



CPD COURSES

Sydney
Strata

Wed 16th Oct

Sydney

Sales or Prop Mgmt

Fri 18th Oct

Tamworth

Sales & Prop Mgmt

Fri 18th Oct

Orange

Sales & Prop Mgmt

Mon 21st Oct

Blue Mountains

Sales & Prop Mgmt

Fri 1st Nov

Coffs Harbour

Sales & Prop Mgmt or
Strata

Mon 4th Nov

Batemans Bay

Sales & Prop Mgmt

Fri 8th Nov

Baulkham Hills

Sales or Prop Mgmt

Fri 8th Nov

Gosford

Sales & Prop Mgmt

Wed 27th Nov

Commission-Only Arrangements

The Fair Work Ombudsman went on an Australia wide auditing blitz in 2012 to ensure that real estate salespeople being paid on a commission-only basis were getting a fair deal. Maybe you were one of the 350 agencies in NSW alone that were checked? The investigation was sparked by a growing number of complaints about unfair and unlawful commission-only arrangements across Australia. Particularly concerning was a number of cases involving inexperienced or junior staff being significantly underpaid under illegal commission-only arrangements.

For example, earlier this year a Melbourne real estate agency was forced by the Fair Work Ombudsman to pay one of their employees more than \$10,000 after he was underpaid as part of an unlawful employment arrangement. The salesman at a Dandenong agency was initially unlawfully required to perform four weeks of unpaid work under a purported 'training program'. Over the next four months, he entered into what was effectively a commission-only arrangement before his employment was terminated.

The underpaid salesman in this instance was a recent Sri Lankan immigrant in his 50s. Whether the agency's directors were trying to take advantage of the man's possible unfamiliarity with his rights as an employee, or were simply ignorant of their responsibilities, we do not know for sure. Nonetheless, we have a strong suspicion that this is not an isolated occurrence. This newsletter serves as a timely reminder to all agencies of their obligations to their employees with respect to fair working conditions.

The Real Estate Industry Award 2010 sets out the minimum wage requirements for the real estate industry across Australia. It also sets out strict rules for commission-only employment arrangements. If you currently employ staff on a commission-only basis, or plan to in the future, you need to be thoroughly acquainted with these rules.

In short, commission-only arrangements are only allowed when it can be demonstrated that an employee has earned more than the minimum wage payable under the Award selling real estate in any 12-month period over the preceding five years.



Is it Time You Upgraded to Your Licence?

ACoP runs a Fast Track program which, in conjunction with Recognition of Prior Learning (RPL) assessment, will enable you to complete your Real Estate Licence qualification in 5 days with take home assessments.

We will also assist you with completion and submission of your licence application to NSW Fair Trading free of charge.

Free Assessment

Send us your resume & copies of any qualification transcripts you may have for a free and confidential preliminary RPL assessment.



Important Points about the 2013 Premier Auctioneers Competition:

- Friday 25th October (9am to 4pm)
- Saturday 26th October (6pm onwards)
- Enter now or miss the opportunity to win \$10,000 in cash
- NO entry fee
- You can still work all day on Saturday
- The event is raising funds for the Westmead Medical Research Foundation and in particular cancer and rare diseases research
- You don't need to be an accredited auctioneer to enter – just test your skills
- Put your money where your mouth is



Australian College of Professionals

The College trainers will be conducting Certificate of Registration and CPD courses in city and country areas of NSW in 2014.

Ring 1300 88 48 10 to book

or

visit our website - www.acop.edu.au

Customised and in-house CPD courses are available. We come to you!

Real Estate, Strata, Business Broking, On-site Residential or Stock & Station.

In Sydney, courses are run at Bankstown, Castle Hill, the CBD at St Andrew's House, Hurstville, Liverpool and the Northern Beaches.

