



## Update—March 2019

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### ***Labour Only Workers / Contractors***

#### **Contractors engaged wholly or principally for their labour are “employees” for the purposes of the Rules of the Construction Industry Long Service Fund (the Rules)**

As previously advised, TasBuild will be focusing resources to review the employment relationships where persons are engaged “**(ii) under a contract that is wholly or principally for the labour of the person.**”

This means that where an Employer employs another person in “Relevant Employment”, and that other person is contracted to provide, or principally provide, their labour, then that person is an **EMPLOYEE** for the purposes of the Rules.

Note that item (ii) only applies where the person employed is an individual or sole trader. Where the contract is with a partnership or an incorporated organisation, the contract is unlikely to meet the “labour of the person” (i.e. a single specific person) requirement, unless specified in the contract.

Employers are advised that TasBuild staff will be frequently on-site reviewing employment contracts. An advertising campaign will be used to raise the Industry’s awareness in relation to who may be an “employee”. This will commence in the near future.

The campaign will further be supported with an on-line tool, The “Two Minutes Test” that both workers and their employers will be able to use to assess whether the worker comes within the scope of TasBuild coverage.

TasBuild staff will also be available to provide education sessions for both employers and employees. Should you or your workers wish to take up this opportunity they should contact TasBuild on 03 6294 0807.

### ***Computer System—Upgrade***

Work is continuing on the computer system upgrade, we expect to be going live in the not too distant future.

We will provide updates as and when they become available. Until then its operations as per normal.

#### **Entitlement Statistics for: February 2019**

- Total entitlements paid: 84
- Total value of entitlements paid: \$726,755.69
- Average weekly rate paid for all entitlements: \$1,194.94
- Average weekly rates paid to specific trades:

Boilermaker Welder:	\$1,263.12
Carpenter:	\$1,117.88
Concreter:	\$1,121.38
Electrician:	\$1,456.74
Fitter & Turner:	\$1,229.30
Glazier:	\$1,129.94
Labourer:	\$1,201.48
Landscaper:	\$912.00
Painter:	\$1,012.90
Plant Oper:	\$1,091.42
Plumber:	\$1,037.22
Refrig Mechanic:	\$1,345.69
Rigger/Scaffolder:	\$1,238.42
Road maker:	\$1,171.90
Sheetmetal Wkr:	\$1,255.15
Other:	N/A

*The weekly rates are an average of the rates actually paid by TasBuild to employees taking an entitlement during the subject month. The weekly rates paid have been calculated in accordance with the requirements of the Act and the Rules of the Fund. In general terms the rates represent the ordinary weekly amount payable to the employee and do not include site specific or other various compensatory allowances.*

*The information contained in this Update is of a general nature and does not constitute legal advice. We encourage you to seek your own professional advice to find out how the Construction Industry (Long Service) Act applies to you.*