



Australian College of Professionals, Level 10 99 York Street, Sydney, 2000  
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## UPCOMING CPD COURSES

### Sydney

Sales/Prop Mgmt

**Thurs 20<sup>th</sup> Dec**

**2013**

### Sydney

Sales or Prop Mgmt

**Thurs 17<sup>th</sup> Jan**

### Newcastle

Sales & Prop Mgmt

**Wed 23<sup>rd</sup> Jan**

### Baulkham Hills

Sales or Prop Mgmt

**Thurs 7<sup>th</sup> Feb**

### Sydney

Commercial Leasing

**Tues 12<sup>th</sup> Feb**

### Sydney

Strata

**Wed 13<sup>th</sup> Feb**

### Ballina

Sales or Prop Mgmt

**Mon 18<sup>th</sup> Feb**

## Are you earning the "right" Money??

At this time of the year, many people start thinking about their pay packets and how much is that pay packet, and if they should..... or could, be getting paid more than they currently are receiving. In the past few weeks, we have received a huge number of telephone enquiries from both employers and employees in relation to the correct rate of pay for people in the real estate industry. The national workplace relations system has made specific comment in relation to the real estate industry in New South Wales. The following information has been taken from an information brochure issued by NSW Industrial Relations in order to provide some clarity in relation to pay scales in the industry.

All NSW real estate employees formerly working under the NSW Industrial Relations Act 1996, NSW Real Estate Industry (State) Award and the Real Estate Industry (Clerical & Administrative Employees) (State) Award have moved into the national workplace relations system. They are now covered by the national workplace relations system and the Fair Work Act 2009.

Federal and state awards have been streamlined into 122 modern awards covering all Australian workplaces. Your business is now required to use the appropriate modern award. The modern awards that would apply to real estate businesses are:

- the Real Estate Industry Award 2010 [MA000106]
- the Clerks - Private Sector Award 2010 [MA000002]

### How are rates of pay affected?

The transitional rates in the new modern awards for employers in the previous NSW state award system commence from 1 February 2011. The rates of pay provided are the current minimum transitional rates that must be paid effective from the first pay period on or after 1 July 2011.

**We close for Christmas from Thursday  
20th December  
and re-open on Monday  
7th January 2013.**

# UPCOMING CPD 2 HOUR BREAKFAST SEMINARS

**Full 12 points!!**

**2013**

## **Sydney**

Strata

**Fri 18<sup>th</sup> Jan**

## **Parramatta**

Sales/Prop Mgmt

**Tues 22<sup>nd</sup> Jan**

## **Baulkham Hills**

Sales/Prop Mgmt

**Wed 30<sup>th</sup> Jan**

## **Penrith**

Sales/Prop Mgmt

**Fri 1<sup>st</sup> Feb**

## **Bankstown**

Sales/Prop Mgmt

**Wed 6<sup>st</sup> Feb**

## **Sydney**

Business Broking

**Fri 8<sup>th</sup> Feb**

## **Liverpool**

Sales/Prop Mgmt

**Tues 12<sup>th</sup> Feb**

## **Gosford**

Sales/Prop Mgmt

**Thur 28<sup>th</sup> Feb**

If existing employees are currently receiving higher pay than prescribed in the modern awards, Fair Work Australia, in some cases, may order that these rates and entitlements be preserved under a Take Home Pay order.

### **What you need to know**

If a person performs any work they should be paid for all hours they work, including:

- trial work or probation periods
- meetings or training
- opening and closing the business.

Employees are required to be given a pay slip every time they are paid.

### **What are the major changes?**

The major changes to NSW workplaces which occurred from 1 January 2010 include:

**Ten National Employment Standards:** new minimum standards for ten common employment entitlements, including annual leave, sick leave and parental leave. All NSW employers must comply with these new laws.

**Fair Work Information Statements:** must be given to each new employee by their employer before, or as soon as possible after, the employee starts employment.

**Fair Work Australia:** the new independent tribunal which makes awards, approves enterprise agreements, deals with industrial disputes and resolves unfair dismissal claims.

**General Employment Protections:** new national laws protecting all workers from victimisation, adverse action and sham contracting now apply.

**Unfair Dismissal:** the NSW unfair dismissal laws have been replaced. New rules exist for terminating employees, including a Fair Dismissal Code for small businesses.

**Employment Records:** there are only slight changes to the requirements for keeping employment records and providing pay slips.

**Fair Work Ombudsman:** the national regulator for workplace issues.

### **Which NSW laws continue?**

Not all NSW workplace laws have been replaced by the national system. NSW legislation still applying includes:

- anti-discrimination
- occupational health and safety
- shop trading
- gazetted public holidays
- long service leave
- workplace surveillance.

### **Useful websites and contacts**

Fair Work Online [www.fairwork.gov.au](http://www.fairwork.gov.au)

Fair Work Infoline—13 13 94

UPCOMING  
CERTIFICATE OF  
REGISTRATION  
COURSES

2013

**Sydney CBD**

Mon 14<sup>th</sup> – Wed 16<sup>th</sup> Jan

**Gosford**

(Dist Ed + 1 day tutorial)

Tues 22<sup>nd</sup> Jan

**Liverpool**

(Dist Ed + Weekend tutorial)

Sat 2<sup>nd</sup> – Sun 3<sup>rd</sup> Feb

**Baulkham Hills**

Mon 4<sup>th</sup> – Wed 6<sup>th</sup> Feb

**Sydney CBD**

Mon 18<sup>th</sup> – Wed 20<sup>th</sup> Feb

**Newcastle**

(Dist Ed + 1 day tutorial)

Fri 1<sup>st</sup> Mar

UPCOMING  
FINANCE AND  
MORTGAGE  
BROKING COURSES

**Cert IV in Finance  
and Mortgage  
Broking**

Sydney

Wed 30<sup>th</sup> Jan-Fri 1st Feb

**Dip of Finance and  
Mortgage Broking  
Management**

Upgrade for exisiting Cert IV  
holders  
Sydney

Wed 30<sup>th</sup> Jan-Fri 1st Feb

**Key information - Real Estate Industry Award 2010**

Working hours: all employee hours are based on a 38 hour week.

Part Time: no minimum hours.

Casual: minimum of three hours per start plus 25% casual loading.

Commission-only: provides a minimum income threshold test that must be satisfied for an employee to be commission only.

Overtime: hours worked at the specific direction of the employer on an employees rostered day free of duty (ie: day off) will be paid at time and a half for the first two hours and double time thereafter or taken as time off instead of payment for overtime.

Termination of employment: workers are not required to give the same notice as the employer. A worker must give 1 week's notice to the employer or a greater period if agreed in writing. There is no requirement on the employee to give additional notice based on the age of the employee.

Annual leave loading: 17.5% is payable on termination of an employee whether the employee resigns or is terminated. Not payable to commission-only employees.

**Key information - Clerks – Private Sector Award 2010**

Working hours: all employee hours are based on a 38 hour week.

Part Time: no minimum hours except minimum of three consecutive hours on any shift.

Casual: one-twelfth payment of holiday pay now included in the casual loading.

Overtime: hours worked at the specific direction of the employer will be paid at time and a half for the first two hours and double time thereafter or taken as time off instead of payment for overtime.

Termination of employment: workers are required to give the same notice as the employer. A worker must give 4 weeks of notice if employed for more than 5 years, except that there is no requirement for the employee to give additional notice based on the age of the employee.

Annual leave loading: 17.5% is payable on termination of an employee whether the employee resigns or is terminated.

Till next time,

Wishing you every success in your business ventures,

**Rosy Sullivan**

Director and College Principal

Our 2013 calendar is now available!

[Download](#) our 2013 Calendar.

**Real Estate Industry Award 2010**  
**The minimum transitional Rates of Pay effective from 1 July 2011**

<b>Modern Award Classification (new Classification)</b>	<b>Pre-modern Award Classification</b>	<b>Hourly Base Rate</b>
Property Sales Associate (First 6 months of employment at this classification)	Probationary salesperson	\$15.51
Property Sales Associate (after first 6 months of employment at this classification)	Salesperson	\$16.05
Property Sales Representative	Salesperson	\$16.44
Property Sales Supervisor	Salesperson	\$17.48
Property Sales Supervisor	Licensee-in-charge	\$18.92
Property Management Associate	Property officer (grade 3)	\$16.33
Property Management Representative	Property officer (grade 2)	\$16.98
Property Management Supervisor	Property manager	\$18.61
Property Management Supervisor	Property officer (grade 1)	\$18.35
Property Management Supervisor	Licensee-in-charge	\$19.42
Strata/Community Title Management	Associate Property officer (grade 3)	\$16.33
Strata/Community Title Management	Associate Property manager	\$18.61
Strata/Community Title Management	Associate Property officer (grade 1)	\$18.35

Have a Happy Christmas and  
a prosperous 2013!

**Social Media**

