

# Is your business growing?

## Are you considering appointing an additional speech pathologist to service your growing client base?

**SPEECH PATHOLOGY AUSTRALIA** provides members with information and resources, links to resources and support. Members can:

- Refer to SPA's Professional Resources on the [SPA Website](#).
- Contact SPA's Practice and Clinical Support Advisor Nichola Harris, [advisor@speechpathologyaustralia.org.au](mailto:advisor@speechpathologyaustralia.org.au)
- Contact WorkPlacePLUS who provide initial free advice for SPA members on a range of HR and employment issues [www.workplaceplus.com.au](http://www.workplaceplus.com.au)

### Employing speech pathology staff

When employing staff, there are various options to consider. A clinician can be employed:

- on a permanent ongoing full time or part time employment basis (and incur entitlements such as annual leave and sick leave);
- under a fixed term contract (and incur entitlement such as annual leave and sick leave but with a fixed end date); or
- on a casual basis.

For any of these options the employer needs to consider the following as a minimum. An employer must:

- provide an employment contract which complies with various legislation and protects the employer with clauses such non-solicitation and non-competition covenant's;
- ensure compliance with minimum wages based on qualification and experience under the award. The award that covers speech pathologists is the Health Professionals and Support Services Award (2010);
- provide adequate policies and procedures e.g. workplace health and safety;
- provide supervision and appropriate level of support; and
- comply with legal requirements such as PAYG, superannuation and workers compensation.

### Engaging a speech pathology contractor

The Australian Taxation Office advises the difference between an employee and contractor is:

- An employee works in your business and is part of your business;
- a contractor runs their own business.



The contractor is responsible for their business compliance and commitments such as insurance, PAYG, superannuation, worker's compensation are self-managed.

*Reference:* ATO website [www.ato.gov.au/business/employee-or-contractor](http://www.ato.gov.au/business/employee-or-contractor)

The speech pathology contractor has the ability to:

- subcontract and delegate the work to someone else;
- be paid as a result achieved based on an hourly rate or price per service;
- provide all or most of the equipment or doesn't receive an allowance or reimbursement for the cost of the equipment;
- perform services as specified in their contract; and
- either accept or refuse additional work.

The speech pathologist looking to engage a contractor needs to consider the following options. Have you:

- provided the contractor with an agreement which complies with various legislation and protects your business with clauses such non-solicitation and non-competition covenants;
- ensured the contractor has been set up as a business and has a valid Australian Business Number including all required insurances;
- ensured the contractor actually understands their obligations;
- provide supervision and appropriate level of support; and
- ensure that the agreement meets the ATO requirements.

A speech pathology practice needs to understand what they want to achieve in the medium to long term when deciding whether to engage an employee or a contractor.

Depending on what those business plans are, either employment option can be equally beneficial. However, as the decision making process can be complicated and is not a "one size fits all" approach then it is always advisable to seek advice.

For general information contact Nichola Harris, SPA's Practice and Clinical Support Advisor or for specific tailored information, contact Anna Pannuzzo, WorkPlace PLUS 0419533434 or [anna.pannuzzo@workplaceplus.com.au](mailto:anna.pannuzzo@workplaceplus.com.au)

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