



WANITA DI TEMPAT KERJA

Never Stand Still

Law

Kingsford Legal Centre

APAKAH SADIA PEKERJA LEPAS ATAU PEKERJA TETAP?

Sadia telah bekerja di sebuah pabrik selama 13 tahun. Bosnya menganggap dia 'pekerja lepas'. Dia bekerja 5 hari seminggu, 8 jam per hari. Sadia tidak dibayar kalau ijin karena sakit dan dia tidak dapat uang cuti libur sama sekali. Sadia tidak punya dokumen tertulis apapun yang menyatakan bahwa dia adalah pekerja tetap pabrik tersebut.

Apa yang bisa Sadia lakukan?

Karena Sadia telah bekerja 5 hari seminggu dalam jangka waktu yang sudah lama sekali, kemungkinan besar dia adalah pekerja 'tetap'. Ini artinya dia seharusnya dibayar kalau sakit dan sewaktu dia berlibur.

Karena Sadia telah bekerja di pabrik selama 13 tahun, dia juga seharusnya dibayar uang cuti karena telah bekerja lama. Ini berarti majikan membayar anda selama anda cuti. Biasanya ini berlaku kalau anda telah bekerja di suatu tempat selama 10 tahun.

Berdasarkan hukum, majikan anda tidak harus memberikan anda kontrak tertulis tapi anda seharusnya menerima slip gaji. Kalau majikan anda menolak untuk memberikan anda slip gaji, anda bisa mengadu ke **Fair Work Ombudsman (Ombudsman Keadilan di Tempat Kerja)**.

Anda bisa mengadu tentang tidak dibayarnya cuti sakit, upah libur atau cuti karena sudah bekerja lama kepada **Fair Work Ombudsman (Ombudsman Keadilan di Tempat Kerja)** di 13 13 94.

Anda punya waktu **6 tahun** untuk mengklaim uang anda di pengadilan terhitung dari tanggal kapan anda seharusnya dibayar.



PHOTO CREDIT: Goran Bogicevic / Shutterstock.com

Anda bisa mendapatkan bantuan hukum gratis dari:-

Kingsford Legal Centre)- Telpon 9385 9566 atau 1300 722 795

Legal Aid NSW – www.legalaid.nsw.gov.au atau telpon

Law Access – Telpon 1300 888 529 atau 1300 889 529 kalau anda memiliki gangguan pendengaran/bicara.



IS SADIA A CASUAL OR PERMANENT EMPLOYEE?

Sadia has worked in a factory for 13 years. Her boss calls her a 'casual employee'. She works 5 days a week, 8 hours per day. Sadia doesn't get paid when she takes time off when she is sick and she does not get any holiday pay. Sadia doesn't have anything in writing that says she's an employee of the factory.

What can Sadia do?

Because Sadia has worked for 5 days per week for so long, it is likely that she is a 'permanent' employee. This means that she should be paid when she is sick or when she has a holiday.

As Sadia has worked in the factory for 13 years, she should also get paid long service leave. This is when your employer pays you to have time off work. This usually happens if you have worked somewhere for 10 years.

Under the law your employer doesn't have to give you a written contract but you should get payslips. If your employer refuses to give you payslips you can complain to the **Fair Work Ombudsman**.

You can make a complaint about not being paid sick leave, holiday pay or long service leave with the **Fair Work Ombudsman** on 13 13 94.

You have **6 years** to claim your money in court from the date it should have been paid to you.



PHOTO CREDIT: Goran Bogicevic / Shutterstock.com

You can get free legal help from:

KINGSFORD LEGAL CENTRE – Call 9385 9566 or 1300 722 795

LEGAL AID NSW – www.legalaid.nsw.gov.au or call Law Access

LAW ACCESS – Call 1300 888 529 or 1300 889 529 if you are hearing/speech impaired

