



## AUGUST UPDATE 2025

### WHAT IR CHANGES START ON 26 AUGUST 2025.

#### RIGHT TO DISCONNECT

From 26 August 2025 the [right to disconnect laws](#) will apply to small business employers and their employees. This change was implemented for large business employers previously.

A small business employer is one with fewer than 15 employees (up to 14) including casual employees and associated businesses.

Employees will have the right to refuse to monitor, read, respond or contact (or attempted contact) outside their working hours, unless doing so is unreasonable.

#### An employer can contact an employee outside working hours

The right to disconnect rules don't make it unlawful for an employer to contact an employee outside working hours. Instead, they give employees a right to refuse to monitor, read, respond to the contact, unless doing so is unreasonable.

For example, in at least some circumstances, urgent animal husbandry issues may constitute a reasonable request to contact an employee and for that employee to respond. It's important to remember that the focus is on whether the employee's refusal was unreasonable.

The Office of the Fair Work Ombudsman has created a [series of videos](#) to help small business employer to prepare for the changes. The videos provide an overview of the new rules and how they apply to small business. A free webinar can be accessed at [join our free webinar](#) to explain the new laws and provide practical tips to help you navigate the change in your workplace. More detailed information is available at [Right to disconnect - Fair Work Ombudsman](#)

#### EMPLOYEE CHOICE PATHWAY – CASUAL EMPLOYEES

The current practice of the employer reminding a casual employee that s/he is eligible to convert from casual employment to part time or fulltime employment will change on 26<sup>th</sup> August 2025.

From that date Casual employees who want to convert to full-time or part-time employment under the employee choice pathway can notify the employer of their intention.

Casuals employed by small business employer before 26 August 2024 will not be eligible to access the new employee choice pathway until 26 August 2025.

The current casual conversion provisions continue to apply for eligible employees until 26 August 2025. For information on casual conversion visit [fairwork.gov.au/casual-conversion](http://fairwork.gov.au/casual-conversion) and sub-clause 11.6 in the Pastoral award 2020

### **Casual Employees can use the notification template?**

A casual employee may wish to use the template to request conversion from a casual employee by using this link [requesting-casual-conversion-checklist-and-template-letter-sts.doc](#)

### **Record-keeping**

If employment records aren't made or kept or are incorrect, Fair Work Inspectors can give employers a fine, called an [infringement notice](#).

It is unlawful for employers to make or keep employment records that they know are false or misleading.

Employers can also be penalised if we choose to [take a matter to court](#). In some cases, employers who haven't kept records or made records available for inspection, may have to prove to a court they didn't underpay an employee. The Fair Work Commission may also rely on records provided by employees (whether accurate or not) when the employer failed to keep records.

To make sure that the records are compliant please go to [Timesheets template](#)

### **October is Safety Month.**

Being healthy and safe means being free from physical and psychological harm. No job should be unsafe, and no death or injury is acceptable. A safe and healthy workplace benefits everyone.

As the state's Regulator, SafeWork SA asks businesses, employers and workers across the state to join National Safe Work Month and commit to building safe and healthy workplaces for all South Australians.

Very soon you may wish to visit <https://www.safework.sa.gov.au/> to find pending events in your area, webinars and other information.

The [Farmers' Guidebook to work health and safety\(PDF\)](#) states in part

*"There's no question that farms are unique workplaces, and the combination of hazards makes primary industries one of the most dangerous sectors in which to work. In South Australia 4.5% of the total workforce works in agriculture; however, almost 19% of workplace deaths occur on farms. This means South Australian farmers are being fatally injured at a rate of almost five times their share of the workforce. On top of the high fatality rate, every week nine South Australian primary producers are injured seriously enough to access work injury insurance. Frustratingly, the vast majority of fatalities and serious injuries are preventable."*

It is strongly recommended that this publication be the basis for induction and creation of your Work Health Safety Policies and Procedures.

Other information is available at <https://www.safework.sa.gov.au/industry/agriculture>

### **Members' Industrial Relations Advice**

SADA members are entitled to contact MERS for a free half hour consultation, per member per year. Our telephone number is 08 83312422) and email [chas@mers.com.au](mailto:chas@mers.com.au)



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