



Australian Government

# Fair Work

## OMBUDSMAN

### PAY AND CONDITIONS GUIDE

#### **Wool Storage, Sampling and Testing Award 2010 [MA000044]** (‘modern award’)

replacing terms and conditions in or derived from

#### **Storeworkers And Packers ' Award - Northern And Mackay Division 2003 [AN140278]** (‘pre-modern award’)

**(QLD)**

Effective from 01 July 2013.

Published 22 April 2014 

##### **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 July 2013. 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 raw wool testing, skin, hide and wool storage services industry and their employees in the classifications listed in the award.

The raw wool testing, skin, hide and wool storage services industry means the receipt, handling, processing (including sampling, testing, blending or dumping), storage, shipping or transport of skins, hides and wool.

The award does not cover an employee excluded from award coverage by the Act.

The award does not cover 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.

The award does not cover 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 the award 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.

This award covers employers which provide group training services for trainees engaged in the industry and/or parts of industry set out in the award and those 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](http://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](http://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 July 2013 until the final pay period before 01 July 2014 only.

### Full & Part Time

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
<b>Wool storage</b>		
Wool industry worker level 1	Storeworker 1 after 6 months	\$16.76
Wool industry worker level 2	Storeworker 2	\$17.42
Wool industry worker level 3	Storeworker 3	\$17.83
Wool industry worker level 4	Storeworker 3	\$18.51
Wool industry worker level 5	Storeworker 4	\$19.07
Wool industry worker level 6	Storeworker 1 on commencement	\$19.47
Wool industry worker level 6	Storeworker 4	\$19.81
<b>Wool testing</b>		
Wool industry worker level 1 - first 3 months	Storeworker 1 on commencement	\$16.76
Wool industry worker level 2	Storeworker 2	\$17.42
Wool industry worker level 3	Storeworker 3	\$17.83
Wool industry worker level 4	Storeworker 3	\$18.51
Wool industry worker level 4	Storeworker 4	\$18.51
Wool industry worker level 5	Storeworker 4	\$19.20
<b>Skin and hide stores</b>		

<b>Modern award classification</b>	<b>Pre-modern award classification</b>	<b>Base rate of pay (hourly)</b>
Wool industry worker level 1 - first 3 months	Storeworker 1 on commencement, Hide and skin stores	\$16.76
Wool industry worker level 1 - after 3 months up until 12 months	Storeworker 1 on commencement, Hide and skin stores	\$17.09
Wool industry worker level 1 - after 12 months	Storeworker 1 after 6 months, Hide and skin stores	\$17.42
Wool industry worker level 2	Storeworker 2, Hide and skin stores	\$17.67
Wool industry worker level 3	Storeworker 3, Hide and skin stores	\$18.49
Wool industry worker level 4	Storeworker 4, Hide and skin stores	\$19.20

### Casual

<b>Modern award classification</b>	<b>Pre-modern award classification</b>	<b>Base rate of pay (hourly)</b>
<b>Wool storage</b>		
Wool industry worker level 1	Storeworker 1 after 6 months	\$20.94 (25%)
Wool industry worker level 2	Storeworker 2	\$21.77 (25%)
Wool industry worker level 3	Storeworker 3	\$22.28 (25%)
Wool industry worker level 4	Storeworker 3	\$23.14 (25%)
Wool industry worker level 5	Storeworker 4	\$23.83 (25%)
Wool industry worker level 6	Storeworker 1 on commencement	\$24.34 (25%)
Wool industry worker level 6	Storeworker 4	\$24.76 (25%)
<b>Wool testing</b>		
Wool industry worker level 1 - first 3 months	Storeworker 1 on commencement	\$20.94 (25%)
Wool industry worker level 2	Storeworker 2	\$21.77 (25%)
Wool industry worker level 3	Storeworker 3	\$22.28 (25%)
Wool industry worker level 4	Storeworker 3	\$23.14 (25%)
Wool industry worker level 4	Storeworker 4	\$23.14 (25%)
Wool industry worker level 5	Storeworker 4	\$24.00 (25%)
<b>Skin and hide stores</b>		
Wool industry worker level 1 - first 3 months	Storeworker 1 on commencement, Hide and skin stores	\$20.94 (25%)
Wool industry worker level 1 - after 3 months up until 12 months	Storeworker 1 on commencement, Hide and skin stores	\$21.36 (25%)
Wool industry worker level 1 - after 12 months	Storeworker 1 after 6 months, Hide and skin stores	\$21.77 (25%)
Wool industry worker level 2	Storeworker 2, Hide and skin stores	\$22.09 (25%)
Wool industry worker level 3	Storeworker 3, Hide and skin stores	\$23.12 (25%)

<b>Modern award classification</b>	<b>Pre-modern award classification</b>	<b>Base rate of pay (hourly)</b>
Wool industry worker level 4	Storeworker 4, Hide and skin stores	\$24.00 (25%)

## **Junior**

The rates in this guide are current from the first pay period on or after 01 July 2013 until the final pay period before 01 July 2014 only.

## **Full & Part Time**

<b>Modern award classification</b>	<b>Pre-modern award classification</b>	<b>Base rate of pay (hourly)</b>
<b>Wool storage</b>		
Wool industry worker level 1, At 17 years of age or under	Storeworker, 15 and under 16 years of age.	\$9.65
Wool industry worker level 1, At 17 years of age or under	Storeworker, 16 and under 17 years of age	\$9.80
Wool industry worker level 1, At 17 years of age or under	Storeworker, 17 and under 18 years of age	\$9.95
Wool industry worker level 1, At 17 years of age or under	Storeworker - hide and skin stores, 15 and under 16 years	\$9.67
Wool industry worker level 1, At 17 years of age or under	Storeworker - hide and skin stores, 16 and under 17 years of age	\$9.82
Wool industry worker level 1, At 17 years of age or under	Storeworker - hide and skin stores, 17 and under 18 years of age	\$9.97
Wool industry worker level 2, At 17 years of age or under	Storeworker, 18 and under 19 years of age	\$10.58
Wool industry worker level 2, At 17 years of age or under	Storeworker - hide and skin stores, 18 and under 19 years	\$10.60
Wool industry worker level 3, At 17 years of age or under	Storeworker, 19 and under 20 years of age	\$11.00
Wool industry worker level 3, At 17 years of age or under	Storeworker - hide and skin stores, 19 and under 20 years of age	\$11.03
Wool industry worker level 4, At 17 years of age or under	Storeworker, 20 and under 21 years of age	\$11.72
Wool industry worker level 4, At 17 years of age or under	Storeworker - hide and skin stores, 20 and under 21 years of age	\$11.75

## **Casual**

<b>Modern award classification</b>	<b>Pre-modern award classification</b>	<b>Base rate of pay (hourly)</b>
<b>Wool storage</b>		
Wool industry worker level 1, At 17 years of age or under	Storeworker, 15 and under 16 years of age.	\$12.06 (25%)
Wool industry worker level 1, At 17 years of age or under	Storeworker, 16 and under 17 years of age	\$12.25 (25%)
Wool industry worker level 1, At 17 years of age or under	Storeworker, 17 and under 18 years of age	\$12.44 (25%)
Wool industry worker level 1, At 17 years of age or under	Storeworker - hide and skin stores, 15 and under 16 years	\$12.08 (25%)
Wool industry worker level 1, At 17 years of age or under	Storeworker - hide and skin stores, 16 and under 17 years of age	\$12.27 (25%)
Wool industry worker level 1, At 17 years of age or under	Storeworker - hide and skin stores, 17 and under 18 years of age	\$12.46 (25%)
Wool industry worker level 2, At 17 years of age or under	Storeworker, 18 and under 19 years of age	\$13.22 (25%)
Wool industry worker level 2, At 17 years of age or under	Storeworker - hide and skin stores, 18 and under 19 years	\$13.25 (25%)
Wool industry worker level 3, At 17 years of age or under	Storeworker, 19 and under 20 years of age	\$13.76 (25%)
Wool industry worker level 3, At 17 years of age or under	Storeworker - hide and skin stores, 19 and under 20 years of age	\$13.79 (25%)
Wool industry worker level 4, At 17 years of age or under	Storeworker, 20 and under 21 years of age	\$14.65 (25%)
Wool industry worker level 4, At 17 years of age or under	Storeworker - hide and skin stores, 20 and under 21 years of age	\$14.69 (25%)

A junior employee will be entitled to the percentage of the applicable adult hourly rate for their classification as set out in the table above.

For detail of trainee provisions see the 1 January 2010 version of the instrument.

## **Apprentice**

Apprentice employees are not covered by this guide for the modern award and pre-modern award.

## **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 14 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:

<b>First full pay period on or after</b>	<b>Proportion of transitional percentage</b>
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.

<b>1/01/2010</b>	<b>1/07/2014</b>	<b>1/07/2010</b>
<b>Pre-modern award penalty</b>	<b>Modern award penalty</b>	<b>Penalty rate (phased)</b>
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.

<b>1/01/2010</b>	<b>1/07/2014</b>	<b>1/07/2010</b>
<b>Pre-modern award penalty</b>	<b>Modern award penalty</b>	<b>Penalty rate (phased)</b>
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:

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

01 July 2014	100%
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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.

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

For more information about transitional arrangements for loading/penalty entitlements please visit [www.fairwork.gov.au](http://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**

<b>Clause</b>	<b>Allowance Type</b>	<b>Description</b>	<b>Effective Date</b>	<b>Rate</b>
17.2(a)	Leading hand allowance	A leading hand engaged in a skin and hide store. - This is a weekly allowance.	1/07/2013	\$1.0696 per hour. This weekly allowance has been converted to an hourly amount. It should be applied to all ordinary hours of work (up to a maximum of 38 hours per week). (6.05%)
17.2(b)	First aid allowance	An employee who holds first aid qualifications from St John Ambulance or an equivalent body, and is appointed to participate in the emergency response team or otherwise to perform first aid duty. - This is a weekly allowance.	1/07/2013	\$0.3999 per hour. This weekly allowance has been converted to an hourly amount. It should be applied to all ordinary hours of work (up to a maximum of 38 hours per week). (2.26%)
17.3(a)	Meal allowance	Meal allowance is to be paid on each occasion that the employee is entitled to a rest break during overtime work.- an allowance is not required to be paid if a meal or meal-making facilities are provided or if the employee was notified no later	1/07/2013	\$12.1500 per occasion

Clause	Allowance Type	Description	Effective Date	Rate
		than the previous day or shift that they would be required to work the overtime.		

## **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](http://www.fairwork.gov.au)

### **All states covered by this instrument**

Clause	Conditions Type	Description
7	Award flexibility (Instrument)	<p>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:</p> <ul style="list-style-type: none"> <li>- arrangements for when work is performed</li> <li>- overtime rates</li> <li>- penalty rates</li> <li>- allowances</li> <li>- leave loading.</li> </ul> <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"> <li>- duty to notify, and</li> </ul>

Clause	Conditions Type	Description
		- duty to discuss change.
9	Dispute resolution (Instrument)	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).
10.2	Part-time conditions (Instrument)	<p>A part-time employee is an employee who:</p> <ul style="list-style-type: none"> <li>- work an average of less than 38 ordinary hours per week and receives pro rata pay and conditions to those of full-time workers</li> <li>- for each ordinary hour worked shall be paid no less than 1/38th of the minimum weekly rate of pay for the relevant classification</li> <li>- an employer must inform a part-time employee of the ordinary hours of work and starting and finishing times.</li> <li>- all time worked in excess of the hours mutually arranged will be overtime and paid for at the appropriate overtime rate.</li> </ul>
10.3	Casual conditions (Instrument)	<ul style="list-style-type: none"> <li>- A casual employee is one engaged and paid as such. A casual employee's ordinary hours of work are the lesser of an average of 38 hours per week or the hours required to be worked by the employer.</li> <li>- A casual loading is paid instead of annual leave, personal/carer's leave, notice of termination, redundancy benefits and the other attributes of full-time or part-time employment provided in this award.</li> </ul>
10.4	Probation period (Instrument)	An employer may initially engage a full-time or part-time employee for a period of probationary employment and must be advised in advance of the duration of the probation. Probation can be either 3 months or less or more than 3 months and is reasonable, having regard to the nature and circumstances of the employment.
10.5	Abandonment of employment (Instrument)	<p>Abandonment of employment: An employee is absent from work for a continuous period for more than 3 working days without the consent of the employer and without reasonable excuse will be deemed to have abandoned their employment.</p> <p>The termination of employment will be effective from the employee's last attendance or the last day on which the employee notified the employer of the reason for the absence.</p>

<b>Clause</b>	<b>Conditions Type</b>	<b>Description</b>
11.2	Termination of employment - notice of termination by an employee (Instrument)	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.
11.3	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.
12.2	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.
12.3	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.
12.4	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.  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.
12.5	Redundancy - transitional provisions (Instrument)	An employee is entitled to redundancy pay in accordance with the notional agreement preserving a State award that would have applied 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 under the NES. This includes employees engaged after 1 January 2010.  The entitlement to redundancy pay under the NAPSA is limited to the amount which exceeds the entitlement under the NES.

Clause	Conditions Type	Description
		<p>This clause does not reduce an employee's entitlement to redundancy pay under any other instrument and ceases to operate on 31 December 2014.</p>
18	Accident pay (Instrument)	<p>An employee is entitled to accident pay in accordance with the terms of:</p> <ul style="list-style-type: none"> <li>- a notional agreement preserving a State award 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</li> <li>- 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.</li> </ul> <p>The employee's entitlement to accident pay under the notional agreement preserving a State award or the award 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>
24.3	Break between work periods (Instrument)	<p>Minimum break between work on successive day or shifts</p> <p><b>Employees other than shiftworkers</b></p> <p>When overtime work is necessary it must, wherever reasonably practicable, be arranged so that employees have at least 10 consecutive hours off work between work on successive working days.</p> <p>An employee (other than a casual employee) who works so much overtime between the termination of ordinary work on one day and the commencement of ordinary work on the next day that the employee has not had at least 10 consecutive hours off work between those times must be released after completion of the overtime until the employee has had 10 consecutive hours off work without loss of pay for ordinary working time occurring during such absence.</p>

Clause	Conditions Type	Description
		<b>Shiftworkers</b>  For shiftworkers, the required period of consecutive hours off work is eight hours.

### **Frequency of Payment**

The employer will pay the employees wages, penalties and allowances weekly, fortnightly or monthly by electronic funds transfer into the employee's bank (or other recognised financial institution) nominated by the employee.

**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>