

SHEEPO'



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Journal of The Shearing Contractors' Association of Australia

SHEARHARVEST 2008 *conference*

Gold Coast
15th & 16th May 2008

The SCAA Executive Committee has agreed to hold a two day Trans-Tasman shearing contractors conference, on the Gold Coast in May 2008.

Amongst two days the Shearing Contractors' Association of Australia (SCAA) will hold its AGM in conjunction with the New Zealand Shearing Contractors' Association (NZSCA) AGM and conference.

The conference will be the first time that shearing contractors from both sides of the Tasman will have come together to exchange ideas and learn from each other. This meeting will replace the January Sydney AGM and the regional meetings for 2008.

The conference is going to be a great opportunity for members to receive updates on industry issues, best practices, along with seeing displays from industry bodies and suppliers. There will be an industry dinner on the Thursday night. In addition, the conference will be a great excuse to have a tax deductible trip to one of the great family holiday destinations.

So put the date in your diary

Date: 15 (Thurs) & 16 (Fri) May 2008
Venue: Holiday Inn Gold Coast QLD
(22 View Avenue,
Surfers Paradise QLD
(07) 5579 1000)

Holiday Room Bookings: Single \$190 / Double \$210 (Book directly)
www.holidayinn.com.au

Other Accommodation (many alternatives): call you local travel agent or see:

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www.wotif.com.au

**PLEASE
RSVP
(see back
page)**

News in Brief

Hemi Taurau passed away on Friday 2 November

The SCAA committee would like to pass on their condolences to Melissa Taurau and family with the passing of Hemi. Hemi will be sadly missed not only by members of the Association but the industry in general.

Trans-Tasman Shearing Championships

In early October, more than 900 spectators paid to see Australia's best shearers battle head-to-head against the Kiwis in the trans-Tasman shearing and wool handling championship held in Hay.

The Australian team reclaimed the title for machine shearing, but the New Zealand side won the wool handling title. The current Australian and world champion, Shannon Warnest from South Australia, reclaimed the open shearing title.

Merry Christmas

The SCAA Committee would like to wish members and their families a merry Christmas and best wishes for 2008.

SCAA is proudly sponsored by



Employer – injury management responsibilities

Recently members have made numerous enquiries with regard to 'return to work' obligations for injured workers. Below is a very basic outline of what the relevant legislation requires:

When there is an injury at work, the employer must:

- attend to the injured worker as soon as possible
- notify the insurer within 48 hours (previously it was 5 days)
- cooperate and participate with the insurer to develop an injury management plan for the injured worker. The insurer should contact the employer and the worker within three days of receiving notice of an injury
- implement and monitor a return to work plan for the injured worker.

Return to work (RTW) program

A return to work program (RTW) consists of the formal policy and procedures that an organisation must have in place to help injured workers with their recovery and return to the workplace. It outlines an organisation's commitment to assist injured workers with accessing necessary treatment and rehabilitation, and outlines the steps to be taken to achieve a safe, timely and durable return to work.

The return to work program:

- must be consistent with the insurer's injury management program
- must be displayed at workplaces and workers must be notified of the program
- must be provided to any worker on request.
- All employers in NSW must develop a written return to work program within 12 months of becoming an employer. Failure to establish a return to work program is an offence.

A 'standard' return to work program can be download from

http://www.workcover.nsw.gov.au/NR/rdonlyres/599236E2-EA98-45E4-A675-8FFFE8600956/0/standard_return_to_work_program_0004.pdf

(If you do not have a computer and do not have one, please leave a message with the SCAA secretary and he will have one posted to you). Michael Lawrance is currently doing work in the RTW area and one of the likely outcomes is a specific RTW programme for injured shearing industry workers.

Suitable duties

Suitable duties are short-term work duties, agreed between the employer and the injured worker, to assist the injured worker's rehabilitation. Suitable duties must comply with a current medical certificate, and may include:

- parts of the job the worker was doing before the injury
- the same job, but on reduced hours
- different duties altogether
- duties at a different site
- training opportunities
- a combination of some or all the above.

When considering suitable duties, the following must be taken into account:

- the medical certificate – the treating doctor will list work capabilities
- the age, education and work skills of the injured worker
- where the worker lives
- the duties must be useful to the employer's trade or business
- the duties must comply with the injury management plan
- the duties must not be demeaning or token jobs.

The employer's return-to-work program must contain a description of how suitable duties are organised by that employer. Failure to provide suitable duties may affect an employer in two ways:

- the cost of the claim can increase
- the Workers Compensation Commission may impose a penalty of up to \$5,000.

The employer does not have to provide suitable duties if:

- the worker voluntarily resigns
- the employer terminates the worker's employment after the injury for justifiable reasons, other than the injury or fitness for work.

ShearHarvest07 Report

(Installment 3 – Dalgety, NSW)

The third 'installment' of the ShearHarvest programme was run in Dalgety, southern NSW on Saturday 10 November. The day was a great success with good attendances.

The ShearHarvest programme is designed to demonstrate to shearing contractors, shearers, shed staff and wool growers the benefits of a quality shearing process. The demonstration days are broken up into different sessions where the best practices are demonstrated and the benefits of each 'method' are analysed and reviewed. The day is a chance for shearing industry workers to come and 'bench mark' themselves against some of the most skilled professionals in the world. From this it is hoped that wool growers see the economic returns by engaging quality shearing contractors to harvest their wool income for the year. Workshops and explanations from AWEX, Workcover NSW and Australian Wool Innovations (AWI) complete the day.

The SCAA would like to thank AWI, AWEX, Western Institute TAFE and Michael Schofield (SCAA) for their efforts in making the day such a success.

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Subcontractors & Deemed Workers

The practice of engaging shearers and shed staff as subcontractors is continuing in certain regions around the country. It is an issue is a continuing problem for contractors who are obeying the rules as they can not compete with those are 'running the gauntlet'. The practice is fraught with problems and does not make any financial sense.

There are **no net savings** to the shearing contractor or the worker. For your information, most State Governments have a charter to audit all businesses for *workers compensation premiums* and *payroll tax declarations*, every 5 years. The penalties for non-compliance are harsh. Read below for a summary of how the system works and see the table that outlines an employer's compliance requirements with the various government agencies.

Workers Compensation Insurance

Payments made to shearers and shed staff who work for shearing contractors as a 'sub-contractor' must be declared on the employer's *workers compensation declaration* and premiums must be paid on those payments. The exception to this is where the worker is engaged by a separate Pty Ltd company or Trust who provides a valid *Certificate of Currency* for their own workers compensation policy. In this situation the "sub-contractor" will need to charge you workers compensation on any payments so there is no benefit to either party, just more paperwork.

SGC Superannuation

Again, payments made to workers who are not 'Pty Ltd' or 'Trusts', require to have the 9% SGC paid on their behalf to their selected fund or your default fund (preferably Prime Super).

Payroll Tax

The rules regarding payroll tax compliance are even further reaching than the rules for workers compensation payments. Although there are some exemptions, payments paid to 'Pty Ltd' or 'Trusts' on behalf of the worker supplying the labour, should be included on payroll tax declarations in most cases.

PAYEE	Do you have to declare "wage" payments on:			TAX withholding required ?
	Workers Compensation policy?	SGC Superannuation Remittance?	Payroll Tax declaration?	
	State Government (OSR)	Federal Government (ATO)	State Government (OSR)	Federal Government (ATO)
Employee TFN	YES	YES	YES	YES
Sole trader w ABN	YES	YES	YES	NO
Partnership w ABN	YES	YES	YES	NO
Pty Ltd Company	NO - Cert of Currency req'd	NO	YES (some exemptions apply)	NO
Trust	NO - Cert of Currency req'd	NO	YES (some exemptions apply)	NO

HOT SUMMER DEAL

EXCLUSIVE TO SCAA MEMBERS



An exclusive deal** is available to SCAA members for the months of January and February 2008. Purchase **200 sheets of Heiniger Brown Emery** and **12 bottles of Heiniger 500ml Glue** to



receive a **FREE Heiniger Swiss Watch**. Simply send in a copy of your SCAA Invoice with your details to Heiniger Australia, Attn: "Marketing", 46 Miguel Road, BIBRA LAKE, WA, 6163.

**** Conditions apply. Limit of ONE watch per member. Not to be used in conjunction with any other offer. While stocks last. Claims must be received by Heiniger before COB 30th March 2008.**

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The ALP's Victory:

What does it mean for workplace relations for the Shearing industry?

In summary:

- The Australian Labor Party's (ALP) victory at the Federal election on Saturday 24 November 2007 will not result in an immediate change to the current legislative framework, with the key workplace reforms unlikely to be operative until 1 January 2010 (save for the proposed abolition of Australian Workplace Agreements (AWAs – which will not affect the shearing industry either way)).
- The ALP's award simplification process is scheduled to commence in early 2008 by the Australian Industrial Relations Commission.
- The main unfair dismissal reforms are unlikely to be introduced prior to 1 January 2010.
- The ALP has indicated that it will release an exposure draft of their proposed workplace reform legislation for public comment.

RSVP

SHEARHARVEST 2008 conference

Confirm before 31st January and be in the draw win 100 sheets of Heiniger emery paper!

In order for us to plan and cater for the conference we need if know if your are intending to come. Please complete these details, tear off this page and FAX to (02) 9908 3862.

Name: _____ Ph: _____ Fax: _____

YES, we are definitely coming. No of attendees: _____

YES we are thinking of coming, but will CONFIRM LATER. No of attendees: _____

NO we are definitely not coming.

If you are definitely coming please be sure to contact the accommodation mentioned on the adjacent cover and secure your room/s.