

3 DECEMBER 2009

## Fair Work Information Statement Released

The Fair Work Information Statement (**FWI Statement**) has now been released, and from 1 January 2010, all employers covered by the national workplace relations system are required to provide the FWI Statement to new employees **before, or as soon as possible after**, the employee commences.

The right for new employees to receive the FWI Statement is one of 10 minimum standards in the National Employment Standards (**NES**) that apply to employment of employees.

### The FWI Statement contents

The FWI Statement provides basic information on matters affecting an employee's employment, including information about the NES, modern awards, agreement making, individual flexibility arrangements, workplace rights, termination of employment, right of entry and general information about the Fair Work Ombudsman and Fair Work Australia.

### What businesses need to know

An employer may give the FWI Statement to an employee by:

- giving it to the employee personally;
- sending it by pre-paid post to the employee's residential or nominated postal address;
- sending it to the employee's email address at work or other employee nominated email address (it will also be sufficient for an employer to send by email an electronic link to the page on the Fair Work Ombudsman's website where the FWI Statement is located or to a copy of the FWI Statement on the employer's intranet);
- faxing it to the employee's fax number at work, home or another number as nominated by the employee; or
- another method (for example by courier where there is a signed acceptance by the employee of receipt).



Regardless of the method used to give the employee the FWI Statement, employers should retain the details of how the FWI Statement was given.

## Failure to comply

Contravening the terms of the NES by failing to give the FWI Statement to a new employee before, or as soon as possible after, the employee starts employment may incur significant penalties.

## Note

For a copy of the FWI Statement, visit our website at

<http://cornwalls.com.au/media/27578/fair%20work%20information%20statement.pdf>.

An employer who employs the same employee more than once in any 12 months, is not required to give the FWI Statement to the employee more than once in that 12 month period.

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This alert is intended to provide general information on legal issues and should not be relied upon as a substitute for specific legal or other professional advice.



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