around the working of extra hours of work/overtime and that all employees should be made aware of this at the time of their commencement.

If you would like more information or have any questions please call the CMS team today on 1300 007 110.



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Have you checked your tax status

Now is a good time to check your tax status to ensure that it is correct and if it isn't then set about rectifying it. Firstly check the Australian Tax Office (ATO) LOOKUP website



<http://www.abr.business.gov.au>

Check out this website using your organisation ABN and ensure it has:

- income tax exempt
- GST
- FBT
- Tax deductible building Fund (if applicable)

We recently assisted a member organisation who was receiving letters of demand from the ATO because of un-lodged income tax returns. This as you can imagine caused them significant angst. Upon investigation by us (checking the abnlookup website) we discovered that while they were a genuine not for profit – somewhere along the line they hadn't actually requested or applied for the relevant exemptions that apply to most not for profit organisations, i.e. income tax exemption, GST concession, FBT rebate. Some not for profits may also have an approved tax deductible building fund as well.

The organisation was able to sort the matter out only after a lot of effort and assistance from us, mainly because those listed with the ATO as contacts for the organisation had long gone.

So check the ABNLOOKUP website for your organisation to ensure your organisation has the appropriate tax concessions it is entitled to. And if you did not complete an ATO change of registration details form (NAT2943) to update contacts for your organisation in recent times (it is a good idea to do this each year after your AGM) now would be a good time to do so, otherwise if your need to discuss matters with the ATO, it will be a whole lot more difficult

<http://www.ato.gov.au/Business/Registration/Update-your-details/>

If you would like more information or have any questions please call the CMS finance team today on 1300 007 110.

Do you need help managing return to work for injured employees?

CMS can now offer our members a new service managing return to work for injured employees.



Our Return to Work (RTW) Coordinators manage and communicate with the injured worker, the employer, medical providers and all other relevant stakeholders. Our RTW Coordinator will ensure that all parties understand and recognise the employment goal.

A RTW Coordinator is a legislative requirement in QLD (for information applicable to other states please contact CMS) for employers who:

- Employ in high risk industries and paid wages of more than \$3,787,940 in the previous financial year; or
- Employ in other industries and paid wages of more than \$7,575,880 in the previous financial year.

For employers who do not meet these requirements, a RTW Coordinator is still useful to:

- Reduce the time lost due to workplace injuries and in turn minimise the impact claims have on the employer's workers compensation policy.
- Facilitate a positive return to work environment.
- Reduce the stress placed on managers and volunteer boards.
- Apply best practice in the return to work field.

The RTW Coordinator role is designed to identify strategies and steps that have clear focus on returning the injured worker to safe and suitable employment.

The RTW Coordinator service may include the following:

- Assessment of initial needs.
- Recommendations that will consider medical, vocational and other workplace factors.

- Consistent and regular communication between the employer, employee, practitioners and others who are involved.
- Establishment of a suitable graduated return to work program with regular onsite monitoring and review.
- Regular meetings to review progress.
- Outline of rights and responsibilities, and guidance on the workers compensation scheme.

If you have an employee who is off due to a work or non-work related injury our CMS RTW Coordinator can manage the process of the employee's return to work and ensure a smooth transition back into the working environment.

If you would like more information or have any questions please call the CMS team today on 1300 007 110.

Budgeting for the following year

Normally around this time of year a lot of our members would be in the process of, or thinking about developing their budget for their next financial year.



The preparation of your budget and the subsequent process of review and control is a crucial management tool for the committee and all members of the organisation.

As part of our online Committee Toolkit, we have outlined some guiding steps for this very important process.

<http://www.cmsolutions.org.au/committee-toolkit>

If you need any further information or have any questions in relation to your budget please do not hesitate to contact our finance team on 07 3852 5177 or 1300 007 110.

CMS are now on Twitter

CMS now has a twitter account **@CMSolutions01**.

Make sure you start following us today to keep up to with all the latest information affecting your organisation.

How safe is your Personal Protection Equipment?

An employer has an obligation to provide and enforce personal protection equipment (PPE) for their employees.



Do you know if the PPE you provide is safe and fit for purpose it is used for?

What steps are you taking or do you know what steps you should take to ensure the equipment is safe?

The employer has a general obligation to ensure that safety of their employees and this obligation is to provide safe and appropriate PPE.

So to make sure the PPE will do the job, equipment should be sourced from reputable suppliers and take into account that the

product states that it complies with Australian Standards. Make sure there has not been a recall in the past.

If an employee wants to provide his or her own PPE, the employer needs to check the PPE before use. If an injury occurs because the PPE was not safe, it is still the employer's responsibility to make sure the PPE is safe for the employee. If there is a workers compensation claim, the safety regulator may look closer at the PPE being used and there maybe questions asked.

To make sure you are following the correct safety obligations, provide reputable PPE to your employees and make sure your employees are safe.

If you are not sure what to do, or what your responsibilities are, contact CMS on 07 3852 5177 or 1300 007 110 and we can assist you.

Is your Tuckshop and Canteen Smart Choices compliant?

Did you know that the Smart Choices guidelines have been changed in 2016?

A number of items that previously would have been amber are now red and you need to make sure you are compliant.



Here is a link to a Ready Reckoner issued by Education Queensland that gives a good visual guide to the different categories. There are plenty of other great resources available online as well, just google "smart choices".

<http://education.qld.gov.au/schools/healthy/docs/smart-choices-ready-reckoner.pdf>

Do you want your best performing employees to stick around?

September is honey month, so let's try and use some of that sweet and sticky honey to make your employees stick around.

Employee retention refers to an organisation's ability to retain employees. This differs from employee turnover which refers to how often you need to replace your employees.

Employee retention is important to consider, as if you retain the right employees it can have a number of benefits including:

- Higher productivity;
- Reduced costs of recruitment, selection and training;
- Reduced risks to claims such as unfair dismissal;
- Higher job satisfaction; and
- Increased knowledge retention.

Of course when thinking about employee retention you should also consider:

- Does your performance management process assist to identify high performers?
- Do you have clear requirements for any bonus schemes?

- What are the goals of your retention strategy and how might they impact what tools you implement?
- What positions, knowledge, skills and abilities will you require in the future?

So, what you might include in your retention strategy:

- Provide career direction and promotion opportunities;
- Provide employees with recognition for their efforts;
- Encourage employee involvement and idea sharing;
- Provide competitive remuneration packages;
- Ensure clear lines of communication;
- Special events and celebrations;
- Conduct employee satisfaction surveys; and/or
- Provide professional development and training opportunities.

So get to enjoying some honey in September and think about what benefits employee retention could have for your organisation.

As always we welcome your feedback on any topics you want to hear about.

If you are in need of any assistance, please contact our office on 07 3852 5177 or 1300 007 110.

Do you know what grants are currently available?

Community Management Solutions knows how important it is for our members to receive up to date information on the latest Grants available. Check out our website below for the latest grants available.

<http://www.cmsolutions.org.au/grants>