



Are you ready to take on that new employee?

Share

08 Aug 2016

Download PDF [here](#).

Once you have identified a need for a new employee, you usually want the right candidate to start as soon as possible.

However, you need to appreciate that the circumstances in which you engage a new employee may affect your rights and obligations later on. This could leave you with significant problems and costly disputes if the employee does not work out. It is essential that before engaging a new employee, you take the time and care to work out exactly what you are engaging your new employee to do, what their terms and conditions will be, and what information and training you need to provide them.

With that in mind, here are a few questions you need to be able to answer when employing a new staff member in your organisation.

The job

- Is the job full-time, part-time, or casual or fixed-term?
- Is the job ongoing, fixed term, seasonal or sporadic?
- What are the days and working hours, including breaks, for the job?
- Have you developed a position description for the job you want filled?
- Are there any physical limitations or requirements for the job?
- Are any working with children or police checks required for the job?

Employment conditions

- Do you know what minimum wage applies to the job?
- Do you know what minimum conditions apply to the job?
- Do you have a current employment contract, appropriate for the employee's particular work or circumstances, which also suits the needs and interests of the business?
- Does your business require particular protections, such as the

People that can help



Libby Pallot
Principal
+61 3 9609 1668
lpallot@rk.com.au

Libby is the head of Russell Kennedy's Work, Relations, Employment and Safety practice area.

[Learn More](#)

- Does your business require particular protections, such as the protection of intellectual property, confidential information and customer/client/supplier relationships?

Before the employee commences employment

- Do you have a signed contract?
- Do you have a signed Tax File Number declaration and a nominated super fund?
- Have you given the employee a Fair Work Information Statement?
- Does the employee need to sign a prior injury declaration?

When the employee commences employment

- Have you provided the employee with a copy of your workplace policies?
- Have you provided the employee with an induction, including by identifying any hazards and risks in the workplace?

If you have concerns about the employment, or the employment relationship is generally not working out, you should obtain legal advice prior to making any decision regarding termination, even if the employee has not yet completed their probationary period.

Please contact the [Russell Kennedy Workplace Relations, Employment and Safety team](#) if you would like advice about your obligations when taking on new employees, or if you would like assistance with your employment contracts or the termination of employment.

Last updated 8 August 2016.

Click [here](#) to return to the checklists homepage.

[Our Firm](#)

[International](#)

[Leadership Team](#)

[Awards](#)

[Community](#)

[Diversity and inclusion](#)

[Russell Kennedy Women's Network](#)

[Available positions](#)

[Law Graduates](#)

[Seasonal Clerkship Program](#)

[Paralegal Pathway Program](#)