

# *Business Alert !*

No. 4 of 2007

## **Employee record keeping obligations: Penalties apply from 27 March 2007**

In *Legal Compliance Newsletter No 4 of 2007*, we noted that the transitional period for compliance with employee record keeping obligations under the *Workplace Relations Regulations 2006* (Cth) (the Regulations) comes to an end on 26 March 2007. **This is a reminder that failure to comply from 27 March 2007 onwards may result in a penalty being imposed.**

### **Records**

Employers are required to make and retain certain employee records and to issue employee pay slips.

Records must be:

- kept in a legible form in English;
- readily accessible to a workplace inspector; and
- kept for a continuous period of 7 years after each entry is made.

Records must include:

- general employee information
- hours worked (including overtime and reasonable additional hours)
- pay
- annual leave
- personal leave
- superannuation contributions
- termination of employment; and
- transmission of business issues.

### **Penalties**

- Where an employer is found to have contravened the Regulations, a Court may order it to pay a penalty of up to \$5,500 per breach.
- Failure to comply is a strict liability offence, which means that an employer will be liable irrespective of whether it intended to comply or was unaware of its failure to do so.

**Need Assistance or More Information? Contact our Legal Compliance experts on:**

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