

Factsheet Five

Pay

Your rate of pay should be set out in an Enterprise Agreement, a Modern Award, and/or your employment contract. If no Enterprise Agreement or Modern Award applies to your employment your minimum pay is set at the National Minimum Wage.

National Minimum Wage

If you are not covered by a Modern Award or Enterprise Agreement then the National Minimum Wage applies to you as a minimum hourly payment. If you have a contract of employment, it may include a higher rate of pay. From 1 July 2025 the National Minimum Wage is \$ 948 per week (calculated on the basis of a week of 38 ordinary hours) or \$24.95 per hour.

Casual employees are generally entitled to a casual loading on top of their base hourly rate of pay, although there may be a few exceptions. Casuals should check their Modern Award, Enterprise Agreement or contract. Otherwise, as of 1 July 2025, the minimum casual loading is 25% on top of the base rate of pay. This loading is reviewed annually.

Pay increases

Your minimum pay rates may go up:

- When you get a promotion;
- If you are a junior and turn a year older or you become an adult (usually 18 years old, but under some Modern Awards an adult is 21 years of age);
- If you are an apprentice, when you shift from one year to the next;
- After each year of service within a particular classification;
- When an Enterprise Agreement or Modern Award says so;
- If and when a pay increase is awarded by the Fair Work Commission; or
- When your contract says you have a salary or performance review where pay increases may be awarded.

If you do not get a pay increase to which you think you are entitled, you may have been underpaid.

Superannuation is paid as a percentage of your ordinary pay which typically means that when your ordinary pay goes up, so should your employer's contribution to your superannuation.

Pay slips

Every time you are paid, you should also receive a pay slip. Under the Fair Work Act 2009, employers are required to provide pay slips to employees, via email or in hard copy, within 1 working day of them receiving their pay (even if the worker is on leave at the time). There is certain information that must be included on every pay slip:

- Your name;
- The name of your employer and their ABN if they have one;
- The date of payment, and the period covered by the payment;
- Your ordinary hourly rate, and the number of hours worked and the amount paid at that rate;
- The gross and net amounts paid to you;
- Any amounts paid that are bonuses, loadings, allowances, penalty rates or other separately identifiable entitlements;
- Amounts deducted from your gross pay (such as tax and superannuation), and the name of the fund or account into which the deduction was paid;
- If the employee is paid an annual rate of pay (salary), the rate as at the last day in the pay period.

You may also get a Payment Summary (previously called a group certificate) for your tax return in July each year. If your employer uses Single Touch Payroll (STP), your income statement will be available in the Australian Taxation Office online services after the end of financial year. Employers are no longer required to provide a digital or paper payment summary to employees where information is reported through STP. It's a good idea to keep your own record of pay received and hours worked. Keeping a time book and pay slips, for example, will help if a dispute arises over pay or hours.

Underpayment of wages

If you think you have been underpaid, speak to your employer. If you are not satisfied with the result and need further assistance, contact the NT Working Women's Centre. If you are unable to reach a satisfactory conclusion you may lodge a complaint to the Fair Work Ombudsman within 6 years from the date the underpayment occurred.

Overpayment of wages

From time to time, employees are overpaid entitlements during their employment or at the finalisation of their employment. The overpayment of entitlements such as leave or wages is not a clear cut issue. Generally, it is accepted that in circumstances where an overpayment is made, the employer and employee come to an agreement to repay the overpayment either in one instalment or in several instalments over a period of time. If an

employee refuses to repay the amount owed, the employer may choose to pursue debt recovery options or seek a Court order for repayment of the overpaid wages.

Over time, the courts have determined the circumstances in which an employer can recover an overpayment made to an employee. An employer must demonstrate a genuine mistake that gave rise to the payment made in error. The most common cause of overpaying an employee by an employer is due to clerical or computer input error, e.g. incorrect information put into the payroll system. In most circumstances, such a clerical error is recoverable through the courts. If the overpayment to a staff member was made voluntarily and then an employer changed his or her mind, the money cannot be recovered unless the employee agrees.

Trial periods

You should be paid for work you do. Whether you are a trainee, an employee attending training, or are on a trial, you should still be paid for this time. Make sure you find out when you start whether you will be paid and how much.

A brief work trial can be legally unpaid if it is necessary to evaluate someone's suitability for the job, and:

- It involves no more than a demonstration of the person's skills, where they are relevant to a vacant position;
- It is only for as long as needed to demonstrate the skills required for the job. This will be dependent on the nature and complexity of the work, but could range from an hour to one shift;
- The person is under direct supervision of the potential employer (or other appropriate individual) for the entire trial.

Junior rates

While all workers must receive at least the minimum hourly rate, if you are under 21 years of age, you may receive a junior rate of pay. This is related to your age and is set at a percentage of the relevant adult rate of pay. Junior rates of pay can vary depending on the industry in which you work. The rates can be found in your relevant Modern Award, Enterprise Agreement or employment contract. If there is no mention of a junior rate, then you will be paid the adult rate. The expert panel of the Fair Work Commission reviews junior wages each year for employees who are not covered by a Modern Award or Enterprise Agreement. See the table at the beginning of this factsheet for more information.

Trainees and apprentices

Trainees and apprentices are employed under a training contract for a fixed period of 6 to 48 months (full-time duration), with a probation period of up to 6 months, depending on the vocation. Training contracts may be part-time, full-time or school based. The employer must allow trainees and apprentices to undertake training, which can be on or off the job and forms part of the training contract obligations. Trainees and apprentices cannot be employed on a casual basis and unless stated otherwise by a Modern Award, are paid for time spent at training.

Wages for people with a disability

In the federal workplace relations system, employees must qualify for the Disability Support Pension from Services Australia to be eligible to be paid disability wages.

Disability wages are usually calculated by multiplying the relevant minimum wage with a percentage that reflects the employee's assessed productive capacity. The resulting wage is commonly known as a 'productivity-based wage' or a 'pro-rata disability wage'. The expert panel of the Fair Work Commission reviews disability wages each year for employees who are not covered by a Modern Award or Enterprise Agreement.

Where can I get more help?

NT Working Women's Centre Ph: 1800 817 055 www.ntwwc.com.au	Your Union Unions NT Ph: 8941 0001 www.unionsnt.com.au	NT Anti-Discrimination Commission Ph: 1800 813 846 adc.nt.gov.au
Australian Human Rights Commission Ph: 1300 656 419 www.humanrights.gov.au	Fair Work Ombudsman Ph: 13 13 94 www.fairwork.gov.au	Fair Work Commission Ph: 1300 799 675 fwc.gov.au
NT Police Ph: (emergency) 000 If calling from a mobile: 112 For non-emergency crime incidents and general enquiries: 131 444	Office of the Commissioner of Public Employment (OCPE) Promotion Appeal and Grievance Reviews Unit Ph: 8999 4129 www.ocpe.nt.gov.au	NT WorkSafe Ph: 1800 019 115 www.worksafe.nt.gov.au
Your HR Department Check grievance procedures in the workplace. This will tell you who to complain to and how to do it.	Aboriginal Interpreter Service Ph: 1800 334 944 www.ais.nt.gov.au	To access an interpreter Interpreting and Translating Service NT Ph: 1800 676 254 www.itsnt.nt.gov.au/

The NT Working Women's Centre (NTWWC) provides free and confidential information, advice and assistance to women about work. The information, opinions and advice contained have been prepared with due care and are believed to be correct at the time of publication. NTWWC expressly disclaim any liability whatsoever to any person who suffers any loss arising from the contents of, errors in, or omissions from this publication. This Factsheet is not intended as a substitute for legal advice. Please seek advice for further information about your situation. June 2025.