

Newsletter February 2010

From the SEC Crew ... the size of the crew may be a little depleted, but the services and facilities we offer our valued clients are of the same high standard you have always expected and received. Please continue to read our Newsletter to be informed about training opportunities, business information and seminars. Liz and Lynne

What's On

February 2010

Feldenkrais Classes Every Saturday 10am and noon

Phone Jodi: 6452 3569
 or 0421 318 904 to book.

2nd Business Expansion Seminar

FREE - Capital Region BEC

Contact Robert on 0427 668781
 or Helena on 6297 3121 to book
 you place.

Venue: Snowy Enterprise
 Centre, 38 Bombala St., Cooma

Future training schedule:

Dates to be confirmed

April

/May AussieHost Training

June/

July AussieHost Training

Aug/

Sept AussieHost Training

Oct/

Nov AussieHost Training

Services based at the SEC in 2010:

- PRA – Mental Health Support
- Family Relationship Centre
- SGPN – Mental Health & General Counselling Service
- Catholic Care – Rural Counselling Service
- Alpine Therapy Centre
- CRS - Commonwealth Rehabilitation Service
- Snowy Monaro LCP
- RDW Consult

SEC Tenant Profile. RDW Consult...

specializing in managing and designing human resource development programs for larger organizations. Specifically, it caters for companies which have successfully tendered for donor funded (e.g. AusAID & Worldbank) projects based in Australia and the Pacific & South East Asia regions. The company has operated in Vietnam, Papua New Guinea and Fiji. It has recently conducted a training program design for SMEC International within the State of Kuwait Ministry of Planning. The Company has also been involved with organizational reviews for Booderree, Kakadu and Uluru-Kata Tjuta national parks.

Typical input into projects includes: training needs analysis; program design; monitoring and evaluation of training intervention; implementing quality assurance systems in relation to the delivery of training; and post program review and validation.

Principal consultant, Ron Wiggins, also works closely with the Snowy Enterprise Centre (SEC) in developing a suite of flexible training sessions for small business owners, operators and staff dealing with areas of small business operation such as: project management; personnel supervision; performance development & appraisal; planning; and time management. In association with the SEC, RDW Consult is able to deliver training for the NEIS and AussieHost programs.

Looking for work? Want to start your own

business? **NEIS** could be just what you need.

• Accredited Training in Small Business Management	• Preparation of a Business Plan
• Income Support for up to 12 mths	• Business Mentor Support

Are you in receipt of Centrelink payments? Do you have a small business idea?

New Enterprise Incentive Scheme (NEIS) provides a package of training, mentoring and assistance to eligible people to help them start their own business. Assistance includes nationally accredited training to achieve a nationally recognised qualification, business plan development, sustained mentoring during the start up phase, NEIS payments and ongoing support when the business is up and running.

Your Business Must:

- Be independent, reputable and lawful;
- Be assessed as commercially viable by a NEIS provider;
- Not be operating on a commercial basis;
- Not compete directly with an existing business, unless you can demonstrate that there is an unsatisfied demand for your product or service;
- Not involve the purchase or takeover of an existing business; and
- Be established, located and operated solely within Australia.

If you feel the NEIS program could assist you to prepare for and start your own small business, call Liz or Lynne at the Snowy Enterprise Centre on 6452 5392.

The 'ABN' Myth (Contractor or Employee?)

Extract from an article by Robyn Anderson in the February 2010 edition of MyBusiness magazine.

... I hear business owners telling me about a great system they use already that eliminates employment risks, so they don't need to think about the new IR law changes... A wonderful "fool-proof" system that underpins their entire company and their financial future. When probed about what this system is, people tell me "I don't employ anyone, I only use contractors with their own ABNs" (Australian Business Numbers). This comment right here is what I call "The ABN Myth".

A very easy test to remember when considering the classification of workers is the "duck test". That is, "if it looks like a duck, walks like a duck and quacks like a duck; it's a duck" this is irrelevant of you deciding to call it a 'Swan'. That is, "if they look like an employee, or are represented as an employee and/or are treated like an employee, the person is an employee". So by simply requesting or agreeing to a person holding an ABN and classifying, treating and/or paying them as a contractor, when for all intents and purposes they are an employee, you may be operating in a fashion that is not legal. It also does not matter if the worker agrees or even requests to be paid in this manner. It is not permissible for either a business or a worker to contract out of legislative rights.

If a person:

- Works exclusively or predominantly for you; and/or
- Is under your control; and/or
- Has little independence from your business; and/or
- Does not advertise their services to others; and/or
- Does not provide significant tools, equipment or materials; and/or
- Is not legally liable for rectifying faulty materials or workmanship;

... then they are most likely an employee. If you engage somebody as a contractor when they are really an employee it is called 'Sham Contracting'. This is punishable by a maximum fine of \$33,000 per breach. The defence often used by people is that they don't think anyone can intervene in the agreement between two people. WRONG. The Fair Work Ombudsman can conduct random audits of workplaces. Should they discover wrong doings your agreement means nothing, only what is legally valid will remain. If your arrangement is not legally valid you are leaving your business unnecessarily vulnerable.

So then what are the potential outcomes if a business is deemed to have engaged in "sham contracting"? *...the tax you have paid will be incorrect, the superannuation you were meant to pay is incorrect, your workers compensation is likely to be incorrect, the contractors may have been underpaid and not given leave, the employees/contractors can use the new legislation to evoke unfair dismissal or adverse actions (uncapped damages) upon you and there are maximum fines of \$33,000 per incident.*

The message here is if you are using independent contractors get advice first.

Pick-up your FREE MONTHLY COPY of "My Business" magazine at the Snowy Enterprise Centre.

S N O W Y
ENTERPRISE
CENTRE

How the SEC can help

➤ **Training and meeting rooms**

The Snowy Enterprise Centre, centrally located in 38 Bombala Street Cooma, has an attractive training room and a smaller meeting room available for hire.

➤ **Offices**

The Snowy Enterprise Centre has offices available for daily, short-term or long-term rent.

➤ **Virtual accommodation**

Use the Snowy Enterprise Centre as your business base for reception and message services and have access to the meeting room for client appointments.

➤ **Business Incubator Program**

This program is for businesses who are still becoming established and profitable. They pay lower rental and receive access to business counselling and support services.

➤ **Business administration services**

- MYOB or Phoenix data entry
- Typing, editing and assembly of resumes, reports, correspondence and other business documents
- Photocopying and binding
- Secretariat and administrative services for organisations

➤ **Business Counselling and Training**

Trainer and business coach Ron Wiggins has had over 15 years experience in training needs analysis, organisational review and designing, delivering, monitoring and evaluating training and HR development projects.