

PAY AND CONDITIONS GUIDE


Hospitality Industry (General) Award 2010 [MA000009] (‘modern award’)

replacing terms and conditions in or derived from

Caterers Employees (State) Award [AN120106] (‘pre-modern award’)

(NSW)

Effective from 01 January 2014.

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Background

This guide was developed by the Fair Work Ombudsman to assist employers and employees covered by this modern award, pre-modern award and pay scales derived from this pre-modern award to identify minimum wages, penalties, loadings and allowances.

Transitional arrangements

Modern awards commenced operation on 01 January 2010. However, minimum wage, loading and penalty entitlements commence from 01 July 2010. Almost all modern awards include provisions to ‘transition’ employers and employees from their pre-modern award to the modern award system.

This modern award includes transitional provisions that provide for the ‘phasing in’ of increases or decreases in minimum wages, penalties and loadings in the modern award in 5 increments over 4 years from 01 July 2010. All other terms and conditions in this modern award apply in full from 01 January 2010.

The rates in this guide are current from the first pay period on or after 01 January 2014. The rates set out in this guide will change from the first full period on or after 01 July each year to take account of Fair Work Australia’s annual wage review and transitional arrangements. The rates may also change as a result of a Fair Work Australia decision to vary the modern award or pay and condition entitlements of the modern award from time to time.

Transitional arrangements for Division 2B State awards

Division 2B State awards (other than Division 2B enterprise awards) terminate at the end of 31 December 2010 and, from 1 January 2011, employers and employees are covered by the relevant modern award. However, most modern awards provide that all the terms of Division 2B State awards continue to apply until the end of the full pay period which started before 1 February 2011.

The employers affected include sole traders, partnerships, other unincorporated entities and non-trading corporations in New South Wales, Queensland, South Australia and Tasmania who are covered by a Division 2B State award.

From the first full pay period starting on or after 1 February 2011, an employer who was covered by a Division 2B State award, must comply with all of the terms and conditions contained in their relevant modern award, and any transitional arrangements that apply. Transitional arrangements in most modern awards for Division 2B State award employers provide that from the first full pay period starting on or after 1 February 2011, they must pay at least the same minimum wage rates, penalties and loadings as national system employers who are transitioning from the equivalent NAPSA. There are some exceptions and special transitional arrangements that apply in certain situations. If you require help determining whether these exceptions or special transitional arrangements apply to you, please contact the Fair Work Infoline on 13 13 94.

Note: Modern awards are not intended to reduce an employee's take-home pay. An employee or his/her union can apply to Fair Work Australia for a take-home pay order to remedy any reduction in his/her overall take-home pay.

Who should use the guide?

Employees and employers who were entitled to terms and conditions in or derived from this pre-modern award and who are now covered by this modern award.

A guide that has an AP (Pre-reform award) code typically applies to employees employed by a constitutional corporation. Usually these are companies that engage in trading or financial activities. Private companies are often identified by the 'Pty Ltd' in their name. It applies to employers in those categories who were bound by the award immediately prior to 01 January 2010.

A guide that has an AN (Notional agreement preserving State awards) code also typically applies to employees employed by a constitutional corporation. However, unlike pre-reform awards these are notional federal agreements that were created on 27 March 2006. Generally, they preserved the terms and conditions of employment (not including wage rates) in state awards and/or state legislation that applied immediately before 27 March 2006 to employees of constitutional corporations in NSW, QLD, SA, WA and TAS where State award/laws applied to those employers prior to 27 March 2006.

A guide that has an AT code typically applies to employees employed by non-constitutional corporations immediately before 27 March 2007 where the employer was bound by a Federal award. These will be sole traders, partnerships, other unincorporated entities or non-trading/financial corporations.

The guide contains information from this modern award about:

- who the modern award covers;
- wage rates, including rates for casual employees, junior employees, trainees and apprentices;
- penalty rates for working at particular times or under particular arrangements;
- allowances; and
- other conditions of employment.

What if an agreement applies to employees covered by the modern award?

Minimum wage entitlements in a modern award override lesser wage entitlements in an agreement or contract of employment at all times, including agreements and contracts

that were made before the commencement of the *Fair Work Act 2009*. All employees covered by the modern award must not be paid less than the rate of pay in the modern award.

However, the penalty rates and allowances in the modern award do not apply to agreement-covered employees, unless the agreement is read in conjunction with the modern award (e.g. a pre-reform certified agreement (a type of collective agreement made before 27 March 2006)).

If you require assistance with any provisions of this guide please contact the **Fair Work Infoline** on **13 13 94**.

Coverage

This industry award covers employers throughout Australia in the hospitality industry and their employees in the classifications within Schedule D - Classification Definitions to the exclusion of any other modern award. The award does not cover employers in the following industries:

- clubs registered or recognised under State or Territory legislation
- boarding schools
- residential colleges
- hospitals
- orphanages
- any council, county council, municipal council, shire, shire council or local government body as defined by the Local Government Act 1993 (NSW); the Local Government Act 1989 (Vic); the Local Government Act 1993 (Qld); the City of Brisbane Act 1924 (Qld), the Local Government Act 1995 (WA); the Local Government Act 1999 (SA); the Local Government Act 1993 (Tas); and the Local Government Act 2008 (NT)
- catering by a restaurant business
- theme parks
- in-flight catering for airlines
- restaurants covered by the Fast Food Industry Award 2010, the Registered and Licensed Clubs Award 2010 or the Restaurant Industry Award 2010
- contract cleaning undertaken by companies not operating exclusively in the hospitality industry
- catering services provided by aged care employers (except where these services are provided by a hospitality industry employer for or within an aged care facility)
- contract security, contract gardening or contract maintenance provided by an external provider, whose primary business falls outside the hospitality operation; and
- businesses primarily concerned with the sale of petroleum or mixed functions involving the sale of petroleum.

For the purpose of coverage, **hospitality industry** includes hotels; motor inns and motels; boarding establishments; condominiums and establishments of a like nature; health or recreational farms; private hotels, guest houses, serviced apartments; caravan parks; ski lodges; holiday flats or units, ranches or farms; hostels, or any other type of residential or tourist accommodation; wine saloons, wine bars or taverns; liquor booths; resorts; caterers; restaurants operated in or in connection with premises owned or operated by employers otherwise covered by this award; casinos; and function areas and convention or like facilities operating in association with the aforementioned.

The award does not cover:

- an employee excluded from award coverage by the Act.
- employees who are covered by a modern enterprise award, or an enterprise instrument (within the meaning of the Fair Work (Transitional Provisions and Consequential Amendments) Act 2009 (Cth)), or employers in relation to those employees.
- employees who are covered by a State reference public sector modern award, or a State reference public sector transitional award (within the meaning of the Fair Work (Transitional Provisions and Consequential Amendments) Act 2009 (Cth)), or employers in relation to those employees.

This award covers:

- any employer which supplies labour on an on - hire basis in the industry set out in clause 4.1 in respect of on-hire employees in classifications covered by this award, and those on-hire employees, while engaged in the performance of work for a business in that industry. This subclause operates subject to the exclusions from coverage in this award.
- employers which provide group training services for apprentices and/or trainees engaged in the industry and/or parts of industry set out at clause 4.1 and those apprentices and/or trainees engaged by a group training service hosted by a company to perform work at a location where the activities described herein are being performed. This subclause operates subject to the exclusions from coverage in this award.

Where an employer is covered by more than one award, an employee of that employer is covered by the award classification which is most appropriate to the work performed by the employee and to the environment in which the employee normally performs the work.

NOTE: Where there is no classification for a particular employee in this award it is possible that the employer and that employee are covered by an award with occupational coverage.

Wages

This modern award includes transitional arrangements that apply to minimum wage entitlements from the first pay period on or after 01 July 2010 until the first pay period on or after 01 July 2014 (when modern award wages commence in full).

The following wage tables set out base rates of pay for classifications under the modern award.

It also sets out how the modern award classification matches up with pre-modern award classification. If there is no classification match the employee may be covered by another pre-modern award, or another modern award, such as a modern award that covers the employee's occupation rather than the industry.

The base rates of pay in this guide include any applicable industry allowance. The base rates of pay also include any increase from Fair Work Australia's annual wage review. For more information about transitional arrangements for minimum wage entitlements, please visit www.fairwork.gov.au

Casual employees

The rates for casual employees set in the table below are minimum rates for **ordinary hours** only.

Please visit www.fairwork.gov.au for information about penalty entitlements for casual employees.

*Post 26 March 2006 employer

Wage rates for casual employees of employers that became part of the national system after 26 March 2006 do not include annual leave loading because those employees did not have a pre-modern award entitlement to annual leave loading.

Adult

The rates in this guide are current from the first pay period on or after 01 January 2014.

Full & Part Time General

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Introductory	Caterers employees, Grade 1	\$16.37
Level 1, Food and beverage attendant grade 1	Caterers employees, Grade 1	\$16.80
Level 1, Guest service grade 1	Caterers employees, Grade 1	\$16.80
Level 1, Kitchen attendant grade 1	Caterers employees, Grade 1	\$16.80
Level 2, Cook grade 1	Caterers employees, Grade 3	\$17.49
Level 2, Door person/ Security officer grade 1	Caterers employees, Grade 3	\$17.49
Level 2, Food and beverage attendant grade 2	Caterers employees, Grade 2	\$17.41
Level 2, Guest service grade 2	Caterers employees, Grade 2	\$17.41
Level 2, Kitchen attendant grade 2	Caterers employees, Grade 2	\$17.41
Level 2, Storeperson grade 1	Caterers employees, Grade 2	\$17.41
Level 3, Cook grade 2	Caterers employees, Grade 4	\$18.09
Level 3, Food and beverage attendant grade 3	Caterers employees, Grade 3	\$18.04
Level 3, Handyperson	Caterers employees, Grade 2	\$17.90
Level 3, Kitchen attendant grade 3	Caterers employees, Grade 3	\$18.04
Level 3, Store person grade 2	Caterers employees, Grade 3	\$18.04
Level 3, Timekeeper/ Security officer grade 2	Caterers employees, Grade 4	\$18.09
Level 3, Timekeeper/ Security officer grade 2	Caterers employees, Grade 6	\$18.53
Level 4, Cook (tradesperson) grade 3	Caterers employees, Grade 5	\$19.07
Level 4, Food and beverage attendant (tradesperson) grade 4	Caterers employees, Grade 4	\$18.93

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Level 4, Food and beverage attendant (tradesperson) grade 4	Caterers employees, Grade 5	\$19.07
Level 4, Storeperson grade 3	Caterers employees, Grade 4	\$18.93
Level 4, Storeperson grade 3	Caterers employees, Grade 6	\$19.33
Level 5, Cook (tradesperson) grade 4	Caterers employees, Grade 6	\$20.26
Level 5, Cook (tradesperson) grade 4	Caterers employees, Grade 7	\$20.41
Level 5, Food and beverage supervisor	Caterers employees, Grade 4	\$19.91
Level 5, Food and beverage supervisor	Caterers employees, Grade 6	\$20.26
Level 5, Guest service supervisor	Caterers employees, Grade 6	\$20.26
Level 6, Cook (tradesperson) grade 5	Caterers employees, Grade 7	\$20.80

Casual General

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)	Post 26 March 2006 employer*
Introductory	Caterers employees, Grade 1	\$20.63 (26%)	\$20.30 (24%)
Level 1, Food and beverage attendant grade 1	Caterers employees, Grade 1	\$21.16 (26%)	\$20.83 (24%)
Level 1, Guest service grade 1	Caterers employees, Grade 1	\$21.16 (26%)	\$20.83 (24%)
Level 1, Kitchen attendant grade 1	Caterers employees, Grade 1	\$21.16 (26%)	\$20.83 (24%)
Level 2, Cook grade 1	Caterers employees, Grade 3	\$22.04 (26%)	\$21.69 (24%)
Level 2, Door person/Security officer grade 1	Caterers employees, Grade 3	\$22.04 (26%)	\$21.69 (24%)
Level 2, Food and beverage attendant grade 2	Caterers employees, Grade 2	\$21.94 (26%)	\$21.59 (24%)
Level 2, Guest service grade 2	Caterers employees, Grade 2	\$21.94 (26%)	\$21.59 (24%)
Level 2, Kitchen attendant grade 2	Caterers employees, Grade 2	\$21.94 (26%)	\$21.59 (24%)
Level 2, Storeperson grade 1	Caterers employees, Grade 2	\$21.94 (26%)	\$21.59 (24%)
Level 3, Cook grade 2	Caterers employees, Grade 4	\$22.80 (26%)	\$22.44 (24%)

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)	Post 26 March 2006 employer*
Level 3, Food and beverage attendant grade 3	Caterers employees, Grade 3	\$22.73 (26%)	\$22.37 (24%)
Level 3, Handyperson	Caterers employees, Grade 2	\$22.56 (26%)	\$22.20 (24%)
Level 3, Kitchen attendant grade 3	Caterers employees, Grade 3	\$22.73 (26%)	\$22.37 (24%)
Level 3, Store person grade 2	Caterers employees, Grade 3	\$22.73 (26%)	\$22.37 (24%)
Level 3, Timekeeper/ Security officer grade 2	Caterers employees, Grade 4	\$22.80 (26%)	\$22.44 (24%)
Level 3, Timekeeper/ Security officer grade 2	Caterers employees, Grade 6	\$23.35 (26%)	\$22.98 (24%)
Level 4, Cook (tradesperson) grade 3	Caterers employees, Grade 5	\$24.02 (26%)	\$23.64 (24%)
Level 4, Food and beverage attendant (tradesperson) grade 4	Caterers employees, Grade 4	\$23.85 (26%)	\$23.47 (24%)
Level 4, Food and beverage attendant (tradesperson) grade 4	Caterers employees, Grade 5	\$24.02 (26%)	\$23.64 (24%)
Level 4, Storeperson grade 3	Caterers employees, Grade 4	\$23.85 (26%)	\$23.47 (24%)
Level 4, Storeperson grade 3	Caterers employees, Grade 6	\$24.35 (26%)	\$23.96 (24%)
Level 5, Cook (tradesperson) grade 4	Caterers employees, Grade 6	\$25.53 (26%)	\$25.12 (24%)
Level 5, Cook (tradesperson) grade 4	Caterers employees, Grade 7	\$25.72 (26%)	\$25.31 (24%)
Level 5, Food and beverage supervisor	Caterers employees, Grade 4	\$25.08 (26%)	\$24.68 (24%)
Level 5, Food and beverage supervisor	Caterers employees, Grade 6	\$25.53 (26%)	\$25.12 (24%)
Level 5, Guest service supervisor	Caterers employees, Grade 6	\$25.53 (26%)	\$25.12 (24%)
Level 6, Cook (tradesperson) grade 5	Caterers employees, Grade 7	\$26.21 (26%)	\$25.80 (24%)

Junior

The rates in this guide are current from the first pay period on or after 01 January 2014.

**Full & Part Time
General**

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Junior employees (other than office juniors), Introductory, 16 years and under	Caterers employee level 1, 17 years of age and under	\$8.55
Junior employees (other than office juniors), Introductory, 17 years	Caterers employee level 1, 17 years of age and under	\$9.82
Junior employees (other than office juniors), Introductory, 18 years	Caterers employee level 1, 18 years of age	\$11.46
Junior employees (other than office juniors), Introductory, 19 years	Caterers employee level 1, 19 years of age	\$13.80
Junior employees (other than office juniors), Introductory, 20 years	Caterers employee Level 1, 20 years of age	\$16.12
Junior employees (other than office juniors), Level 1, 16 years and under	Caterers employee level 1, 17 years of age and under	\$8.74
Junior employees (other than office juniors), Level 1, 17 years	Caterers employee level 1, 17 years of age and under	\$10.11
Junior employees (other than office juniors), Level 1, 18 years	Caterers employee level 1, 18 years of age	\$11.76
Junior employees (other than office juniors), Level 1, 19 years	Caterers employee level 1, 19 years of age	\$14.13
Junior employees (other than office juniors), Level 1, 20 years	Caterers employee Level 1, 20 years of age	\$16.51
Junior employees (other than office juniors), Level 2, 16 years and under	Caterers employee level 2, 17 years of age and under	\$9.07
Junior employees (other than office juniors), Level 2, 16 years and under	Caterers employee level 3, 17 years of age and under	\$9.15
Junior employees (other than office juniors), Level 2, 17 years	Caterers employee level 2, 17 years of age and under	\$10.50
Junior employees (other than office juniors), Level 2, 17 years	Caterers employee level 3, 17 years of age and under	\$10.59
Junior employees (other than office juniors), Level 2, 18 years	Caterers employee level 2, 18 years of age	\$12.19

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Junior employees (other than office juniors), Level 2, 18 years	Caterers employee level 3, 18 years of age	\$12.25
Junior employees (other than office juniors), Level 2, 19 years	Caterers employee level 2, 19 years of age	\$14.65
Junior employees (other than office juniors), Level 2, 19 years	Caterers employee level 3, 19 years of age	\$14.76
Junior employees (other than office juniors), Level 2, 20 years	Caterers employee level 2, 20 years of age	\$17.12
Junior employees (other than office juniors), Level 2, 20 years	Caterers employee level 3, 20 years of age	\$17.24
Junior employees (other than office juniors), Level 3, 16 years and under	Caterers employee level 2, 17 years of age and under	\$9.31
Junior employees (other than office juniors), Level 3, 16 years and under	Caterers employee level 3, 17 years of age and under	\$9.39
Junior employees (other than office juniors), Level 3, 16 years and under	Caterers employee level 4, 17 years of age and under	\$9.45
Junior employees (other than office juniors), Level 3, 16 years and under	Caterers employee level 6, 17 years of age and under	\$9.70
Junior employees (other than office juniors), Level 3, 17 years	Caterers employee level 2, 17 years of age and under	\$10.80
Junior employees (other than office juniors), Level 3, 17 years	Caterers employee level 3, 17 years of age and under	\$10.86
Junior employees (other than office juniors), Level 3, 17 years	Caterers employee level 4, 17 years of age and under	\$10.94
Junior employees (other than office juniors), Level 3, 17 years	Caterers employee level 6, 17 years of age and under	\$11.19
Junior employees (other than office juniors), Level 3, 18 years	Caterers employee level 2, 18 years of age	\$12.53
Junior employees (other than office juniors), Level 3, 18 years	Caterers employee level 3, 18 years of age	\$12.63
Junior employees (other than office juniors), Level 3, 18 years	Caterers employee level 4, 18 years of age	\$12.67
Junior employees (other than office juniors), Level 3, 18 years	Caterers employee level 6, 18 years of age	\$12.97

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Junior employees (other than office juniors), Level 3, 19 years	Caterers employee level 2, 19 years of age	\$15.07
Junior employees (other than office juniors), Level 3, 19 years	Caterers employee level 3, 19 years of age	\$15.18
Junior employees (other than office juniors), Level 3, 19 years	Caterers employee level 4, 19 years of age	\$15.25
Junior employees (other than office juniors), Level 3, 19 years	Caterers employee level 6, 19 years of age	\$15.57
Junior employees (other than office juniors), Level 3, 20 years	Caterers employee level 2, 20 years of age	\$17.61
Junior employees (other than office juniors), Level 3, 20 years	Caterers employee level 3, 20 years of age	\$17.73
Junior employees (other than office juniors), Level 3, 20 years	Caterers employee level 4, 20 years of age	\$17.81
Junior employees (other than office juniors), Level 3, 20 years	Caterers employee level 6, 20 years of age	\$18.09
Junior employees (other than office juniors), Level 4, 16 years and under	Caterers employee level 4, 17 years of age and under	\$9.85
Junior employees (other than office juniors), Level 4, 16 years and under	Caterers employee level 5, 17 years of age and under	\$9.96
Junior employees (other than office juniors), Level 4, 16 years and under	Caterers employee level 6, 17 years of age and under	\$10.10
Junior employees (other than office juniors), Level 4, 17 years	Caterers employee level 4, 17 years of age and under	\$11.42
Junior employees (other than office juniors), Level 4, 17 years	Caterers employee level 5, 17 years of age and under	\$11.54
Junior employees (other than office juniors), Level 4, 17 years	Caterers employee level 6, 17 years of age and under	\$11.67
Junior employees (other than office juniors), Level 4, 18 years	Caterers employee level 4, 18 years of age	\$13.25
Junior employees (other than office juniors), Level 4, 18 years	Caterers employee level 5, 18 years of age	\$13.35
Junior employees (other than office juniors), Level 4, 18 years	Caterers employee level 6, 18 years of age	\$13.53

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Junior employees (other than office juniors), Level 4, 19 years	Caterers employee level 4, 19 years of age	\$15.93
Junior employees (other than office juniors), Level 4, 19 years	Caterers employee level 5, 19 years of age	\$16.08
Junior employees (other than office juniors), Level 4, 19 years	Caterers employee level 6, 19 years of age	\$16.21
Junior employees (other than office juniors), Level 4, 20 years	Caterers employee level 4, 20 years of age	\$18.61
Junior employees (other than office juniors), Level 4, 20 years	Caterers employee level 5, 20 years of age	\$18.77
Junior employees (other than office juniors), Level 4, 20 years	Caterers employee level 6, 20 years of age	\$18.96
Junior employees (other than office juniors), Level 5, 16 years and under	Caterers employee level 4, 17 years of age and under	\$10.34
Junior employees (other than office juniors), Level 5, 16 years and under	Caterers employee level 6, 17 years of age and under	\$10.58
Junior employees (other than office juniors), Level 5, 16 years and under	Caterers employee level 7, 17 years of age and under	\$10.65
Junior employees (other than office juniors), Level 5, 17 years	Caterers employee level 4, 17 years of age and under	\$12.01
Junior employees (other than office juniors), Level 5, 17 years	Caterers employee level 6, 17 years of age and under	\$12.25
Junior employees (other than office juniors), Level 5, 17 years	Caterers employee level 7, 17 years of age and under	\$12.32
Junior employees (other than office juniors), Level 5, 18 years	Caterers employee level 4, 18 years of age	\$13.93
Junior employees (other than office juniors), Level 5, 18 years	Caterers employee level 6, 18 years of age	\$14.18
Junior employees (other than office juniors), Level 5, 18 years	Caterers employee level 7, 18 years of age	\$14.29
Junior employees (other than office juniors), Level 5, 19 years	Caterers employee level 4, 19 years of age	\$16.76
Junior employees (other than office juniors), Level 5, 19 years	Caterers employee level 6, 19 years of age	\$17.07

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Junior employees (other than office juniors), Level 5, 19 years	Caterers employee level 7, 19 years of age	\$17.16
Junior employees (other than office juniors), Level 5, 20 years	Caterers employee level 4, 20 years of age	\$19.58
Junior employees (other than office juniors), Level 5, 20 years	Caterers employee level 6, 20 years of age	\$19.94
Junior employees (other than office juniors), Level 5, 20 years	Caterers employee level 7, 20 years of age	\$20.04
Junior employees (other than office juniors), Level 6, 16 years and under	Caterers employee level 7, 17 years of age and under	\$10.88
Junior employees (other than office juniors), Level 6, 17 years	Caterers employee level 7, 17 years of age and under	\$12.59
Junior employees (other than office juniors), Level 6, 18 years	Caterers employee level 7, 18 years of age	\$14.56
Junior employees (other than office juniors), Level 6, 19 years	Caterers employee level 7, 19 years of age	\$17.54
Junior employees (other than office juniors), Level 6, 20 years	Caterers employee level 7, 20 years of age	\$20.48

Casual General

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)	Post 26 March 2006 employer*
Junior employees (other than office juniors), Introductory, 16 years and under	Caterers employee level 1, 17 years of age and under	\$10.78 (26%)	\$10.60 (24%)
Junior employees (other than office juniors), Introductory, 17 years	Caterers employee level 1, 17 years of age and under	\$12.38 (26%)	\$12.18 (24%)
Junior employees (other than office juniors), Introductory, 18 years	Caterers employee level 1, 18 years of age	\$14.44 (26%)	\$14.21 (24%)

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)	Post 26 March 2006 employer*
Junior employees (other than office juniors), Introductory, 19 years	Caterers employee level 1, 19 years of age	\$17.39 (26%)	\$17.12 (24%)
Junior employees (other than office juniors), Introductory, 20 years	Caterers employee Level 1, 20 years of age	\$20.31 (26%)	\$19.99 (24%)
Junior employees (other than office juniors), Level 1, 16 years and under	Caterers employee level 1, 17 years of age and under	\$11.02 (26%)	\$10.84 (24%)
Junior employees (other than office juniors), Level 1, 17 years	Caterers employee level 1, 17 years of age and under	\$12.74 (26%)	\$12.53 (24%)
Junior employees (other than office juniors), Level 1, 18 years	Caterers employee level 1, 18 years of age	\$14.81 (26%)	\$14.58 (24%)
Junior employees (other than office juniors), Level 1, 19 years	Caterers employee level 1, 19 years of age	\$17.80 (26%)	\$17.52 (24%)
Junior employees (other than office juniors), Level 1, 20 years	Caterers employee Level 1, 20 years of age	\$20.80 (26%)	\$20.47 (24%)
Junior employees (other than office juniors), Level 2, 16 years and under	Caterers employee level 2, 17 years of age and under	\$11.42 (26%)	\$11.24 (24%)
Junior employees (other than office juniors), Level 2, 16 years and under	Caterers employee level 3, 17 years of age and under	\$11.53 (26%)	\$11.35 (24%)
Junior employees (other than office juniors), Level 2, 17 years	Caterers employee level 2, 17 years of age and under	\$13.23 (26%)	\$13.02 (24%)
Junior employees (other than office juniors), Level 2, 17 years	Caterers employee level 3, 17 years of age and under	\$13.34 (26%)	\$13.13 (24%)
Junior employees (other than office juniors), Level 2, 18 years	Caterers employee level 2, 18 years of age	\$15.36 (26%)	\$15.12 (24%)

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)	Post 26 March 2006 employer*
Junior employees (other than office juniors), Level 2, 18 years	Caterers employee level 3, 18 years of age	\$15.43 (26%)	\$15.19 (24%)
Junior employees (other than office juniors), Level 2, 19 years	Caterers employee level 2, 19 years of age	\$18.46 (26%)	\$18.17 (24%)
Junior employees (other than office juniors), Level 2, 19 years	Caterers employee level 3, 19 years of age	\$18.60 (26%)	\$18.30 (24%)
Junior employees (other than office juniors), Level 2, 20 years	Caterers employee level 2, 20 years of age	\$21.57 (26%)	\$21.22 (24%)
Junior employees (other than office juniors), Level 2, 20 years	Caterers employee level 3, 20 years of age	\$21.72 (26%)	\$21.37 (24%)
Junior employees (other than office juniors), Level 3, 16 years and under	Caterers employee level 2, 17 years of age and under	\$11.73 (26%)	\$11.54 (24%)
Junior employees (other than office juniors), Level 3, 16 years and under	Caterers employee level 3, 17 years of age and under	\$11.84 (26%)	\$11.65 (24%)
Junior employees (other than office juniors), Level 3, 16 years and under	Caterers employee level 4, 17 years of age and under	\$11.91 (26%)	\$11.72 (24%)
Junior employees (other than office juniors), Level 3, 16 years and under	Caterers employee level 6, 17 years of age and under	\$12.22 (26%)	\$12.03 (24%)
Junior employees (other than office juniors), Level 3, 17 years	Caterers employee level 2, 17 years of age and under	\$13.61 (26%)	\$13.39 (24%)
Junior employees (other than office juniors), Level 3, 17 years	Caterers employee level 3, 17 years of age and under	\$13.68 (26%)	\$13.46 (24%)
Junior employees (other than office juniors), Level 3, 17 years	Caterers employee level 4, 17 years of age and under	\$13.79 (26%)	\$13.57 (24%)

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)	Post 26 March 2006 employer*
Junior employees (other than office juniors), Level 3, 17 years	Caterers employee level 6, 17 years of age and under	\$14.10 (26%)	\$13.88 (24%)
Junior employees (other than office juniors), Level 3, 18 years	Caterers employee level 2, 18 years of age	\$15.79 (26%)	\$15.54 (24%)
Junior employees (other than office juniors), Level 3, 18 years	Caterers employee level 3, 18 years of age	\$15.91 (26%)	\$15.66 (24%)
Junior employees (other than office juniors), Level 3, 18 years	Caterers employee level 4, 18 years of age	\$15.96 (26%)	\$15.71 (24%)
Junior employees (other than office juniors), Level 3, 18 years	Caterers employee level 6, 18 years of age	\$16.35 (26%)	\$16.09 (24%)
Junior employees (other than office juniors), Level 3, 19 years	Caterers employee level 2, 19 years of age	\$18.99 (26%)	\$18.68 (24%)
Junior employees (other than office juniors), Level 3, 19 years	Caterers employee level 3, 19 years of age	\$19.12 (26%)	\$18.82 (24%)
Junior employees (other than office juniors), Level 3, 19 years	Caterers employee level 4, 19 years of age	\$19.22 (26%)	\$18.92 (24%)
Junior employees (other than office juniors), Level 3, 19 years	Caterers employee level 6, 19 years of age	\$19.62 (26%)	\$19.31 (24%)
Junior employees (other than office juniors), Level 3, 20 years	Caterers employee level 2, 20 years of age	\$22.18 (26%)	\$21.83 (24%)
Junior employees (other than office juniors), Level 3, 20 years	Caterers employee level 3, 20 years of age	\$22.34 (26%)	\$21.98 (24%)
Junior employees (other than office juniors), Level 3, 20 years	Caterers employee level 4, 20 years of age	\$22.45 (26%)	\$22.09 (24%)

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)	Post 26 March 2006 employer*
Junior employees (other than office juniors), Level 3, 20 years	Caterers employee level 6, 20 years of age	\$22.80 (26%)	\$22.44 (24%)
Junior employees (other than office juniors), Level 4, 16 years and under	Caterers employee level 4, 17 years of age and under	\$12.41 (26%)	\$12.22 (24%)
Junior employees (other than office juniors), Level 4, 16 years and under	Caterers employee level 5, 17 years of age and under	\$12.56 (26%)	\$12.36 (24%)
Junior employees (other than office juniors), Level 4, 16 years and under	Caterers employee level 6, 17 years of age and under	\$12.72 (26%)	\$12.52 (24%)
Junior employees (other than office juniors), Level 4, 17 years	Caterers employee level 4, 17 years of age and under	\$14.39 (26%)	\$14.16 (24%)
Junior employees (other than office juniors), Level 4, 17 years	Caterers employee level 5, 17 years of age and under	\$14.54 (26%)	\$14.30 (24%)
Junior employees (other than office juniors), Level 4, 17 years	Caterers employee level 6, 17 years of age and under	\$14.70 (26%)	\$14.47 (24%)
Junior employees (other than office juniors), Level 4, 18 years	Caterers employee level 4, 18 years of age	\$16.70 (26%)	\$16.43 (24%)
Junior employees (other than office juniors), Level 4, 18 years	Caterers employee level 5, 18 years of age	\$16.82 (26%)	\$16.55 (24%)
Junior employees (other than office juniors), Level 4, 18 years	Caterers employee level 6, 18 years of age	\$17.05 (26%)	\$16.78 (24%)
Junior employees (other than office juniors), Level 4, 19 years	Caterers employee level 4, 19 years of age	\$20.07 (26%)	\$19.75 (24%)
Junior employees (other than office juniors), Level 4, 19 years	Caterers employee level 5, 19 years of age	\$20.26 (26%)	\$19.93 (24%)

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)	Post 26 March 2006 employer*
Junior employees (other than office juniors), Level 4, 19 years	Caterers employee level 6, 19 years of age	\$20.42 (26%)	\$20.10 (24%)
Junior employees (other than office juniors), Level 4, 20 years	Caterers employee level 4, 20 years of age	\$23.45 (26%)	\$23.07 (24%)
Junior employees (other than office juniors), Level 4, 20 years	Caterers employee level 5, 20 years of age	\$23.65 (26%)	\$23.28 (24%)
Junior employees (other than office juniors), Level 4, 20 years	Caterers employee level 6, 20 years of age	\$23.89 (26%)	\$23.52 (24%)
Junior employees (other than office juniors), Level 5, 16 years and under	Caterers employee level 4, 17 years of age and under	\$13.03 (26%)	\$12.82 (24%)
Junior employees (other than office juniors), Level 5, 16 years and under	Caterers employee level 6, 17 years of age and under	\$13.34 (26%)	\$13.12 (24%)
Junior employees (other than office juniors), Level 5, 16 years and under	Caterers employee level 7, 17 years of age and under	\$13.42 (26%)	\$13.21 (24%)
Junior employees (other than office juniors), Level 5, 17 years	Caterers employee level 4, 17 years of age and under	\$15.13 (26%)	\$14.89 (24%)
Junior employees (other than office juniors), Level 5, 17 years	Caterers employee level 6, 17 years of age and under	\$15.44 (26%)	\$15.19 (24%)
Junior employees (other than office juniors), Level 5, 17 years	Caterers employee level 7, 17 years of age and under	\$15.53 (26%)	\$15.28 (24%)
Junior employees (other than office juniors), Level 5, 18 years	Caterers employee level 4, 18 years of age	\$17.56 (26%)	\$17.28 (24%)
Junior employees (other than office juniors), Level 5, 18 years	Caterers employee level 6, 18 years of age	\$17.87 (26%)	\$17.59 (24%)

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)	Post 26 March 2006 employer*
Junior employees (other than office juniors), Level 5, 18 years	Caterers employee level 7, 18 years of age	\$18.01 (26%)	\$17.72 (24%)
Junior employees (other than office juniors), Level 5, 19 years	Caterers employee level 4, 19 years of age	\$21.12 (26%)	\$20.78 (24%)
Junior employees (other than office juniors), Level 5, 19 years	Caterers employee level 6, 19 years of age	\$21.51 (26%)	\$21.17 (24%)
Junior employees (other than office juniors), Level 5, 19 years	Caterers employee level 7, 19 years of age	\$21.63 (26%)	\$21.28 (24%)
Junior employees (other than office juniors), Level 5, 20 years	Caterers employee level 4, 20 years of age	\$24.67 (26%)	\$24.28 (24%)
Junior employees (other than office juniors), Level 5, 20 years	Caterers employee level 6, 20 years of age	\$25.12 (26%)	\$24.72 (24%)
Junior employees (other than office juniors), Level 5, 20 years	Caterers employee level 7, 20 years of age	\$25.25 (26%)	\$24.85 (24%)
Junior employees (other than office juniors), Level 6, 16 years and under	Caterers employee level 7, 17 years of age and under	\$13.70 (26%)	\$13.49 (24%)
Junior employees (other than office juniors), Level 6, 17 years	Caterers employee level 7, 17 years of age and under	\$15.86 (26%)	\$15.61 (24%)
Junior employees (other than office juniors), Level 6, 18 years	Caterers employee level 7, 18 years of age	\$18.35 (26%)	\$18.06 (24%)
Junior employees (other than office juniors), Level 6, 19 years	Caterers employee level 7, 19 years of age	\$22.10 (26%)	\$21.75 (24%)
Junior employees (other than office juniors), Level 6, 20 years	Caterers employee level 7, 20 years of age	\$25.81 (26%)	\$25.40 (24%)

Apprentice

The rates in this guide are current from the first pay period on or after 01 January 2014.

Full Time Cooking apprenticeship

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
First year	Cooking apprentice, 1st year (or equivalent training stage)	\$10.20
Second year	Cooking apprentice, 2nd year (or equivalent training stage)	\$12.05
Third year	Cooking apprentice, 3rd year (or equivalent training stage)	\$14.85
Fourth year	Cooking apprentice, 4th year (or equivalent training stage)	\$17.65

Adult cooking apprenticeship starting on or after 1/1/2014

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
First year	Cooking apprentice, 1st year (or equivalent training stage)	\$15.25
Second year	Cooking apprentice, 2nd year (or equivalent training stage)	\$16.37
Third year	Cooking apprentice, 3rd year (or equivalent training stage)	\$16.37
Fourth year	Cooking apprentice, 4th year (or equivalent training stage)	\$18.11

Please note: This modern award contains special provisions for school based apprentices; these rates are not set out in this guide. For information about transitional rates for these employees please visit www.fairwork.gov.au and/or contact the **Fair Work Infoline** on **13 13 94**.

Trainee

This modern award incorporates trainee rates derived from the National Training Wage Schedule (NTW Sch.), as adjusted from time to time.

Supported Wage

Please refer to clause 22 of the modern award.

For detail of the supported wage provisions see the full version of the modern award.

Penalties and Loadings (other than casual or part-time loadings for ordinary hours)

Where an employee had an entitlement to a loading/penalty rate before 01 January 2010 that is exactly the same as the modern award loading/penalty entitlement the modern award loading/penalty applies in full from 01 January 2010.

Transitional arrangements

This modern award includes transitional arrangements that apply to loading/penalty entitlements where there is a difference in modern award and pre-modern award loading/penalty entitlements. Transitional arrangements apply from the first pay period on or after 01 July 2010 until the first pay period on or after 01 July 2014 (when modern award loadings/penalties apply in full).

Different arrangements apply depending on whether the entitlements are “equivalent” or not.

- A pre-modern award loading/penalty will be “equivalent” to a modern award entitlement where the loading/penalty applies:
 - for the same purpose (e.g. Saturday penalty);
 - for the same time periods; and
 - in the same way#.
- #A pre-modern award and modern award loading/penalty applies in the same way if the entitlements are both:
 - paid at the same frequency, such as per hour or per shift; and
 - paid as a percentage of the same amount (e.g. both penalties are paid as a percentage of the employee’s classification rate, rather than as a percentage of a different amount or paid as a flat dollar amount).

Casual loadings and penalties also need to interact with each other in the same way in the pre-modern award and modern award to be equivalent (e.g. the loading and penalty rate are calculated on the base hourly rate in both instruments).

Equivalent entitlements

If the pre-modern award loading/penalty rate is “equivalent” to the modern award loading/penalty rate the penalty rate is calculated as follows:

1. The difference between the two loading/penalty rates is referred to as a “transitional percentage”. The transitional percentage stays the same every year.
2. A proportion of the transitional percentage is calculated each year as follows:

First full pay period on or after	Proportion of transitional percentage
01 July 2010	80%
01 July 2011	60%
01 July 2012	40%
01 July 2013	20%
01 July 2014	0%

3. Where the modern award loading/penalty is higher, the penalty rate is obtained by subtracting the proportion of the transitional percentage.

Example:

The table below shows the percentage penalty rates that apply from the first full pay period on or after 01 July 2010 until the last full pay period before 01 July 2011 for common penalty rates.

Please note the below table is a guide **only** and can only be used when the entitlements are equivalent and the modern award penalty is higher.

1/01/2010	1/07/2014	1/07/2010
Pre-modern award penalty	Modern award penalty	Penalty rate (phased)
25%	50%	30%
50%	75%	55%
50%	100%	60%
75%	100%	80%

4. Where the modern award loading/penalty is lower, the penalty rate is obtained by adding the proportion of the transitional percentage.

Example:

The table below shows the percentage penalty rates that apply from the first full pay period on or after 01 July 2010 until the last full pay period before 01 July 2011 for common penalty rates.

Please note the below table is a guide **only** and can only be used when the entitlements are equivalent and the modern award penalty is lower.

1/01/2010	1/07/2014	1/07/2010
Pre-modern award penalty	Modern award penalty	Penalty rate (phased)
50%	25%	45%
75%	50%	70%
100%	50%	90%
100%	75%	95%

Entitlements that are not equivalent

If pre-modern award and modern award penalty rates are not "equivalent", the following approach applies:

1. Loadings/penalty rates from a modern award are phased in from zero in five instalments of 20% by multiplying the penalty rate by the following percentage:

First full pay period on or after	Percent of modern award loading/penalty
01 July 2010	20%
01 July 2011	40%
01 July 2012	60%
01 July 2013	80%
01 July 2014	100%

2. Pre-modern award loadings/penalty rates are phased out to zero in five instalments of 20% by multiplying the penalty rate by the following percentage:

First full pay period on or after	Percent of pre-modern award loading/ penalty
01 July 2010	80%
01 July 2011	60%
01 July 2012	40%
01 July 2013	20%
01 July 2014	0%

Please note that a pre-modern award penalty rate can be 'phased out' at the same time that a modern award penalty is 'phasing in' (i.e. where different entitlements apply in the same time period). This means that two different rates may apply for the same time period.

Example:

The table below shows the percentage penalty rates that apply from the first full pay period on or after 01 July 2010 until the last full pay period before 01 July 2011 for common penalty rates.

Please note the below table is a guide **only** and can only be used when the entitlements are not equivalent.

1/01/2014 Modern award penalty	1/07/2010 Penalty rate (phased) (20.00%)
10.00%	2.00%
20.00%	4.00%
25.00%	5.00%
50.00%	10.00%
75.00%	15.00%
100.00%	20.00%
120.00%	24.00%
125.00%	25.00%
130.00%	26.00%
150.00%	30.00%

1/01/2010 Pre-modern award penalty	1/07/2010 Penalty rate (phased) (80.00%)
10.00%	8.00%
20.00%	16.00%
25.00%	20.00%
50.00%	40.00%
75.00%	60.00%
100.00%	80.00%
120.00%	96.00%
125.00%	100.00%
130.00%	104.00%
150.00%	120.00%

New entitlements

Where an employee did not have a particular loading/penalty entitlement before 01 January 2010, the modern award loading/penalty is phased in from zero as a new entitlement from the first pay period on or after 01 July 2010 by multiplying the penalty rate by the following percentage:

First full pay period on or after	Percent of modern award loading/ penalty
01 July 2010	20%
01 July 2011	40%
01 July 2012	60%
01 July 2013	80%
01 July 2014	100%

Example:

The table below shows the percentage penalty rates that apply from the first full pay period on or after 01 July 2010 until the last full pay period before 01 July 2011 for common penalty rates.

Please note the below table is a guide **only** and can only be used when the entitlements in the modern award are new.

1/07/2014	1/07/2010
Modern award penalty	Penalty rate (phased)
25%	5%
50%	10%
75%	15%
100%	20%

For more information about transitional arrangements for loading/penalty entitlements please visit www.fairwork.gov.au and/or contact the **Fair Work Infoline** on **13 13 94** for advice and assistance.

Allowances

Allowances in modern awards apply in full from 01 January 2010 (although the rates may change from time to time).

All states covered by this instrument Full Time, Part Time, Casual

Clause	Allowance Type	Description	Effective Date	Rate
21.1(a)	Meal allowance	An employee required to work overtime for more than two hours without being notified on the previous day or earlier must either be supplied with a meal by the employer or be paid an allowance. If an employee who has been given notice of a requirement to work overtime has provided a meal and is not required to work overtime or is required to work less than the amount advised, they must be paid the allowance for the meal they have provided.	1/07/2013	\$11.8200 per occasion
21.1(b)(i)	Tool allowance	Where a cook is required to use their own tools, the employer must pay the allowance.	1/01/2010	\$1.5500 per day or part thereof, up to a maximum of \$7.60 per week
21.1(d)	Laundry	Motel employees Where any employee is required to wear a special uniform it must be provided and laundered by the employer free of cost. If mutually agreed that the employee will launder the uniform, the employer must pay the allowance.	1/01/2010	\$2.4000 per uniform, with a maximum of \$7.45 per week.
21.1(e)	Vehicle allowance	Managerial staff	1/07/2013	\$0.7600 per kilometre

Clause	Allowance Type	Description	Effective Date	Rate
		An employee within the Managerial staff—hotels classification who is required to use their own vehicle in or in connection with the business of the employer must be paid the allowance. An employer may require an employee to record full details of all official travel requirements in a log book.		
21.1(i)	Travel allowance	Airport catering employees Employees engaged by airport catering employers are paid the allowance for each day the employee attends work.	1/07/2013	\$6.5200 per day
21.2(a)	Forklift allowance	All purpose allowance expressed as an hourly rate. A fork lift driver must be paid an all purpose allowance.	1/07/2013 - 14/08/2013	\$0.2860 per hour. This weekly allowance has been converted to an hourly amount. It should be applied to all ordinary hours of work (up to maximum of 38 hours week). (1.50%)
21.2(b)	First aid allowance	An employee, trained to give first aid, currently holding a recognised first aid qualification and appointed to perform first aid duty must be paid the allowance.	1/07/2013 - 14/08/2013	\$0.2288 per hour. This weekly allowance has been converted to an hourly amount. It should be applied to all ordinary hours of work (up to maximum of 38 hours week). (1.20%)

Clause	Allowance Type	Description	Effective Date	Rate
21.2(c)	Supervisor (in charge) allowance	<p>All purpose allowance expressed as an hourly rate.</p> <p>Airport catering</p> <p>Employees of airport catering employers who supervise up to 5 employees are to be are paid the allowance. The allowance is to be treated as part of the wage rate for all award payment calculations.</p>	1/07/2013	<p>\$0.3813 per hour.</p> <p>This weekly allowance has been converted to an hourly amount. It should be applied to all ordinary hours of work (up to maximum of 38 hours week). (2.00%)</p>
21.2(c)	Supervisor (in charge) allowance	<p>All purpose allowance expressed as an hourly rate.</p> <p>Airport catering</p> <p>Employees of airport catering employers who supervise 6 to 10 employees are to be are paid the allowance. The allowance is to be treated as part of the wage rate for all award payment calculations.</p>	1/07/2013	<p>\$0.5243 per hour.</p> <p>This weekly allowance has been converted to an hourly amount. It should be applied to all ordinary hours of work (up to maximum of 38 hours week). (2.75%)</p>
21.2(c)	Supervisor (in charge) allowance	<p>All purpose allowance expressed as an hourly rate.</p> <p>Airport catering</p> <p>Employees of airport catering employers who supervise 11 to 20 employees are to be are paid the allowance. The allowance is to be treated as part of the wage rate for all award payment calculations.</p>	1/07/2013	<p>\$0.5910 per hour.</p> <p>This weekly allowance has been converted to an hourly amount. It should be applied to all ordinary hours of work (up to maximum of 38 hours week). (3.10%)</p>

Clause	Allowance Type	Description	Effective Date	Rate
21.2(c)	Supervisor (in charge) allowance	All purpose allowance expressed as an hourly rate. Airport catering Employees of airport catering employers who supervise more than 20 employees are to be are paid the allowance. The allowance is to be treated as part of the wage rate for all award payment calculations.	1/07/2013	\$0.9914 per hour. This weekly allowance has been converted to an hourly amount. It should be applied to all ordinary hours of work (up to maximum of 38 hours week). (5.20%)
21.3(b)	Overnight stay	Where an employee stays on the employer's premises to provide assistance to guests outside ordinary business hours, they will be paid the allowance. This payment compensates for the overnight stay and all work undertaken up to an hour's duration. (6% of the standard rate x 38 = 228% of the hourly rate)	1/07/2013	\$43.4700 per occasion (228.00%)

Full Time

Clause	Allowance Type	Description	Effective Date	Rate
21.1(c)	Laundry	Catering employees, including airport catering employees Where a catering employer requires an employee to wear a special uniform, dress or clothing, the employer must reimburse the employee for the cost of its purchase. This does not apply where the special clothing is paid for by the employer. Unless it	1/01/2010	\$6.0000 per week

Clause	Allowance Type	Description	Effective Date	Rate
		<p>is laundered by the employer, an employee is paid the laundry allowance.</p> <p>Black and white attire (not being a dinner suit or evening dress) shoes hose and/or socks are not special clothing.</p>		
21.2(a)	Forklift allowance	<p>Full time All purpose allowance expressed as an hourly rate. A fork lift driver must be paid an all purpose allowance.</p>	15/08/2013	<p>\$0.2860 per hour.</p> <p>This weekly allowance has been converted to an hourly amount. It should be applied to all ordinary hours of work (up to maximum of 38 hours week). (1.50%)</p>
21.2(b)	First aid allowance	<p>Full time An employee, trained to give first aid, currently holding a recognised first aid qualification and appointed to perform first aid duty must be paid the allowance.</p>	15/08/2013	<p>\$0.2288 per hour.</p> <p>This weekly allowance has been converted to an hourly amount. It should be applied to all ordinary hours of work (up to maximum of 38 hours week). (1.20%)</p>

Full Time, Part Time

Clause	Allowance Type	Description	Effective Date	Rate
21.3(a)	Broken shift allowance	Employees other than casuals who have a broken work day must receive an additional allowance where the time between periods of work is two hours and up to three hours (0.33% of the standard rate x 38 = 12.54% of the hourly rate)	1/07/2013	\$2.3909 per day (12.54%)
21.3(a)	Broken shift allowance	Employees other than casuals who have a broken work day must receive an additional allowance where the time between periods of work is more than three hours. (0.5% of the standard rate x 38 = 19% of the hourly rate)	1/07/2013	\$3.6225 per day (19.00%)

Part Time, Casual

Clause	Allowance Type	Description	Effective Date	Rate
21.1(c)	Laundry	Catering employees, including airport catering employees - part-time and casual employees Where a catering employer requires a part-time or casual employee to wear any special uniform, dress or clothing, the employer must reimburse the employee for the cost of its purchase. This does not apply where the special clothing is paid for by the employer. Unless it is laundered by the employer, regular part-time employees and casual employees will be paid the laundry allowance. Black and white attire (not being a dinner suit or evening dress) shoes hose and/or socks are not special clothing.	1/01/2010	\$2.0500 per uniform laundered

Clause	Allowance Type	Description	Effective Date	Rate
21.2(a)	Forklift allowance	Part time and casual A fork lift driver must be paid an all purpose allowance. 0.3 x 38 = 11.4%	15/08/2013	\$2.1735 per day (maximum payment applies). (11.40%)
21.2(b)	First aid allowance	Part time and casual An employee, trained to give first aid, currently holding a recognised first aid qualification and appointed to perform first aid duty must be paid the allowance. 0.24 x 38 = 9.12%	15/08/2013	\$1.7388 per day (maximum payment applies). (9.12%)

The Allowances in this modern award will not be applicable to casual employees in South Australia who were covered by the Hotels, Clubs Etc. Award [AN 150066], as at 31 December 2009.

Other Conditions

The following conditions in the modern award apply in full from 1 January 2010. Please note that the below table is a summary of commonly applicable entitlements in the modern award, there may be other entitlements in the modern award that are relevant to particular employers or employees. Please refer to the modern award for full details.

Note: The National Employment Standards (**NES**) operate together with modern awards to provide minimum conditions of employment for employers and employees in the national system. The NES sets out ten minimum statutory entitlements that apply to all employees, including leave and termination of employment entitlements.

For more information about the NES, please visit www.fairwork.gov.au

All states covered by this instrument

Clause	Conditions Type	Description
7	Award flexibility (Instrument)	An employer and an individual employee may agree to vary the following terms of this award to meet the genuine needs of the employer and the individual employee with respect to: - arrangements for when work is performed - overtime rates

Clause	Conditions Type	Description
		<ul style="list-style-type: none"> - penalty rates - allowances - leave loading. <p>Other conditions concerning award flexibility are contained within the Fair Work Act 2009.</p>
8	Consultation (Instrument)	<p>The award contains information on the employer's responsibility to consult regarding major workplace change including the:</p> <ul style="list-style-type: none"> - duty to notify, and - duty to discuss change.
9	Dispute resolution (Instrument)	<p>The award sets out a dispute resolution procedure for dealing with disputes in relation to a matter under the award or the National Employment Standards (NES).</p>
12	Part-time conditions (Instrument)	<p>An employer may employ part-time employees in any classification in this award.</p> <p>A part-time employee is an employee who:</p> <ul style="list-style-type: none"> - works less than full-time hours of 38 per week - has reasonably predictable hours of work, and - receives, on a pro rata basis, equivalent pay and conditions to those of full-time employees who do the same kind of work. <p>At the time of engagement the employer and the part-time employee will agree in writing on a regular pattern of work, specifying at least the hours worked each day, which days of the week the employee will work and the actual starting and finishing times each day.</p> <p>Any agreed variation to the hours of work will be recorded in writing.</p> <p>An employer is required to roster a part-time employee for a minimum of three consecutive hours on any shift.</p>

Clause	Conditions Type	Description
		<p>An employee who does not meet the definition of a part-time employee and who is not a full-time employee will be paid as a casual employee.</p> <p>All time worked in excess of the agreed hours or varied hours will be overtime and paid for at overtime rates.</p> <p>A part-time employee must be paid for ordinary hours worked at the rate of 1/38th of the weekly rate for the work performed.</p>
13	Casual conditions (Instrument)	<p>A casual employee is an employee engaged as such and must be paid a casual loading of 25%. The casual loading is paid as compensation for annual leave, personal/carer's leave, notice of termination, redundancy benefits and the other entitlements of full-time or part-time employment.</p> <p>On each occasion a casual employee is required to attend work they are entitled to a minimum payment for two hours' work.</p> <p>A casual employee must be paid at the termination of each engagement, but may agree to be paid weekly or fortnightly.</p> <p>Conversion to full-time or part-time employment A regular casual employee who has been employed on a regular and systematic basis for a period of at least 12 months may elect to have their contract of employment converted to full-time or part-time employment. Specific conditions apply – refer to award for details.</p>
14	Apprentice conditions (Instrument)	<p>Apprentices will be engaged in accordance with relevant apprenticeship legislation and be paid the appropriate percentage of the applicable adult rate.</p> <p>An apprentice under the age of 18 years must not be required to work overtime or shift work without their consent.</p>
15	Junior conditions (Instrument)	<p>Junior employees will be paid the appropriate percentage of the adult rate in accordance with this award.</p> <p>An employer may require the production of identification to ascertain the correct age of a junior employee. If a birth certificate is required, the cost of it must be borne by the employer.</p>

Clause	Conditions Type	Description
		<p>Where the law permits, a junior employee may be employed as liquor service employees, in the bar or other places where liquor is sold. Junior employees working as liquor service employees must be paid at the adult rate of pay for the classification for the work being performed.</p> <p>No employee under the age of 18 years will be required to work more than 10 hours in a shift.</p>
16.2	Termination of employment - notice of termination by an employee (Instrument)	<p>The notice of termination required to be given by an employee is the same as an employer except there is no requirement to give additional notice based on age. If an employee fails to give the required notice the employer may withhold from any monies due on termination, the difference between the amount of notice required and the amount of notice actually given.</p> <p>If an employee gives notice in accordance with the above, the employer may, at its discretion, elect to make a payment in lieu of the employee working for all or part of the notice period. The payment must be equivalent to the amount the employer would have been otherwise required to make pursuant to s.117 of the Act had the employer terminated the employee's employment.</p>
16.3	Termination of employment - job search entitlement (Instrument)	Where an employer has given notice of termination to an employee, an employee must be allowed up to one day's time off without loss of pay for the purpose of seeking other employment. The time off is to be taken at times that are convenient to the employee after consultation with the employer.
17.2	Redundancy - transfer to lower paid duties (Instrument)	Where an employee is transferred to lower paid duties by reason of redundancy, the same period of notice must be given as the employee would have been entitled to if the employment had been terminated. Alternatively, the employer may choose to pay the employee the difference between the former ordinary time rate of pay and the new ordinary time rate of pay for the number of weeks of notice still owing.
17.3	Redundancy - employee leaving during notice period (Instrument)	An employee given notice of termination in circumstances of redundancy may terminate their employment during the period of notice. The employee is entitled to receive the benefits and payments they would have received had they remained in employment until the expiry of the notice, but is not entitled to payment instead of notice.
17.4	Redundancy - job search entitlement (Instrument)	An employee given notice of termination in circumstances of redundancy must be allowed up to one day's time off without loss of pay during each week of notice for the purpose of seeking other employment.

Clause	Conditions Type	Description
		<p>If the employee has been allowed paid leave for more than one day, the employee must, by request, produce proof of attendance at an interview or they will not be entitled to payment for the time absent. For this purpose a statutory declaration is sufficient.</p>
17.5	Redundancy - transitional provisions (Instrument)	<p>An employee whose employment is terminated by an employer is entitled to redundancy pay in accordance with terms of a NAPSA:</p> <ul style="list-style-type: none"> - that would have applied to the employee immediately prior to 1 January 2010, if the employee had at that time been in their current circumstances of employment and no agreement-based transitional instrument or enterprise agreement had applied to the employee; and - that would have entitled the employee to redundancy pay in excess of the employee's entitlement to redundancy pay, if any, under the NES. <p>The employee's entitlement to redundancy pay under the NAPSA is limited to the amount of redundancy pay which exceeds the employee's entitlement to redundancy pay, if any, under the NES.</p> <p>This clause does not operate to diminish an employee's entitlement to redundancy pay under any other instrument.</p> <p>This clause ceases to operate on 31 December 2014.</p>
27.2 & 27.3	Salaries absorption (Instrument)	<p>Employees within the Manager classification level, who are in receipt of a salary of 25% in excess of the minimum annual salary rate of \$41,180 per annum (in receipt of a salary of at least \$51,475 per annum), will not be entitled to the benefits of the following terms and conditions:</p> <ul style="list-style-type: none"> - part-time employees - allowances - ordinary hours of work (full time and part time employees) - breaks - penalty rates - overtime - payment for annual leave

Clause	Conditions Type	Description
		<p>- additional arrangements for full-time employees (on public holidays)</p> <p>- provision of employee accommodation and meals.</p> <p>Such employee will be entitled to a minimum of eight days off per four week cycle. Where such an employee works a public holiday that employee will be entitled to paid time off that is of equal length to the time worked on the public holiday. This time is to be taken within 28 days of accruing it.</p> <p>For the purpose of calculating the weekly equivalent of the prescribed annual salary rates, the divisor of 52 will be used and the resultant amount will be taken to the nearest 10 cents. All calculations required to be made under this award for the purpose of determining hourly amounts payable to an employee will be calculated on the weekly equivalent of the annual salary.</p> <p>Managerial Staff will be reimbursed for all monies reasonably expended for and on behalf of the employer subject to hotel policy or approval.</p> <p>In such circumstances, an employer may elect to pay the employee monthly.</p>
20.4(c)	Proficiency payments (Instrument)	<p>Cooking Trade</p> <p><u>Application</u> Proficiency pay will apply to apprentices who have successfully completed their schooling in a given year.</p> <p><u>Payments</u> Apprentices must receive the standard weekly rate during the latter half of the fourth year of the apprenticeship where the standard of proficiency has been attained on one, two or three occasions on the following basis:</p> <p><u>one occasion only</u></p> <ul style="list-style-type: none"> - for the first nine months of the fourth year of apprenticeship, the normal fourth year rate of pay - thereafter, the standard weekly rate. <p><u>On two occasions</u></p>

Clause	Conditions Type	Description
		<p>- for the first six months of the fourth year of apprenticeship, the normal fourth year rate of pay</p> <p>- thereafter, the standard weekly rate.</p> <p><u>On all three occasions</u></p> <p>- for the entire fourth year, the standard weekly rate.</p>
20.4(d)	Other (Instrument)	<p>Proficiency payments—waiting trade</p> <p>Application</p> <p>Proficiency pay will apply to level 2 apprentices who have successfully completed their schooling in the first year.</p> <p>Payments</p> <p>Apprentices who have attained the standard of proficiency in their first year must receive the standard weekly rate during the latter half of the second year of apprenticeship.</p>
21.1(b)	Clothing, equipment and tools (Instrument)	<p>Where the employer requires an employee to provide and wear any special clothing such as coats, dresses, caps, aprons or cuffs, the employer must reimburse the employee for the cost except where the special clothing is paid for by the employer. For the purposes of this clause black and white attire (not being dinner suit or evening dress), shoes, hose and/or socks are not special clothing.</p> <p>Where the employee is responsible for laundering the special clothing the employer must reimburse the employee for the costs of laundering. The employer and the employee may agree on an arrangement under which the employee will wash and iron the special clothing for an agreed sum of money to be paid by the employer each week.</p> <p>Where it is necessary that an employee to provide and wear waterproof or other protective clothing such as waterproof boots, aprons, or gloves, the employer must reimburse the employee for the cost except where the protective clothing is paid for by the employer.</p> <p>An employer may require an employee on commencing employment to sign a receipt for item/s of uniform and property listing the items and corresponding value. If, when ceasing employment, the employee does</p>

Clause	Conditions Type	Description
		<p>not return the uniform and property in accordance with the receipt, the employer will be entitled to deduct the value from the employee's wages. This will not apply in the case of genuine wear and tear, damage, loss or theft that is not the employee's fault.</p> <p>Where the employer requires an employee to provide and use any towels, tools, ropes, brushes, knives, choppers, implements, utensils and materials, the employer must reimburse the employee for the cost except where the items are paid for by the employer.</p>
21.1(f)	Working late (Instrument)	When an employer requires an employee to work until it is unreasonable to travel by their normal method of transport home the employer must pay the cost of transport. This does not apply where the employer provides accommodation for the night free of charge or provides transport for the employee to get home.
21.1(g)	Working early (Instrument)	When an employer requires an employee to start work before their normal starting time and before their normal method of transport to work is available the employer must pay the cost of transport for the employee to get to work. This does not apply where the employer provides transport for the employee to get to work.
21.1(h)	Away from home/usual place of employment (Instrument)	<p>Applies where an employee other than a casual is required to work at a place more than 80 kilometres from the employee's usual place of work. In these circumstances the employer must pay the cost of fares reasonably spent by the employee in travelling from the employee's usual place of work to the new place of work.</p> <p>The employer may recover any amount paid to an employee under this clause if the employee concerned leaves their employment or is dismissed for misconduct within three months of receiving such a payment.</p>
21.4	District allowance (Instrument)	<p>An employee in the Northern Territory or Western Australia is entitled to payment of a district allowance in accordance with the terms of an award or NAPSA under the Workplace Relations Act 1996 that would have applied to the employee immediately prior to 1 January 2010, if the employee had at that time been in their current circumstances of employment and no agreement - based transitional instrument or enterprise agreement had applied to the employee, and that would have entitled the employee to payment of a district allowance.</p> <p>This clause ceases to operate on 31 December 2014.</p>
21.5	Accident pay	An employee is entitled to accident pay in accordance with the terms of:

Clause	Conditions Type	Description
	(Instrument)	<p>- a NAPSA that would have applied to the employee immediately prior to 1 January 2010 or an award made under the Workplace Relations Act 1996 (Cth) that would have applied to the employee immediately prior to 27 March 2006, if the employee had at that time been in their current circumstances of employment and no agreement-based transitional instrument or enterprise agreement had applied to the employee, and</p> <p>- that would have entitled the employee to accident pay in excess of the employee's entitlement to accident pay, if any, under any other instrument.</p> <p>The employee's entitlement to accident pay under the NAPSA or award is limited to the amount of accident pay which exceeds the employee's entitlement to accident pay, if any, under any other instrument.</p> <p>This clause does not reduce an employee's entitlement to accident pay under any other instrument and ceases to operate on 31 December 2014</p>
25	Higher duties (Instrument)	<p>Except for Food and Beverage Attendant Grades 2 and 3, an employee engaged for two or more hours of one day on duties carrying a higher rate than their ordinary classification must be paid the higher rate for such day. If for less than 2 hours the employee must be paid the higher rate for the time so worked.</p> <p>A higher paid employee will, when necessary, temporarily relieve a lower paid employee without loss of pay.</p>
26	Payment of wages (Instrument)	<p>Except upon the termination of employment, all wages including overtime must be paid on any day other than Friday, Saturday or Sunday in each week. However, by agreement between the employer and the majority of employees in the workplace, in a week where a holiday occurs payment of wages may be made on Friday.</p> <p>By agreement between the employer and the employee wages may be paid either weekly or fortnightly by cash, cheque or EFT (without cost to the employee). However, an employer may pay an employee weekly by cash without consultation.</p> <p>Employees who are not paid by EFT and whose rostered day off falls on pay day must be paid their wages, if they so desire, on the working day prior to their day off.</p>

Clause	Conditions Type	Description
27	Annualised salary arrangements (Instrument)	<p>As an alternative to being paid by the week, an employee may be paid, with mutual agreement, at a rate equivalent to an annual salary of at least 25% or more above the prescribed rate, times 52 for the work being performed. The employer and the individual employee must genuinely make the agreement without coercion or duress.</p> <p>An agreement will have regard to the pattern of work in the employee's occupation, industry or enterprise but must not disadvantage the employee involved; and</p> <p>Unless the parties otherwise agree, relieve the employer of the requirements under Penalty rates and Overtime (or other award clauses prescribing monetary entitlements, as specified in the agreement) to pay penalty rates and/or overtime (or other specified award-derived monetary entitlements) that the employer would otherwise be obliged to pay in addition to the weekly award wage for the work performed and the hours worked by the employee, provided that the salary paid over a year will be sufficient to cover what the employee would have been entitled to if all award overtime and penalty rate payment obligations (and other monetary entitlements specified in the agreement) had been complied with.</p> <p>Provided further in the event of termination of employment prior to completion of a year the salary paid during such period of employment will be sufficient to cover what the employee would have been entitled to if all award overtime and penalty rate payment obligations had been complied with.</p> <p>An employee being paid according to this clause will be entitled to a minimum of eight days off per four week cycle. If such an employee is required to work on a public holiday, they are entitled to paid time off that is of equal length to the time worked on the public holiday or the equal length of time work to be added to their annual leave entitlement.</p> <p>Where payment in accordance with this clause is adopted, the employer must keep a daily record of the hours worked which will show the date and start and finish times of the employee for the day. The record must be countersigned weekly by the employee and must be kept at the place of employment for a period of at least six years.</p>
28	Superannuation (Instrument)	<p>The award contains information on:</p> <ul style="list-style-type: none"> - the employers responsibility to make superannuation contributions to a superannuation fund - the ability for an employee to authorise their employer to pay on their behalf contributions to a superannuation fund

Clause	Conditions Type	Description
		<p>- the employers responsibility to make superannuation contributions to another superannuation fund that is chosen by the employee</p> <p>Full details regarding superannuation are outlined within the award.</p>
29.1(a) &(b)	Hours of work (Instrument)	<p>The hours of work for a full-time employee are an average of 38 per week to be worked in one of the following ways by agreement between the employer and employee:</p> <ul style="list-style-type: none"> - a 19 day month, of 8 hours per day - 4 days of 8 hours and 1 day of 6 hours - 4 days of 9.5 hours per day - 5 days of 7 hours and 36 minutes per day - 152 hours each 4 week period with a minimum of 8 days off each 4 week period - 160 hours each 4 week period with a minimum of 8 days off each 4 week period plus a rostered day off, or - any combination of the above. <p>The agreed hours of work arrangement must meet the following conditions:</p> <ul style="list-style-type: none"> - A minimum of 6 hours and a maximum of 11.5 hours may be worked on any one day exclusive of meal breaks. - An employee cannot be rostered to work for more than 10 hours per day on more than 3 consecutive days without a 48 hour break. - No more than 8 days of more than 10 hours may be worked in a 4 week period. -Where broken shifts are worked the spread of hours can be no greater than 12 hours per day.
29.1(c)&(d)	Hours of work (Instrument)	<p>Rostered days off</p> <p>In addition to the conditions set out for working the agreed hours, where the hours of work arrangement provides for 160 hours per four week period with a rostered day off:</p> <ul style="list-style-type: none"> - No employee is to work more than 10 days in a row without a rostered day off. - Where practicable the rostered day off must be precede or follow an employee's normal days off. - Rostered days may be banked, up to a maximum of 5 days. - An employee may elect, with the consent of the employer, to take rostered days off in part day amounts. - If a rostered day off falls on a public holiday then, where practicable, the next day is to be taken as the rostered day off. <p>The entitlement to a rostered day off on full pay is subject to the following:</p>

Clause	Conditions Type	Description
		<ul style="list-style-type: none"> - each day of paid leave, except annual leave and long service leave, and any public holiday occurring during the 4 week cycle must be regarded as a day worked for accrual purposes, and - an employee who has not worked a complete 4 week cycle in order to accrue a rostered day off must be paid a pro rata amount for credits accrued for each day worked in the cycle. The pro rata amount is 24 minutes pay for each 8 hour day worked. <p>In addition to the conditions set out for working the agreed hours, where the hours of work arrangement provides for 152 hours each 4 week period:</p> <ul style="list-style-type: none"> - No employee is to work more than 10 days in a row without a rostered day off. - Where an employee works more than 20 days each 4 week period, the 21st and any subsequent days worked in the 4 week period must be paid at overtime rates.
29.2	Part-time conditions (Instrument)	<p>A part-time employee's regular pattern of work must meet the following conditions:</p> <ul style="list-style-type: none"> - A minimum of three hours and a maximum of 11 and a half hours may be worked on any one day. The daily minimum and maximum hours are exclusive of meal break intervals. - Cannot be rostered to work for more than 10 hours per day on more than three consecutive days without a break of at least 48 hours immediately following. - No more than eight days of more than 10 hours may be worked in a four week period. - Where broken shifts are worked the spread of hours can be no greater than 12 hours per day.
29.3	Hours of work (Instrument)	<p>Catering in remote locations</p> <p>Notwithstanding the provisions of this clause, catering employers servicing clients in remote locations may schedule work over consecutively recurring cycles followed by consecutive non-working days. Such work cycles will only be altered or introduced by agreement between an employer and the majority of their employees.</p> <p>The total ordinary hours of work during a cycle will not exceed 40 hours multiplied by the number of working and non-working weeks in the cycle. Overtime rates will be paid for any time in excess of 8 hours per day or in excess of the total ordinary hours.</p> <p>Wages may be paid according to a weekly average of the ordinary hours worked even though more or less than 40 ordinary hours may be worked in any particular week of the work cycle.</p> <p>An employee whose hours of duty are worked in accordance with this clause will accrue an entitlement to paid accrued days off in accordance with the rostered day off provisions.</p>

Clause	Conditions Type	Description
		An employee will have no entitlement to payment for the non-working days.
29.4	Hours of work (Instrument)	<p>Make-up time Make-up time means an arrangement under which an employee takes time off during their ordinary hours of work and makes up that time later. The employer and a majority of employees in a workplace may agree to introduce make-up time subject to the following conditions:</p> <ul style="list-style-type: none"> - An employer who intends to introduce make-up time will consult with its employees and their representatives. - After the employer and a majority of employees have agreed to introduce make-up time, an employee may elect, with the consent of their employer, to work make-up time. <p>Make-up time arrangements must comply with the conditions set out in the breaks and penalty rates clauses of this award.</p> <p>The employer must record make-up time arrangements in the time and wages records.</p>
30	Rostering (Instrument)	<p>A roster for full-time and part-time employees must be prepared by the employer and must be posted in a prominent place accessible to the employees concerned indicating:</p> <ul style="list-style-type: none"> - The name of each employee concerned and their starting and finishing times; and - A minimum 10 hour break between the finish of ordinary hours on one day and the commencement of ordinary hours on the following day. In the case of changeover of rosters, eight hours will be substituted for 10 hours. <p>The roster will be alterable by mutual consent at any time or by amendment of the roster on 7 days' notice. Where practicable 2 weeks' notice of rostered day or days off should be given provided that the days off may be changed by mutual consent or because of illness or other cause over which the employer has no control.</p>
31	Breaks (Instrument)	<p>An employee (including a casual employee) who is required to work a shift of more than five hours and up to six hours may elect to take an unpaid meal break of up to 30 minutes during the shift and the employer shall not unreasonably refuse the request.</p> <p>Longer shifts</p>

Clause	Conditions Type	Description
		<p>- If the employee is required to work a shift of more than six hours and up to eight hours, the employee is entitled to an unpaid meal break of no less than 30 minutes. The unpaid break may be taken no earlier than two hours after starting work and no later than six hours of starting work.</p> <p>- If the employee is required to work a shift of more than eight hours and up to 10 hours, the employee is entitled to an unpaid break of no less than 30 minutes and an additional 20 minute paid break (which may be taken as two 10 minute paid breaks).</p> <p>The unpaid break may be taken no earlier than 2 hours after starting work and no later than six hours after starting work. Breaks should be spread evenly across the shift.</p> <p>- If the employee is required to work a shift exceeding 10 hours, the employee is entitled to an unpaid break of no less than 30 minutes and two 20 minute paid breaks. The unpaid break may be taken no earlier than two hours after starting work and no later than 6 hours after starting work. Breaks should be spread evenly across the shift.</p> <p>[Request for unpaid meal break</p> <p>- Where an employee elects to take an unpaid break, the request must be made in writing no later than at the commencement of a shift and the employer shall not unreasonably refuse the request.</p> <p>- The written request will apply to all shifts undertaken by the employee of more than five hours, unless otherwise agreed between the employee and employer. This arrangement may be reviewed at any time.</p> <p>Entitlement to additional breaks</p> <p>- If the employer requires an employee to work more than five continuous hours after an unpaid break, the employer must give the employee an additional 20 minute paid break.</p> <p>- If the employer requires an employee to work more than two hours' overtime after the employee completes his or her rostered hours, the employer must give the employee an additional 20 minute paid break.</p>
33.1	Overtime - other (Instrument)	<p>Reasonable overtime</p> <p>An employer may require an employee, other than a casual employee, to work reasonable overtime at overtime rates.</p> <p>An employee may refuse to work overtime in circumstances where the working of such overtime would result in the employee working hours which are unreasonable having regard to:</p> <ul style="list-style-type: none"> - any risk to the employee's health and safety - the employee's personal circumstances including any family responsibilities - the needs of the workplace or enterprise

Clause	Conditions Type	Description
		<ul style="list-style-type: none"> - the notice (if any) given by the employer of the overtime and by the employee of their intention to refuse it, and - any other relevant matter.
34.1	Annual leave - shiftworkers (Instrument)	For the purpose of the additional week of leave provided by the NES, a shiftworker is a seven day shiftworker who is regularly rostered to work on Sundays and public holidays in a business in which shifts are continuously rostered 24 hours a day for seven hours a shift.
34.2	Annual leave loading (Instrument)	In addition to the payment provided for in the NES, an employer is required to pay an additional leave loading of 17.5% of that payment.
34.3	Annual leave (Instrument)	<p>Requirement to take leave notwithstanding the terms of the NES</p> <p>An employer may require an employee to take annual leave by giving at least 4 weeks' notice in the following circumstances:</p> <ul style="list-style-type: none"> - as part of a close-down of its operations, or - where more than 8 weeks' leave is accrued.
34.4	Special leave (Instrument)	<p>Special leave without pay arrangements in respect of catering provided for boarding schools and residential colleges</p> <p>Where an employee is employed at or in connection with catering functions in primary and secondary boarding schools or residential colleges associated with tertiary educational institutions the following provisions apply:</p> <p>An employee may be required to take leave without pay during official term breaks, semester breaks and the Christmas/Summer vacation (the relevant period) provided that:</p> <ul style="list-style-type: none"> - an employee will be given as much notice as is practicable of the start and finish of the relevant period. Such notice must be at least one week. The notice must be provided to the employee in writing. Once the notice is provided to the employee, the period of leave without pay may be varied by agreement between the employee and employer - an employee may take accrued annual leave or long service leave during the relevant period

Clause	Conditions Type	Description
		<p>- all periods of leave without pay will count for the purposes of accruing sick leave, annual leave and long service leave</p> <p>- if appropriate work is available for the employee to perform during the relevant period, an employee will be offered that work. For the purposes of this subclause, appropriate work is work able to be performed by the employee within the employee's skills and experience and</p> <p>- where an employee performs appropriate work, the employee will be paid at the rate applicable to the work performed.</p> <p>No employee will have their employment terminated by reason of not being able to perform work during the relevant period.</p>
37.1	Public holidays (Instrument)	<p>By agreement between the employer and the majority of employees in the relevant enterprise or section of the enterprise, an alternative day may be taken as the public holiday in lieu of any of the days prescribed in the NES.</p> <p>Additional arrangements for full-time employees A full-time employee whose rostered day off falls on a public holiday must, subject to the public holiday provisions of this award, either:</p> <ul style="list-style-type: none"> - be paid an extra day's pay, or - be provided with an alternative day off within 28 days, or - receive an additional day's annual leave. <p>A full-time employee who works on a public holiday which is subject to substitution as provided for by the NES will be entitled to the benefit of the substitute day.</p> <p>Arrangements for part - time employees Part - time employees are entitled to public holidays prescribed in s.115 of the Act without loss of pay if those public holidays fall on days agreed between the employer and the part – time employee in writing as specified in the award.</p>
38	No deduction for breakages or cashiering underings	An employer must not deduct any sum from the wages or income of an employee in respect of breakages or cashiering underings except in the case of wilful misconduct.

Clause	Conditions Type	Description
39	Provision of employee accommodation and meals (Instrument)	<p>Right to make deductions When an employer provides their employees with accommodation, meals or both, then the employer may deduct an amount of money from the employee's wages. The award sets out the amounts which may be deducted from wages for the provision of accommodation, meals or both by their employer.</p> <p>Deductions for meals An employer may deduct an amount from an employee's wages for providing the employee with a meal only if:</p> <ul style="list-style-type: none"> - the employee does not live in accommodation provided by the employer, and - the meal is provided during the employee's normal working hours.
B 3.1	Part-time conditions (Instrument)	<p>Hotels, Clubs etc Award [AN150066 – SA]</p> <p>An employer may employ part-time employees in any classification in this award.</p> <p>A part-time employee is employed on a regular and systematic basis for a minimum of 15 ordinary hours per week and up to a maximum of 35 ordinary hours per week.</p> <p>An employer is required to roster a part-time employee for a minimum of two consecutive hours on any shift.</p> <p>All time worked in excess of eight hours per day, outside the spread of hours specified in the Ordinary hours provisions of the modern award, or in excess of 35 ordinary hours per week, will be overtime and paid for at the rates prescribed in this schedule.</p> <p>A part-time employee must be paid for ordinary hours at the rate of 1/38th of the weekly rate prescribed in the modern award, plus 10% for all worked performed.</p> <p>The 10% loading is not payable in circumstances where the following loadings apply:</p> <ul style="list-style-type: none"> Saturday Sunday Public holidays Overtime <p>The part-time loading is payable in addition to any allowance payable specified under "Other penalty".</p>

Clause	Conditions Type	Description
B.3.1 (ea)	Casual conditions (Instrument)	<p>Casual employees must be paid per hour at the rate of 1/38th of the weekly rate prescribed for the work performed plus 50%.</p> <p>Casual employees will not be entitled to any loadings for work performed between 7.00 pm and 7.00 am Monday to Friday, on Saturday or Sunday or for work performed on a public holiday or overtime.</p> <p>Note These conditions apply to casual employees who were covered by the <u>Hotels, Clubs Etc. Award [AN 150066]</u> as at 31 December 2009.</p>
B.3.1(f)	Overtime - other (Instrument)	<p>Entitlement to overtime rates</p> <p>A full-time employee is paid at overtime rates for any work done outside of the hours set out in Ordinary hours of work in the modern award.</p> <p>A part-time employee is paid at overtime rates in the circumstances specified in Schedule B of this modern award.</p>

Frequency of Payment

Except upon the termination of employment, all wages including overtime must be paid on any day other than Friday, Saturday or Sunday in each week. However, by agreement between the employer and the majority of employees in the workplace, in a week where a holiday occurs payment of wages may be made on Friday.

By agreement between the employer and the employee wages may be paid either weekly or fortnightly by one of the following means:

- cash
- cheque
- payment into the employee's bank account by electronic funds transfer, without cost to the employee.

However, an employer may pay an employee weekly by cash without consultation.

Employees who are paid their wages at any time other than during their working time, will, if kept waiting more than 15 minutes, be paid overtime rates for all such waiting time.

Employees who are not paid by electronic funds transfer and whose rostered day off falls on pay day must be paid their wages, if they so desire, before going off duty on the working day prior to their day off.

IMPORTANT NOTE: Disclaimer

The Fair Work Ombudsman is committed to providing advice that you can rely on.

Your situation and the law can change so we encourage you to check back with us by looking at <http://www.fairwork.gov.au/pay/pay-and-conditions-guides/pages/default.aspx>