



MEMBERS UPDATE

————— **DECEMBER 2023** —————

Welcome to the December 2023 member's update

In this month's members update we look at:

- Fixed Term Contract Information Statement
- Keeping in touch changes from 1st July 2023
- Child Support Protected Earnings effective 1 January 2024
- Award Changes - Architects Award
- Updated ato.gov.au

It is almost the end of the year, and what a year it has been. Let's end the year well with looking what is new in payroll this month.



Fixed Term Contract Information Statement

From 6 December 2023, employers must give employees who are engaging on a new fixed term contracts a Fixed Term Contract Information Statement (FTCIS).

The FTCIS will be available to download from the Fair Work Ombudsman website from 6 December 2023 under the NES.

<https://www.fairwork.gov.au/employment-conditions/national-employment-standards#nes-entitlements>

This information statement must be provided to employees before they start employment, or as soon as possible after.

Keeping in touch changes from 1st July 2023

There has been a bit of confusion in regards to the changes to keeping in touch days that were introduced by Services Australia from 1 July 2023. For children born or placed after 1 July 2023, if an employee is receiving PPL under the Government scheme, any 'keeping in touch day' must be paid by the employer (that is, the Government will no longer pay for an employee to work when they are on Government PPL). The employee is still entitled to keeping in touch days as per the NES. This change may create some administrative challenges and confusion.

This means that an employee is still entitled to keeping in touch days if the employer agrees, however they cannot receive keeping in touch pay and also Government paid parental leave on the same day.

Services Australia considers that an employee is working on a day if they work for one hour or more. This includes keeping in touch with their workplace (using keeping in touch days) for any of the following:

- taking part in a meeting
- doing on the job training
- doing work to become familiar with the workplace or their role before you return to work.

If an employee uses a keeping in touch day while received the government paid parental leave (GPPL), they must either:

- select a new day to get the GPPL, or
- return the day to their GPPL balance to use at a later time.

<https://www.servicesaustralia.gov.au/if-you-work-day-parental-leave-pay-for-child-born-or-adopted-from-1-july-2023?context=64479>

Child Support Protected Earnings effective 1 January 2024

The Protected Earnings Amount (PEA) is the part of an employee's or contractor's wages that are exempt from child support deductions. The PEA is adjusted on 1 January each year to allow for increases in the cost of living.

The following rate applies from 1 January 2024:

Weekly rate	\$ 514.50
Fortnightly	\$ 1029.00 (weekly rate x 2)

Four-week period \$ 2058.00 (weekly rate x 4)

Monthly period \$ 2237.16 (daily rate x 30.4375)

For child support purposes, a year is 365.25 days (allowing for the leap year). The number of days in a month is 30.4375, which is equal to 365.25 divided by 12. Figures are rounded where applicable.

The daily rate (unrounded) is calculated by the weekly rate divided by 7 (that is, $514.50 / 7 = 73.50000$).

Award Changes - Architects Award

The Fair Work Commission (the Commission) has issued a decision confirming that the Prescribed Competencies in the Architects Award will be replaced next year.

The Prescribed Competencies outline the mandatory experience Graduates of Architecture must demonstrate before they can become registered architects, as set by the Architects Accreditation Council of Australia.

For Graduates of Architecture who will sit their Architectural Practice Examination after 1 January 2024, the new Prescribed Competencies may apply.

To access the new Prescribed Competencies in the Commission's final determination, click on the link below. They will take effect 1 January 2024.

<https://www.fwc.gov.au/documents/awards/variations/2023/pr767683.pdf>

Updated ato.gov.au

The ATO are replacing their website with an updated version in December 2023, and they are giving you a sneak peek of the updated look and design.

The ATO has updated the website's information structure. Here's what else you can expect:

- Streamlined navigation – clear, intuitive navigation makes it easy for you to find what you need.
- Smarter search – the search functionality has been enhanced, allowing you to find information efficiently.
- Modern design – they have simplified the home page making it easier for you to find the most relevant content depending on your circumstances.

Watch the ATO video here: <https://tv.ato.gov.au/ato-tv/media?v=bi9or7orycbfzc>

You can share your feedback on its features and enhancements: https://ato.au1.qualtrics.com/jfe/form/SV_eRGhe5tVYbbZvwy?CTA=Banner

FAQ

Q. If an employee is getting paid for a keeping in touch day, is this superable?

A. Yes. Keeping in Touch days are the same as any other working days. The only difference is that it doesn't impact the employee's entitlement to their unpaid parental leave.

Payments made to your employee for working these days are considered Ordinary time earnings, and therefore will be superable. If this means the employee meets the requirements for being entitled to

super, the employee must be paid super for these days.

Q. Does leave accrue when an employee is paid for a keeping in touch day?

A. Yes, an employee is entitled to their normal wage and accumulates leave entitlements for each keeping in touch day or part day.

Q. How many keeping in touch days are employees entitled to?

A. An employee on paid or unpaid parental leave can access up to 10 paid keeping in touch days without affecting their paid or unpaid parental leave entitlements. One hour or more of paid work activity counts as one day. This counts towards the 10-day limit. One day is based on how many hours is worked within 24 hours.

Example:

An employee who comes in for a conference for 4 hours, the employee is paid for 4 hours and this is considered one day.

The employee comes in for another day at the conference which is 7.6 hours. The employee is paid for 7.6 hours and this is also considered to be one day.

The employee will have eight days left.

Holiday Shutdown

Australian Payroll Association will be taking a well-earned break over the holiday season.

We will be closing at 5pm Friday 22nd December returning Monday, the 8th January 2024 - open for business as usual.

From all of us at APA, we wish our members a Merry Christmas and a brilliant, prosperous New Year!

MEMBERS WEBINAR

We won't be running a live webinar in the month of December; however, we would like to remind you that all webinars throughout the year are available to watch in the members resources area.