

PAY AND CONDITIONS GUIDE

Fast Food Industry Award 2010 [MA000003] ('modern award')
replacing terms and conditions in or derived from
Shop Employees (State) Award [AN120499] ('pre-modern award')
(NSW)

Effective from 01 July 2013.

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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 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 **fast food industry** and their employees in the classifications listed in clause 17 to the exclusion of any other modern award. The award does not cover employers in the following industries:

- the hospitality industry, or
- the general retail industry.

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 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 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 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 July 2013 until the final pay period before 01 July 2014 only.

New South Wales Full & Part Time

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Fast food employee		
Level 1	Group 1, Shop assistant	\$17.98
Level 1	Group 1, Order hand	\$17.98
Level 1	Group 1, Cooking or preparation of shop provisions	\$17.98
Level 1	Group 1, Cashier in special shop	\$17.98
Level 1	Group 1, Waitress /Waiter in confection shop	\$17.98
Level 1	Group 5, Selling stock from vehicle	\$17.98
Level 2	Group 1, Shop assistant	\$18.88
Level 2	Group 1, Order hand	\$18.88
Level 2	Group 1, Cooking or preparation of shop provisions	\$18.88
Level 2	Group 1, Cashier in special shop	\$18.88
Level 2	Group 1, Waitress /Waiter in confection shop	\$18.88

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Level 3, In charge of one or no persons	Group 4, Shop assistant in charge, Without the duty of buying, 0 to 4 assistants	\$19.18
Level 3, In charge of one or no persons	Group 4, Shop assistant in charge, With the duty of buying, 0 to 4 assistants	\$19.18
Level 3, In charge of two or more persons	Group 4, Shop assistant in charge, Without the duty of buying, 0 to 4 assistants	\$19.37
Level 3, In charge of two or more persons	Group 4, Shop assistant in charge, Without the duty of buying officer, 5 to 12 assistants	\$19.41
Level 3, In charge of two or more persons	Group 4, Shop assistant in charge, Without the duty of buying, 13 to 25 assistants	\$19.47
Level 3, In charge of two or more persons	Group 4, Shop assistant in charge, Without the duty of buying, over 25 assistants	\$19.51
Level 3, In charge of two or more persons	Group 4, Shop assistant in charge, With the duty of buying, 0 to 4 assistants	\$19.38
Level 3, In charge of two or more persons	Group 4, Shop assistant in charge, With the duty of buying, 5 to 12 assistants	\$19.43
Level 3, In charge of two or more persons	Group 4, Shop assistant in charge, With the duty of buying, 13 to 25 assistants	\$19.49
Level 3, In charge of two or more persons	Group 4, Shop assistant in charge, With the duty of buying, over 25 assistants	\$19.53

Casual

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)	Post 26 March 2006 employer*
Fast food employee			
Level 1	Group 1, Shop assistant	\$22.47 (24.92%)	\$22.12 (23%)
Level 1	Group 1, Order hand	\$22.47 (24.92%)	\$22.12 (23%)
Level 1	Group 1, Cooking or preparation of shop provisions	\$22.47 (24.92%)	\$22.12 (23%)
Level 1	Group 1, Cashier in special shop	\$22.47 (24.92%)	\$22.12 (23%)
Level 1	Group 1, Waitress / Waiter in confection shop	\$22.47 (24.92%)	\$22.12 (23%)
Level 1	Group 5, Selling stock from vehicle	\$22.47 (24.92%)	\$22.12 (23%)

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)	Post 26 March 2006 employer*
Level 2	Group 1, Shop assistant	\$23.58 (24.92%)	\$23.22 (23%)
Level 2	Group 1, Order hand	\$23.58 (24.92%)	\$23.22 (23%)
Level 2	Group 1, Cooking or preparation of shop provisions	\$23.58 (24.92%)	\$23.22 (23%)
Level 2	Group 1, Cashier in special shop	\$23.58 (24.92%)	\$23.22 (23%)
Level 2	Group 1, Waitress / Waiter in confection shop	\$23.58 (24.92%)	\$23.22 (23%)
Level 3, In charge of one or no persons	Group 4, Shop assistant in charge, Without the duty of buying, 0 to 4 assistants	\$23.95 (24.92%)	\$23.59 (23%)
Level 3, In charge of one or no persons	Group 4, Shop assistant in charge, With the duty of buying, 0 to 4 assistants	\$23.96 (24.92%)	\$23.60 (23%)
Level 3, In charge of two or more persons	Group 4, Shop assistant in charge, Without the duty of buying, 0 to 4 assistants	\$24.19 (24.92%)	\$23.82 (23%)
Level 3, In charge of two or more persons	Group 4, Shop assistant in charge, Without the duty of buying officer, 5 to 12 assistants	\$24.25 (24.92%)	\$23.88 (23%)
Level 3, In charge of two or more persons	Group 4, Shop assistant in charge, Without the duty of buying, 13 to 25 assistants	\$24.32 (24.92%)	\$23.95 (23%)
Level 3, In charge of two or more persons	Group 4, Shop assistant in charge, Without the duty of buying, over 25 assistants	\$24.37 (24.92%)	\$24.00 (23%)
Level 3, In charge of two or more persons	Group 4, Shop assistant in charge, With the duty of buying, 0 to 4 assistants	\$24.20 (24.92%)	\$23.83 (23%)
Level 3, In charge of two or more persons	Group 4, Shop assistant in charge, With the duty of buying, 5 to 12 assistants	\$24.27 (24.92%)	\$23.89 (23%)

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)	Post 26 March 2006 employer*
Level 3, In charge of two or more persons	Group 4, Shop assistant in charge, With the duty of buying, 13 to 25 assistants	\$24.35 (24.92%)	\$23.97 (23%)
Level 3, In charge of two or more persons	Group 4, Shop assistant in charge, With the duty of buying, over 25 assistants	\$24.39 (24.92%)	\$24.02 (23%)

Casual (Sports Grounds casual employee)

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)	Post 26 March 2006 employer*
Fast food employee			
Level 1	Group 1, Shop assistant	\$22.17 (23.29%)	\$21.85 (21.5%)
Level 1	Group 1, Order hand	\$22.17 (23.29%)	\$21.85 (21.5%)
Level 1	Group 1, Cooking or preparation of shop provisions	\$22.17 (23.29%)	\$21.85 (21.5%)
Level 1	Group 1, Cashier in special shop	\$22.17 (23.29%)	\$21.85 (21.5%)
Level 1	Group 1, Waitress / Waiter in confection shop	\$22.17 (23.29%)	\$21.85 (21.5%)
Level 1	Group 5, Selling stock from vehicle	\$22.17 (23.29%)	\$21.85 (21.5%)
Level 2	Group 1, Shop assistant	\$23.28 (23.29%)	\$22.94 (21.5%)
Level 2	Group 1, Order hand	\$23.28 (23.29%)	\$22.94 (21.5%)
Level 2	Group 1, Cooking or preparation of shop provisions	\$23.28 (23.29%)	\$22.94 (21.5%)
Level 2	Group 1, Cashier in special shop	\$23.28 (23.29%)	\$22.94 (21.5%)
Level 2	Group 1, Waitress / Waiter in confection shop	\$23.28 (23.29%)	\$22.94 (21.5%)
Level 3, In charge of one or no persons	Group 4, Shop assistant in charge, Without the duty of buying, 0 to 4 assistants	\$23.64 (23.29%)	\$23.30 (21.5%)
Level 3, In charge of one or no persons	Group 4, Shop assistant in charge, With the duty of	\$23.65 (23.29%)	\$23.31 (21.5%)

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)	Post 26 March 2006 employer*
	buying, 0 to 4 assistants		
Level 3, In charge of two or more persons	Group 4, Shop assistant in charge, Without the duty of buying, 0 to 4 assistants	\$23.88 (23.29%)	\$23.53 (21.5%)
Level 3, In charge of two or more persons	Group 4, Shop assistant in charge, Without the duty of buying officer, 5 to 12 assistants	\$23.93 (23.29%)	\$23.59 (21.5%)
Level 3, In charge of two or more persons	Group 4, Shop assistant in charge, Without the duty of buying, 13 to 25 assistants	\$24.00 (23.29%)	\$23.65 (21.5%)
Level 3, In charge of two or more persons	Group 4, Shop assistant in charge, Without the duty of buying, over 25 assistants	\$24.05 (23.29%)	\$23.70 (21.5%)
Level 3, In charge of two or more persons	Group 4, Shop assistant in charge, With the duty of buying, 0 to 4 assistants	\$23.89 (23.29%)	\$23.54 (21.5%)
Level 3, In charge of two or more persons	Group 4, Shop assistant in charge, With the duty of buying, 5 to 12 assistants	\$23.95 (23.29%)	\$23.60 (21.5%)
Level 3, In charge of two or more persons	Group 4, Shop assistant in charge, With the duty of buying, 13 to 25 assistants	\$24.03 (23.29%)	\$23.68 (21.5%)
Level 3, In charge of two or more persons	Group 4, Shop assistant in charge, With the duty of buying, over 25 assistants	\$24.08 (23.29%)	\$23.73 (21.5%)

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.

New South Wales Full & Part Time Fast food employee level 1

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Under 16 years of age	Other juniors, Under 16 years of age	\$7.19
Under 16 years of age	Improver waiters/ waitresses, 1st 3 months	\$8.42
Under 16 years of age	Improver waiters/ waitresses, 2nd 3 months	\$8.54
16 years of age	Other juniors, At 16 years of age	\$8.99
16 years of age	Improver waiters/ waitresses, 1st 3 months	\$9.90
16 years of age	Improver waiters/ waitresses, 2nd 3 months	\$10.03
17 years of age	Other juniors, At 17 years of age	\$10.79
17 years of age	Improver waiters/ waitresses, 1st 3 months	\$11.38
17 years of age	Improver waiters/ waitresses, 2nd 3 months	\$11.51
18 years of age	Selling from a vehicle, At 18 years of age	\$12.59
18 years of age	Other juniors, At 18 years of age	\$12.59
18 years of age	Improver waiters/ waitresses, 1st 3 months	\$12.86
18 years of age	Improver waiters/ waitresses, 2nd 3 months	\$12.99
19 years of age	Selling from a vehicle, At 19 years of age	\$14.39
19 years of age	Other juniors, At 19 years of age	\$14.39
19 years of age	Improver waiters/ waitresses, 1st 3 months	\$14.35
19 years of age	Improver waiters/ waitresses, 2nd 3 months	\$14.39
20 years of age	Selling from a vehicle, At 20 years of age	\$16.19
20 years of age	Other juniors, At 20 years of age	\$16.19
20 years of age	Improver waiters/ waitresses, 1st 3 months	\$15.83
20 years of age	Improver waiters/ waitresses, 2nd 3 months	\$15.96

Fast food employee level 2

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Under 16 years of age	Other juniors, Under 16 years of age	\$7.55
Under 16 years of age	Improver waiters/ waitresses, 1st 3 months	\$8.77

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Under 16 years of age	Improver waiters/ waitresses, 2nd 3 months	\$8.90
16 years of age	Other juniors, At 16 years of age	\$9.44
16 years of age	Improver waiters/ waitresses, 1st 3 months	\$10.34
16 years of age	Improver waiters/ waitresses, 2nd 3 months	\$10.47
17 years of age	Other juniors, At 17 years of age	\$11.33
17 years of age	Improver waiters/ waitresses, 1st 3 months	\$11.91
17 years of age	Improver waiters/ waitresses, 2nd 3 months	\$12.04
18 years of age	Other juniors, At 18 years of age	\$13.21
18 years of age	Improver waiters/ waitresses, 1st 3 months	\$13.48
18 years of age	Improver waiters/ waitresses, 2nd 3 months	\$13.61
19 years of age	Other juniors, At 19 years of age	\$15.10
19 years of age	Improver waiters/ waitresses, 1st 3 months	\$15.05
19 years of age	Improver waiters/ waitresses, 2nd 3 months	\$15.18
20 years of age	Other juniors, At 20 years of age	\$16.99
20 years of age	Improver waiters/ waitresses, 1st 3 months	\$16.62
20 years of age	Improver waiters/ waitresses, 2nd 3 months	\$16.75

**Casual
Fast food employee level 1**

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)	Post 26 March 2006 employer*
Under 16 years of age	Other juniors, Under 16 years of age	\$8.99 (24.92%)	\$8.85 (23%)
Under 16 years of age	Improver waiters/ waitresses, 1st 3 months	\$10.51 (24.92%)	\$10.35 (23%)
Under 16 years of age	Improver waiters/ waitresses, 2nd 3 months	\$10.67 (24.92%)	\$10.51 (23%)
16 years of age	Other juniors, At 16 years of age	\$11.23 (24.92%)	\$11.06 (23%)
16 years of age	Improver waiters/ waitresses, 1st 3 months	\$12.37 (24.92%)	\$12.18 (23%)

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)	Post 26 March 2006 employer*
16 years of age	Improver waiters/ waitresses, 2nd 3 months	\$12.53 (24.92%)	\$12.33 (23%)
17 years of age	Other juniors, At 17 years of age	\$13.48 (24.92%)	\$13.27 (23%)
17 years of age	Improver waiters/ waitresses, 1st 3 months	\$14.22 (24.92%)	\$14.00 (23%)
17 years of age	Improver waiters/ waitresses, 2nd 3 months	\$14.38 (24.92%)	\$14.16 (23%)
18 years of age	Selling from a vehicle, At 18 years of age	\$15.73 (24.92%)	\$15.48 (23%)
18 years of age	Other juniors, At 18 years of age	\$15.73 (24.92%)	\$15.48 (23%)
18 years of age	Improver waiters/ waitresses, 1st 3 months	\$16.07 (24.92%)	\$15.82 (23%)
18 years of age	Improver waiters/ waitresses, 2nd 3 months	\$16.23 (24.92%)	\$15.98 (23%)
19 years of age	Selling from a vehicle, At 19 years of age	\$17.97 (24.92%)	\$17.70 (23%)
19 years of age	Other juniors, At 19 years of age	\$17.97 (24.92%)	\$17.70 (23%)
19 years of age	Improver waiters/ waitresses, 1st 3 months	\$17.92 (24.92%)	\$17.65 (23%)
19 years of age	Improver waiters/ waitresses, 2nd 3 months	\$17.97 (24.92%)	\$17.70 (23%)
20 years of age	Selling from a vehicle, At 20 years of age	\$20.22 (24.92%)	\$19.91 (23%)
20 years of age	Other juniors, At 20 years of age	\$20.22 (24.92%)	\$19.91 (23%)
20 years of age	Improver waiters/ waitresses, 1st 3 months	\$19.77 (24.92%)	\$19.47 (23%)
20 years of age	Improver waiters/ waitresses, 2nd 3 months	\$19.93 (24.92%)	\$19.63 (23%)

Fast food employee level 2

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)	Post 26 March 2006 employer*
Under 16 years of age	Other juniors, Under 16 years of age	\$9.43 (24.92%)	\$9.29 (23%)
Under 16 years of age	Improver waiters/ waitresses, 1st 3 months	\$10.96 (24.92%)	\$10.79 (23%)
Under 16 years of age	Improver waiters/ waitresses, 2nd 3 months	\$11.12 (24.92%)	\$10.94 (23%)
16 years of age	Other juniors, At 16 years of age	\$11.79 (24.92%)	\$11.61 (23%)
16 years of age	Improver waiters/ waitresses, 1st 3 months	\$12.92 (24.92%)	\$12.72 (23%)
16 years of age	Improver waiters/ waitresses, 2nd 3 months	\$13.08 (24.92%)	\$12.88 (23%)
17 years of age	Other juniors, At 17 years of age	\$14.15 (24.92%)	\$13.93 (23%)
17 years of age	Improver waiters/ waitresses, 1st 3 months	\$14.88 (24.92%)	\$14.65 (23%)
17 years of age	Improver waiters/ waitresses, 2nd 3 months	\$15.04 (24.92%)	\$14.81 (23%)
18 years of age	Other juniors, At 18 years of age	\$16.51 (24.92%)	\$16.25 (23%)
18 years of age	Improver waiters/ waitresses, 1st 3 months	\$16.84 (24.92%)	\$16.58 (23%)
18 years of age	Improver waiters/ waitresses, 2nd 3 months	\$17.00 (24.92%)	\$16.74 (23%)
19 years of age	Other juniors, At 19 years of age	\$18.86 (24.92%)	\$18.58 (23%)
19 years of age	Improver waiters/ waitresses, 1st 3 months	\$18.80 (24.92%)	\$18.52 (23%)
19 years of age	Improver waiters/ waitresses, 2nd 3 months	\$18.96 (24.92%)	\$18.67 (23%)
20 years of age	Other juniors, At 20 years of age	\$21.22 (24.92%)	\$20.90 (23%)
20 years of age	Improver waiters/ waitresses, 1st 3 months	\$20.77 (24.92%)	\$20.45 (23%)
20 years of age	Improver waiters/ waitresses, 2nd 3 months	\$20.93 (24.92%)	\$20.61 (23%)

Casual (Sports Grounds casual employee)

Fast food employee level 1

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)	Post 26 March 2006 employer*
Under 16 years of age	Other juniors, Under 16 years of age	\$8.87 (23.29%)	\$8.74 (21.5%)
Under 16 years of age	Improver waiters/ waitresses, 1st 3 months	\$10.38 (23.29%)	\$10.23 (21.5%)
Under 16 years of age	Improver waiters/ waitresses, 2nd 3 months	\$10.53 (23.29%)	\$10.38 (21.5%)
16 years of age	Other juniors, At 16 years of age	\$11.09 (23.29%)	\$10.93 (21.5%)
16 years of age	Improver waiters/ waitresses, 1st 3 months	\$12.20 (23.29%)	\$12.03 (21.5%)
16 years of age	Improver waiters/ waitresses, 2nd 3 months	\$12.36 (23.29%)	\$12.18 (21.5%)
17 years of age	Other juniors, At 17 years of age	\$13.30 (23.29%)	\$13.11 (21.5%)
17 years of age	Improver waiters/ waitresses, 1st 3 months	\$14.03 (23.29%)	\$13.83 (21.5%)
17 years of age	Improver waiters/ waitresses, 2nd 3 months	\$14.19 (23.29%)	\$13.98 (21.5%)
18 years of age	Selling from a vehicle, At 18 years of age	\$15.52 (23.29%)	\$15.30 (21.5%)
18 years of age	Other juniors, At 18 years of age	\$15.52 (23.29%)	\$15.30 (21.5%)
18 years of age	Improver waiters/ waitresses, 1st 3 months	\$15.86 (23.29%)	\$15.63 (21.5%)
18 years of age	Improver waiters/ waitresses, 2nd 3 months	\$16.02 (23.29%)	\$15.79 (21.5%)
19 years of age	Selling from a vehicle, At 19 years of age	\$17.74 (23.29%)	\$17.48 (21.5%)
19 years of age	Other juniors, At 19 years of age	\$17.74 (23.29%)	\$17.48 (21.5%)
19 years of age	Improver waiters/ waitresses, 1st 3 months	\$17.69 (23.29%)	\$17.43 (21.5%)
19 years of age	Improver waiters/ waitresses, 2nd 3 months	\$17.74 (23.29%)	\$17.48 (21.5%)
20 years of age	Selling from a vehicle, At 20 years of age	\$19.96 (23.29%)	\$19.67 (21.5%)

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)	Post 26 March 2006 employer*
20 years of age	Other juniors, At 20 years of age	\$19.96 (23.29%)	\$19.67 (21.5%)
20 years of age	Improver waiters/waitresses, 1st 3 months	\$19.52 (23.29%)	\$19.23 (21.5%)
20 years of age	Improver waiters/waitresses, 2nd 3 months	\$19.67 (23.29%)	\$19.39 (21.5%)

Fast food employee level 2

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)	Post 26 March 2006 employer*
Under 16 years of age	Other juniors, Under 16 years of age	\$9.31 (23.29%)	\$9.18 (21.5%)
Under 16 years of age	Improver waiters/waitresses, 1st 3 months	\$10.81 (23.29%)	\$10.66 (21.5%)
Under 16 years of age	Improver waiters/waitresses, 2nd 3 months	\$10.97 (23.29%)	\$10.81 (21.5%)
16 years of age	Other juniors, At 16 years of age	\$11.64 (23.29%)	\$11.47 (21.5%)
16 years of age	Improver waiters/waitresses, 1st 3 months	\$12.75 (23.29%)	\$12.56 (21.5%)
16 years of age	Improver waiters/waitresses, 2nd 3 months	\$12.91 (23.29%)	\$12.72 (21.5%)
17 years of age	Other juniors, At 17 years of age	\$13.96 (23.29%)	\$13.76 (21.5%)
17 years of age	Improver waiters/waitresses, 1st 3 months	\$14.69 (23.29%)	\$14.47 (21.5%)
17 years of age	Improver waiters/waitresses, 2nd 3 months	\$14.84 (23.29%)	\$14.63 (21.5%)
18 years of age	Other juniors, At 18 years of age	\$16.29 (23.29%)	\$16.06 (21.5%)
18 years of age	Improver waiters/waitresses, 1st 3 months	\$16.62 (23.29%)	\$16.38 (21.5%)
18 years of age	Improver waiters/waitresses, 2nd 3 months	\$16.78 (23.29%)	\$16.54 (21.5%)
19 years of age	Other juniors, At 19 years of age	\$18.62 (23.29%)	\$18.35 (21.5%)
19 years of age	Improver waiters/waitresses, 1st 3 months	\$18.56 (23.29%)	\$18.29 (21.5%)

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)	Post 26 March 2006 employer*
19 years of age	Improver waiters/ waitresses, 2nd 3 months	\$18.72 (23.29%)	\$18.45 (21.5%)
20 years of age	Other juniors, At 20 years of age	\$20.95 (23.29%)	\$20.64 (21.5%)
20 years of age	Improver waiters/ waitresses, 1st 3 months	\$20.50 (23.29%)	\$20.20 (21.5%)
20 years of age	Improver waiters/ waitresses, 2nd 3 months	\$20.66 (23.29%)	\$20.35 (21.5%)

Supported Wage

This industrial instrument provides access to 'supported wages' for eligible employees within clause 23.

For details of supported wage 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 23 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 Pre-modern award penalty	1/07/2014 Modern award penalty	1/07/2010 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	1/07/2010	1/01/2010	1/07/2010
Modern award penalty	Penalty rate (phased)	Pre-modern award penalty	Penalty rate (phased)
	(20.00%)		(80.00%)
10.00%	2.00%	10.00%	8.00%
20.00%	4.00%	20.00%	16.00%

1/01/2014	1/07/2010
Modern award penalty	Penalty rate (phased)
	(20.00%)
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	1/07/2010
Pre-modern award penalty	Penalty rate (phased)
	(80.00%)
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
19.1	Meal allowance	An employee required to work more than one hour of overtime after the ordinary time of ending work, without being given 24 hours notice, will be either provided with a meal or paid a meal allowance.	1/07/2013	\$11.7600 per meal
19.1	Meal allowance	An employee required to work more than one hour of overtime after the ordinary time of ending work, without being given 24 hours notice, will be either provided with a meal or paid a meal allowance. Where such overtime work exceeds four hours a further meal allowance will be paid.	1/07/2013	\$10.6100 per meal where overtime work exceeds four hours
19.2(b)	Laundry	Where an employee is required to launder any special uniform, dress or other clothing, an allowance will be paid.	1/01/2010 - 28/01/2010	\$4.5300 per garment per week
19.6	Vehicle allowance	Where an employee is requested to use their own motor vehicle in the performance of their duties such employee will be paid an allowance.	1/07/2013	\$0.7600 per kilometre
19.6(b)	Vehicle allowance	Where an employee is engaged primarily to perform delivery duties of the employer's products to customers using their own motor vehicle, such employee will be paid an allowance.	17/03/2014	\$0.4000 per kilometre
19.8(a)	Cold work disability allowance	Employees principally employed on any day to enter cold chambers and/or to stock and refill refrigerated storages such	1/07/2013	\$0.2479 per hour (1.30%)

Clause	Allowance Type	Description	Effective Date	Rate
		as dairy cases or freezer cabinets will be paid an allowance per hour, while so employed, of 1.3% of the standard rate.		
19.8(b)	Cold work disability allowance	An employee required to work in a cold chamber where the temperature is below 0°C will in addition to the allowance of 1.3% of the standard rate, also be paid an additional allowance per hour, while so employed, of 2% of the standard rate.	1/07/2013	\$0.3813 per hour (2.00%)
19.9(c)	District allowance	An employee in the County of Yancowinna in New South Wales (Broken Hill) shall in addition to all other payments be paid an allowance for the exigencies of working in Broken Hill of 4.28% of the standard rate. This clause ceases to operate on 31 December 2014.	1/07/2013	\$0.8160 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). (4.28%)

Full Time

Clause	Allowance Type	Description	Effective Date	Rate
19.2(b)(i)	Laundry	<u>Full-time employees</u> Where an employee is required to launder any special uniform, dress or other clothing, an allowance will be paid.	29/01/2010	\$6.2500 per week

Part Time, Casual

Clause	Allowance Type	Description	Effective Date	Rate
19.2(b)(ii)	Laundry	<p><u>Part-time and casual employees</u></p> <p>Where an employee is required to launder any special uniform, dress or other clothing, an allowance will be paid.</p>	29/01/2010	\$1.2500 per shift

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)	<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"> - arrangements for when work is performed - overtime rates - penalty rates - allowances - leave loading.

Clause	Conditions Type	Description
		Other conditions concerning award flexibility are contained within the Fair Work Act 2009.
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)	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).
12	Part-time conditions (Instrument)	<p>A part-time employee is an employee who:</p> <ul style="list-style-type: none"> - works less than 38 hours per week and - has reasonably predictable hours of work. <p>At the time of first being employed, it will be agreed, in writing, on a regular pattern of work, specifying at least:</p> <ul style="list-style-type: none"> - the number of hours worked each day - which days of the week the employee will work - the actual starting and finishing times of each day - that any variation will be in writing - that the minimum daily engagement is three hours - and the times of taking and the duration of meal breaks. <p>Any agreement to vary the regular pattern of work will be made in writing before the variation occurs.</p> <p>The agreement and any variation to it will be retained by the employer and a copy given to the employee.</p> <p>A roster of a minimum of three consecutive hours on any shift should be provided.</p> <p>All time worked in excess of the hours as agreed or varied under this instrument will be overtime.</p>

Clause	Conditions Type	Description
13	Casual conditions (Instrument)	A casual employee will be paid an additional 25% of the ordinary hourly rate for a full-time employee, at the termination of each engagement, or weekly or fortnightly in accordance with pay arrangements for full-time employees. The minimum daily engagement of a casual is three hours.
14.2	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.
14.3	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.
15.2	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.
15.3	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.
15.4	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.
15.5	Redundancy - transitional provisions (Instrument)	An employee is entitled to redundancy pay in accordance with the NAPSA 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,

Clause	Conditions Type	Description
		<p>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> <p>The employee's entitlement to redundancy pay under 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 and ceases to operate on 31 December 2014.</p>
19.2(a)	Clothing, footwear and/or equipment (Instrument)	<p>Special clothing</p> <p>Where an employee is required to wear any protective or special clothing such as a uniform, dress or other clothing, the employer will reimburse the cost of purchasing such clothing and the cost of replacement, when replacement is due to normal wear and tear. This provision will not apply where the special clothing is supplied and/or paid for by the employer.</p>
19.3	Transport of employees (Instrument)	<p>Excess travelling costs</p> <p>Where an employee is required by their employer to move temporarily from one branch or shop to another for a period not exceeding three weeks, all additional transport costs so incurred will be reimbursed by the employer.</p>
19.4	Travelling time (Instrument)	<p>Travelling time reimbursement</p> <p>An employee who on any day is required to work at a place away from their usual place of employment, for all time reasonably spent in reaching and returning from such place (in excess of time normally spent), will be paid travelling time and also any fares reasonably incurred in excess of those normally incurred.</p> <p>Where the employer provides transport from a pick up point, an employee will be paid travelling time for all time spent travelling to and from such pick up point.</p>
19.5	Transfer of employee (Instrument)	<p>Transfer of employee reimbursement</p> <p>Where any employer transfers an employee from one township to another, the employer will be responsible for and will pay the whole of the moving expenses, including fares and transport charges, for the employee and their family.</p>

Clause	Conditions Type	Description
19.7	Transport of employees (Instrument)	<p>Transport of employee reimbursement</p> <p>Where an employee commences and/or ceases work after 10.00 pm or prior to 7.00 am on any day and the employee's regular means of transport is not available and the employee is unable to arrange their own alternative transport, the employer will reimburse the cost of taxi fare from the place of employment to the employee's residence. This will not apply if the employer provides or arranges proper transportation to and/or from the employee's residence, at no cost to the employee.</p> <p>Provided always that an employee may elect to provide their own transport.</p> <p>Provided further that this clause will not apply to employees engaged under the provisions of shiftwork.</p>
19.9	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 provisions of an award or NAPSA under the Workplace Relations Act 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>
20	Accident pay (Instrument)	<p>An employee is entitled to accident pay in accordance with the terms of:</p> <ul style="list-style-type: none"> - 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 - 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>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>

Clause	Conditions Type	Description
		This clause does not reduce an employee's entitlement to accident pay under any other instrument and ceases to operate on 31 December 2014.
21	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 - the employers responsibility to make superannuation contributions to another superannuation fund that is chosen by the employee.
25	Hours of work (Instrument)	<p>This clause does not operate to limit or increase or in any way alter the trading hours of any employer as determined by the relevant State or Territory legislation.</p> <p>Ordinary hours may be worked, within the following spread of hours:</p> <p><u>Days: Spread of hours:</u> - Monday to Sunday: 6.00 am–midnight. Hours of work on any day will be continuous, except for rest pauses and meal breaks.</p> <p><u>Maximum hours on a day:</u> - An employee may be rostered to work up to a maximum of 11 hours on any day.</p> <p><u>38-hour week rosters:</u> - A full-time employee will be rostered for an average of 38 hours per week, worked in any of the following forms:</p> <ul style="list-style-type: none"> - 38 hours in one week - 76 hours in two consecutive weeks - 114 hours in three consecutive weeks, or - 152 hours in four consecutive weeks.
26.4	Overtime - other (Instrument)	<p>Reasonable overtime</p> <p>An employer may require an employee other than a casual to work reasonable overtime at overtime rates in accordance with the provisions of this clause.</p>

Clause	Conditions Type	Description
		<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 employee health and safety - the employee's personal circumstances including any family responsibilities - the needs of the workplace or enterprise - the notice (if any) given by the employer of the overtime and by the employee of their intention to refuse it, and <p>any other relevant matter.</p>
28.3	Annual leave loading (Instrument)	<p>During a period of annual leave an employee will receive a loading calculated on the wage rate prescribed. Annual leave loading is payable on leave accrued.</p> <p>The loading will be as follows:</p> <p><u>Day work</u> Employees who would have worked on day work only had they not been on leave—17.5% or the relevant weekend penalty rates, whichever is the greater but not both.</p> <p><u>Shiftwork</u> Employees who would have worked on shiftwork had they not been on leave—a loading of 17.5% or the shift loading (including relevant weekend penalty rates) whichever is the greater but not both.</p>
28.4	Annual leave - paid leave in advance of accrued entitlement (Instrument)	<p>An employee may be allowed to take annual leave either wholly or partly in advance before the leave has accrued. Where paid leave has been granted in excess of the employee's accrued entitlement, and the employee subsequently leaves or is discharged from service before completing the required amount of service to account for the leave provided in advance, the employer is entitled to deduct the amount of leave in advance still owing from any remuneration payable to the employee upon termination of employment.</p>
29.2	Personal leave (Instrument)	<p>Casual employees are entitled to be not available for work or to leave work to care for a person who is sick and requires care and support or who requires care due to an emergency.</p>

Clause	Conditions Type	Description
		<p>Such leave is unpaid. A maximum of 48 hours' absence is allowed by right with additional absence by agreement.</p> <p>An employer must not fail to re-engage a casual employee because the employee has accessed the entitlement under this clause.</p>

Frequency of Payment

Wages will be paid weekly or fortnightly according to the actual hours worked for each week or fortnight or may be averaged over a period of a fortnight.

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>