

PAY AND CONDITIONS GUIDE

Security Services Industry Award 2010 [MA000016] ('modern award')

replacing terms and conditions in or derived from

Security Industry (State) Award [AN120497] ('pre-modern award')

(NSW)

Effective from 01 July 2013.

Published 21 May 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 security services industry and their employees in the classifications listed in Schedule C - Classifications to the exclusion of any other modern award.

To avoid doubt, the security services industry includes:

- patrolling, protecting, screening, watching or guarding any people and/or property, including cash or other valuables, by physical means (which may involve the use of patrol dogs or the possession or use of a firearm) or by electronic means;
- crowd, event or venue control whether through physical or electronic means;
- body guarding or close personal protection;
- the operation of a security control room or monitoring centre;
- loss prevention; and
- traffic control when it is incidental to, or associated with, the activities referred to in clauses 4.2(a), (b) or (c).

To avoid doubt, this award does not apply to an employer merely because that employer, as an incidental part of a business that is covered by another modern award, has employees who perform functions referred to in clause 4.2.

This award does not cover an employer in respect of:

- any cash - in - transit portion of the employer's business;
- the operation of prisons, correctional or other detention facilities;
- the installation, maintenance or repair of electronic alarm and/or monitoring systems; or
- the installation, maintenance, repair or replenishing of ATMs.

To avoid doubt, the exclusion in clause 4.4(a) is not intended to exclude an employer from coverage of this award in respect of an employee merely because the employee collects, transports and/or delivers cash or valuables as a minor or incidental part of the employee's duties.

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

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. The Clerks - Private Sector Award 2010 will usually cover clerical employees of employers covered by this award.

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.

Full & Part Time

| Modern award classification | Pre-modern award classification | Base rate of pay (hourly) |
|------------------------------------|--|----------------------------------|
| Security officer level 1 | Security officer, Grade 1 | \$18.40 |
| Security officer level 2 | Security officer, Grade 2 | \$18.92 |
| Security officer level 3 | Security officer, Grade 3 | \$19.25 |
| Security officer level 4 | Security officer, Grade 4 | \$19.57 |
| Security officer level 5 | Security officer, Grade 5 | \$20.20 |

Casual

| Modern award classification | Pre-modern award classification | Base rate of pay (hourly) | Post 26 March 2006 employer* |
|-----------------------------|---------------------------------|---------------------------|------------------------------|
| Security officer level 1 | Security officer, Grade 1 | \$22.98 (24.92%) | \$22.63 (23%) |
| Security officer level 2 | Security officer, Grade 2 | \$23.64 (24.92%) | \$23.28 (23%) |
| Security officer level 3 | Security officer, Grade 3 | \$24.04 (24.92%) | \$23.67 (23%) |
| Security officer level 4 | Security officer, Grade 4 | \$24.44 (24.92%) | \$24.07 (23%) |
| Security officer level 5 | Security officer, Grade 5 | \$25.23 (24.92%) | \$24.85 (23%) |

Junior

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

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

Supported Wage rates of pay are not covered by this summary.

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 |
|-----------------------------|------------------------------|
| Modern award penalty | Penalty rate (phased) |
| | (20.00%) |
| 10.00% | 2.00% |
| 20.00% | 4.00% |
| 25.00% | 5.00% |
| 50.00% | 10.00% |

| 1/01/2010 | 1/07/2010 |
|---------------------------------|------------------------------|
| Pre-modern award penalty | Penalty rate (phased) |
| | (80.00%) |
| 10.00% | 8.00% |
| 20.00% | 16.00% |
| 25.00% | 20.00% |
| 50.00% | 40.00% |

| 1/01/2014 | 1/07/2010 |
|-----------------------------|------------------------------|
| Modern award penalty | Penalty rate (phased) |
| | (20.00%) |
| 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%) |
| 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 |
|---------------|----------------------------------|--|-----------------------|---|
| 15.1(a) | First aid allowance | A first aid allowance is payable to an employee where an employee holds a Senior First Aid Certificate (also known as Apply First Aid or Workplace Level 2) and is requested or nominated by the employer to act as a first aider. (0.68% of the standard rate per shift, with a maximum payment of 3.38% of the standard rate per week.) | 1/07/2013 | \$4.9735 per shift, with a maximum rate per week (25.84%) |
| 15.1(a) | Firearm allowance | A firearm allowance is payable to an employee who is required to carry a firearm. (0.34% of the standard weekly rate per shift x 38 = 12.92% of the standard hourly rate per shift, with a maximum payment of 1.70% of the standard weekly rate per week.) | 1/07/2013 | \$2.4868 per shift, with a maximum rate per week (12.92%) |
| 15.1(a) | Broken shift allowance | A broken shift allowance is payable to an employee who is required to work a rostered shift in two periods of duty (excluding crib breaks). A broken shift allowance of 1.62% of the standard rate per broken shift applies. (1.62% x 38 = 61.56%) | 1/07/2013 | \$11.8487 per broken shift (61.56%) |
| 15.1(a) | Supervisor (in charge) allowance | A supervision allowance is payable to an employee who is required to supervise other employees, with the amount of such | 1/07/2013 | \$0.8122 per hour. This weekly allowance has |

| Clause | Allowance Type | Description | Effective Date | Rate |
|---------|----------------------------------|--|----------------|---|
| | | <p>allowance depending upon the number of employees supervised.</p> <p>For supervision of 1-5 employees an allowance of 4.22% of the standard rate applies</p> | | <p>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). (4.22%)</p> |
| 15.1(a) | Supervisor (in charge) allowance | <p>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).</p> <p>For supervision of 6-10 employees an allowance of 4.87% of the standard rate applies.</p> | 1/07/2013 | <p>\$0.9373 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). (4.87%)</p> |
| 15.1(a) | Supervisor (in charge) allowance | <p>A supervisor in charge of 11-20 employees is entitled to an allowance of 6.32% of the standard rate per week.</p> | 1/07/2013 | <p>\$1.2164 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). (6.32%)</p> |
| 15.1(a) | Supervisor (in charge) allowance | <p>A supervisor in charge of over 20 employees is entitled to an allowance of 7.46% of the standard rate per week.</p> | 1/07/2013 | <p>\$1.4359 per hour.</p> <p>This weekly allowance has been converted to an hourly amount. It</p> |

| Clause | Allowance Type | Description | Effective Date | Rate |
|--------------|-----------------------------|---|----------------|--|
| | | | | should be applied to all ordinary hours of work (up to maximum of 38 hours week). (7.46%) |
| 15.1(a) | Relieving officer allowance | A relieving officer allowance of 4.18% of the standard rate is payable to an employee who is appointed as a Relieving Officer. A Relieving Officer is engaged for the purpose of relieving at short notice another Security Officer and for whom a display of roster is not required. 24 hours' notice of shift will be given where possible. | 1/07/2013 | \$0.8045 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). (4.18%) |
| 15.1(a) | Aviation allowance | An aviation allowance of 0.187% of the standard rate is payable to an employee who is performing airport security work at a security regulated airport. 0.187% per week x 38 = 7.106% per hour | 1/07/2013 | \$1.3677 per hour. (7.11%) |
| 15.1(b) | Meal allowance | If required to work more than one hour beyond end of shift without notice | 1/07/2013 | \$15.0300 per occasion |
| 15.1(b) | Vehicle allowance | If employee is required to use their own vehicle - motor vehicle | 1/07/2013 | \$0.7600 per km |
| 15.1(b) | Vehicle allowance | If employee is required to use their own vehicle - motorcycle | 1/01/2010 | \$0.2500 per kilometre |
| Schedule B.1 | Other | HMAS Creswell allowance | 1/07/2013 | \$8.2648 per day (42.94%) |

| Clause | Allowance Type | Description | Effective Date | Rate |
|--------------|--------------------|--|----------------|--|
| | | <p>An employee engaged at HMAS Creswell, in the Jervis Bay Territory, must be paid this allowance. This allowance is not payable when an employee is off work on annual leave, sick leave and/or public holidays or in calculating other extra payments prescribed by this award.</p> <p>This allowance ceases to operate on 31 December 2014.</p> <p>(1.13% per week x 38 = 42.94% per hour)</p> | | |
| Schedule B.2 | Location allowance | <p>Isolation allowance</p> <p>An employee engaged at the Cotter Defence Communications Facility, A.C.T., must be paid this allowance. This allowance is not payable when an employee is off work on annual leave, sick leave and/or public holidays nor in calculating other extra payments prescribed by this award.</p> <p>This allowance ceases to operate on 31 December 2014.</p> <p>(1.59% per week x 38 = 60.42% per hour)</p> | 1/07/2013 | \$11.6293 per day (60.42%) |
| Schedule B.3 | Other | <p>Space tracking station allowance</p> <p>An employee engaged at the Deep Space Station, Tidbinbilla, A.C.T., must be paid this allowance. This allowance is payable when an employee is on annual leave, sick leave and/or public holidays but is not to be used in calculating other extra payments prescribed by this award.</p> <p>This allowance ceases to operate on 31 December 2014.</p> <p>(12.5% per week)</p> | 1/07/2013 | \$2.4059 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). (12.50%) |

| Clause | Allowance Type | Description | Effective Date | Rate |
|--------------|-------------------------|---|----------------|--|
| Schedule B.4 | Disabilities allowance | <p>All purpose allowance expressed as per week.</p> <p>Civil construction disability allowance - Queensland</p> <p>An employee engaged as a traffic controller in, or in connection with, a civil construction site must be paid this allowance. The allowance is deemed to be part of the ordinary weekly wage for all purposes of this award.</p> <p>This allowance ceases to operate on 31 December 2014.</p> | 1/07/2013 | \$0.6679 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). (3.47%) |
| Schedule B.5 | Site allowance | <p>All purpose allowance expressed as per week.</p> <p>Site allowances - Queensland</p> <p>An all purpose site allowance must be paid to all employees at the following sites in Queensland: power plant, mine site, abattoir, gas works, garbage tips, refinery, brewery and sites where unpleasant odours or noxious fumes are present.</p> <p>This allowance ceases to operate on 31 December 2014.</p> | 1/07/2013 | \$1.5090 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). (7.84%) |
| Schedule B.6 | Dog handler's allowance | <p>Dog handling - Queensland</p> <p>An employee in Queensland required to own, maintain and use a dog in the course of their duties must be fully reimbursed by the employer for all expenses or paid instead an allowance as follows.</p> <p>This allowance ceases to operate on 31 December 2014.</p> <p>(10% per week)</p> | 1/07/2013 | \$1.9247 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). (10.00%) |

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. <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 <p>The award as varied on 1 January 2014 contains information relating to:</p> <ul style="list-style-type: none">- consultation about changes to rosters or hours of work- consultation regarding change of contract. |

| Clause | Conditions Type | Description |
|--------|-----------------------------------|---|
| 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). |
| 10.4 | Part-time conditions (Instrument) | <p>A part-time employee is an employee who is employed in a classification in Schedule A—Classifications and who:</p> <ul style="list-style-type: none"> - is engaged to work fewer than 38 ordinary hours per week or, where the employer operates a roster, an average of fewer than 38 hours per week over the roster cycle, and - 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 either:</p> <ul style="list-style-type: none"> - 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, or - specifying the roster that the employee will work (including the actual starting and finishing times for each shift) together with days or parts of days on which the employee will not be rostered. <p>Any agreed variation to the regular pattern of work must be recorded in writing.</p> <p>All time worked in excess of the employee’s agreed ordinary time hours will be overtime and paid for at the prescribed overtime rates.</p> <p>An employee who does not meet the definition of a part-time employee and who is not a full-time employee will be employed as a casual employee.</p> <p>A part-time employee employed under the provisions of this clause must be paid for ordinary hours worked at the rate of 1/38th of the weekly rate prescribed for the class of work performed.</p> |
| 10.5 | Casual conditions (Instrument) | <p>A casual employee is an employee who is engaged and paid as such.</p> <p>In addition to the ordinary hourly rate and penalty rates payable for shift, weekend and public holiday work payable to full-time employees, casual employees will be paid a loading of 25% of the ordinary hourly rate for the classification in which they are employed.</p> |

| Clause | Conditions Type | Description |
|--------|---|--|
| 10.6 | Licences, trades certificates and other qualifications allowance (Instrument) | <p>Licensing</p> <p>This applies where State or Territory legislation making provision for the licensing of persons who perform work falling within the classifications in this award.</p> <p>It is the responsibility of the employer to ensure that an employee holds the appropriate licence for:</p> <ul style="list-style-type: none"> - the classification in which the employee is employed, or - the work the employee is required to perform. <p>An employee who is employed in a classification in Schedule C does not lose any entitlements under this award merely because the employee does not hold an appropriate licence.</p> |
| 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, an amount not exceeding the amount the employee would have been paid in respect of the period of notice required less any period 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 1 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 1 day's time off without loss of pay during each week of notice for the purpose of seeking other employment. |

| Clause | Conditions Type | Description |
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| | | If the employee has been allowed paid leave for more than 1 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 | Change of contract (Instrument) | <p>This clause applies on change to the contractor who provides security services to particular client from one security contractor (outgoing contractor) to another (incoming contractor).</p> <p>Redundancy provisions of the NES do not apply to an employee of the outgoing contractor where:</p> <ul style="list-style-type: none"> - employee of outgoing contractor agrees to other acceptable employment with incoming contractor, and - outgoing contractor has paid all of employee's accrued statutory and award entitlements on termination of employee's employment. <p>Redundancy provisions of the NES do apply to an employee of outgoing contractor where employee not offered acceptable employment with either outgoing or incoming contractor.</p> |
| 12.6 | 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> |
| 15.11(a) | Clothing, footwear and/ or equipment (Instrument) | <p>Torch</p> <p>Where an employee is required to use a torch, the employer must provide the employee with a torch and batteries.</p> |

| Clause | Conditions Type | Description |
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| 15.11(b) | Clothing, footwear and/ or equipment (Instrument) | <p>Uniform</p> <p>Where an employee is required to wear a uniform the employer must provide the employee with the uniform or reimburse the employee for the cost of the uniform.</p> |
| 16 | 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> |
| 17 | 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> <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> |
| 18 | Higher duties (Instrument) | <p>An employee who is required to do work for which a higher rate is fixed than that provided for their ordinary duties will, if such work exceeds a total of four hours on any day, be paid at the higher rate for all work done on such day.</p> |

| Clause | Conditions Type | Description |
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| | | In all other cases the employee will be paid the higher rate for the actual time worked. |
| 19 | Payment of wages (Instrument) | Payment of wages will be made by cheque or Electronic Funds Transfer, either weekly or fortnightly. Payment will be made not later than Thursday in the pay week. Where a public holiday falls in that week, payment will be made by Friday. Where a public holiday falls on a Friday, payment will be made no later than Wednesday of that week. |
| 20 | 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. |
| 21.1 | Hours of work (Instrument) | <p>The ordinary hours of work are 38 hours per week or, where the employer chooses to operate a roster, an average of 38 hours per week to be worked on one of the following bases at the discretion of the employer:</p> <ul style="list-style-type: none"> - 76 hours within 2 weeks - 114 hours within 3 weeks - 152 hours within 4 weeks or - 304 hours within 8 weeks. <p>The following time is ordinary working time and must be paid for as such:</p> <ul style="list-style-type: none"> - crib breaks - time spent filling in any time record or cards, or in the making of records (but not time spent checking in or out when entering or leaving the employer's premises) - time spent attending a court in the interest of the employer or any client of the employer, in relation to any matter arising out of or in connection with the employee's duties - time spent fitting the employee's own vehicle with any equipment or markings required by the employer, unless the installation is required by reason of the employee choosing to change vehicles within three years of an initial fitting of equipment or markings |

| Clause | Conditions Type | Description |
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| | | <p>- time spent at the direction of the employer attending training courses (other than any course undertaken by an employee in order to obtain a security licence where the employee does not already hold a security licence).</p> |
| 21.2 | Hours of work (Instrument) | <p>Shift duration</p> <p>Ordinary time shifts must be limited in duration to:</p> <ul style="list-style-type: none"> - a minimum of 4 and a maximum of 10 ordinary hours for casual employees - a minimum of 7.6 and a maximum of 10 ordinary hours for full-time employees, and - a minimum of 1/5th of the employee's agreed weekly hours or four hours (whichever is the greater) and a maximum of 10 ordinary hours for part-time employees. <p>By agreement between the employer and the majority of employees concerned, ordinary working hours exceeding 10 but not exceeding 12 hours per shift may be introduced subject to:</p> <ul style="list-style-type: none"> - proper health monitoring procedures being introduced - suitable roster arrangements being made - proper supervision being provided - adequate breaks being provided, and - an adequate trial or review process being implemented where 12 hour shifts are being introduced for the first time. <p>Employees are entitled to be represented for the purposes of negotiating such an agreement. Once agreement is reached it must be reduced to writing and kept as a time and wages record.</p> <p>These conditions are not intended to prevent an employer implementing 12 hour rosters through the use of regular rostered overtime or individual flexibility agreements.</p> |
| 21.3 | Break between work periods (Instrument) | <p>Each ordinary time shift must be separated from any other ordinary time shift by a minimum break of at least eight hours.</p> |
| 21.4 | Breaks (Instrument) | <p>Long breaks</p> |

| Clause | Conditions Type | Description | | | | | | | | | | | | |
|------------------------|--|--|------------------------|--------------------------|---------|--|---------|--|--|--|---------|--|--|---|
| | | <p>An employee must be given separate long breaks of continuous time off work in each roster cycle as follows:</p> <table border="0"> <thead> <tr> <th data-bbox="660 236 987 272">Length of roster cycle</th> <th data-bbox="1070 236 1480 272">Minimum number of breaks</th> </tr> </thead> <tbody> <tr> <td data-bbox="660 309 775 341">3 weeks</td> <td data-bbox="1070 309 1615 341">3 breaks of 2 days (48 continuous hours)</td> </tr> <tr> <td data-bbox="660 346 775 378">4 weeks</td> <td data-bbox="1070 346 1659 378">3 breaks of 3 days (72 continuous hours), or</td> </tr> <tr> <td data-bbox="660 383 775 414"></td> <td data-bbox="1070 383 1608 414">4 breaks of 2 days (48 continuous hours)</td> </tr> <tr> <td data-bbox="660 419 775 451">8 weeks</td> <td data-bbox="1070 419 1659 451">6 breaks of 3 days (72 continuous hours); or</td> </tr> <tr> <td data-bbox="660 456 775 488"></td> <td data-bbox="1070 456 1626 488">9 breaks of 2 days (48 continuous hours).</td> </tr> </tbody> </table> <p>An employee must not be required to work more than a total of 48 hours of ordinary time between long breaks.</p> | Length of roster cycle | Minimum number of breaks | 3 weeks | 3 breaks of 2 days (48 continuous hours) | 4 weeks | 3 breaks of 3 days (72 continuous hours), or | | 4 breaks of 2 days (48 continuous hours) | 8 weeks | 6 breaks of 3 days (72 continuous hours); or | | 9 breaks of 2 days (48 continuous hours). |
| Length of roster cycle | Minimum number of breaks | | | | | | | | | | | | | |
| 3 weeks | 3 breaks of 2 days (48 continuous hours) | | | | | | | | | | | | | |
| 4 weeks | 3 breaks of 3 days (72 continuous hours), or | | | | | | | | | | | | | |
| | 4 breaks of 2 days (48 continuous hours) | | | | | | | | | | | | | |
| 8 weeks | 6 breaks of 3 days (72 continuous hours); or | | | | | | | | | | | | | |
| | 9 breaks of 2 days (48 continuous hours). | | | | | | | | | | | | | |
| 21.5 | Call-back (Instrument) | <p>An employee required to attend the employer's premises and/or the premises of a client or clients of the employer for any reason after leaving the place of employment, must be paid a minimum number of hours as specified below:</p> <ul style="list-style-type: none"> - where such attendance is required at the employer's premises for the purposes of a disciplinary and/or counselling interview and/or administrative procedures, the employee must be paid a minimum payment of two hours for each such attendance - where, for reasons other than the above, such attendance is required at the employer's premises on a Monday through Saturday, the employee must be paid a minimum payment of three hours - where any such attendance is required at the employer's premises on a Sunday the employee must be paid a minimum payment of four hours. <p>These provisions do not apply where a period of duty is continuous (subject to a reasonable meal break) with the completion or commencement of ordinary working time.</p> | | | | | | | | | | | | |
| 21.6(a) | Breaks - meal (Instrument) | <p>Except where it is operationally impracticable, an employee will be granted an unpaid meal break of at least 30 minutes where a shift exceeds five hours. It will be operationally impractical to grant an unpaid meal break if the employee is permitted to leave the client's premises or be unavailable for work during the period of the meal break.</p> | | | | | | | | | | | | |

| Clause | Conditions Type | Description |
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| 21.6(b) | Breaks - rest (Instrument) | <p>A paid crib break (or breaks) must be allowed on shifts of more than four hours. A crib break of at least 10 minutes on a shift of four hours, at least 20 minutes on an eight hour shift, and at least 30 minutes on a 12 hour shift, must be provided. For shifts of eight hours or more, the time must be allowed not earlier than four hours nor later than five hours after the time of commencement of each shift where it is reasonable to do so.</p> <p>From 17 December 2013</p> <p>A paid crib break (or breaks) must be allowed on shifts of more than four hours. A crib break of not less than 10 minutes on a shift of more than four hours, not less than 20 minutes on an eight hour shift, not less than 25 minutes on a 10 hour shift, and not less than 30 minutes on a 12 hour shift must be provided. For shifts of eight hours or more, the time must be allowed not earlier than four hours nor later than five hours after the time of commencement of each shift where it is reasonably practicable to do so.</p> |
| 21.7 | Broken shifts (Instrument) | <p>Employees may be rostered to work ordinary hours in up to two periods of duty, exclusive of crib breaks, per day, with a minimum payment of three hours for each period of duty.</p> |
| 21.8 | Start times (Instrument) | <p>Shift start/end times</p> <p>Except in the case of a broken shift, shifts must be continuous and an employee's commencing and ceasing times of ordinary hours of work must operate at the actual job or work station. However:</p> <ul style="list-style-type: none"> - where an employee is required to collect or return company equipment before or after a shift (such as a gun, keys, car, etc.) from a location other than the actual work site or sites, and - the collection and/or return of such equipment adds more than 15 minutes to the employee's usual travel time, <p>the commencing and ceasing times of ordinary work must operate from such point of collection and such point of return respectively.</p> |
| 21.9 | Rostered days off (Instrument) | <p>An employer may implement a system of rostered days off for the whole or a section of the employer's business by either of the following methods:</p> <ul style="list-style-type: none"> - by rostering employees off on various days of the week in a roster cycle of three, four or eight weeks so that each employee has: |

| Clause | Conditions Type | Description |
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| | | <p>in the case of a three or four week cycle - one day off during that cycle or in the case of an eight week cycle - two days off during that cycle, or</p> <p>- by any other method which best suits the whole or a section of the business and is agreed to by the employer and a majority of employees affected.</p> <p>Any existing arrangement will not be altered without the agreement of a majority of employees in the affected section of the business.</p> <p>Where any rostered day off prescribed above falls on a public holiday, the next working day will be taken in substitution for the rostered day off unless an alternative day in that four week cycle or the next is agreed in writing between the employer and the employee.</p> <p>Where agreement has been reached between the employee and employer, up to 10 rostered days off may be banked and taken at an agreed time.</p> <p>An employee who fails to attend for work on the working day before or the working day after a rostered day off without the employer's consent or evidence in accordance with section 48 of the NES will not be paid for such rostered day off.</p> <p>The following provisions apply in connection with a system of rostered days off implemented above.</p> <p>Each day of paid leave taken (except a relevant rostered period off) and any public holiday occurring during any such roster cycle will be regarded as a day worked for accrual purposes.</p> <p>An employee who has not worked a complete roster cycle and who has not taken the relevant rostered period off for that cycle will be paid for the relevant rostered period off on a pro rata basis for each day or half day worked or regarded as having been worked in such cycle. This payment will also be made on termination of employment.</p> <p>Any agreement made with an employee or employees must be recorded in writing, and must be recorded in the time and wages records kept pursuant to the Act or any associated regulations.</p> |
| 21.11 | Roster (Instrument) | Notice of rosters |

| Clause | Conditions Type | Description |
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| | | <p>Employees (other than Relieving Officers and casual employees) must work their ordinary hours of work in accordance with a roster for which advance notice has been given. A Relieving Officer or casual employee may also, at the employer's discretion, work their ordinary hours of work in accordance with a roster for which advance notice has been given.</p> |
| 21.12 | Rostering (Instrument) | <p>Display of roster and notice of change of roster</p> <p>Employees who work their ordinary hours in accordance with a roster must be notified of the commencing and ceasing times of their hours either by posting the roster at a conveniently located notice board at or near the workplace or through electronic means. Such times, once notified, may not be changed without the payment of overtime, or by seven days' notice given. However, by mutual agreement less than seven days' notice may be substituted.</p> |
| 23 | Overtime - other (Instrument) | <p>Reasonable overtime is provided for in the NES.</p> <p>An employee must not be required to work more than 14 hours (including breaks).</p> <p>Where a period of overtime commences on one day and continues into the following day, the portion of the period worked on each day attracts the loading applicable to that day.</p> |
| 23.5 | Overtime - other (Instrument) | <p>Minimum break following overtime</p> <p>An employee should have a break off duty of at least eight hours between the end of a shift and the beginning of the next shift.</p> <p>Where an employee has not had at least eight hours off duty between those times, the employee must be released after completion of such overtime until the employee has eight hours off duty without loss of pay.</p> |
| 24.2 | Annual leave - shiftworkers (Instrument) | <p>Definition of shiftworker</p> <p>For the purpose of the NES, a shiftworker is an employee:</p> <ul style="list-style-type: none"> - who works a roster and who may be rostered to work ordinary shifts on any of the seven days of the week and - who is regularly rostered to work on Sundays and public holidays. |

| Clause | Conditions Type | Description |
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| | | Where an employee with 12 months' continuous service is engaged for part of the 12 monthly period as a shiftworker, that employee must have their annual leave increased by half a day for each month the employee is continuously engaged as a seven day shiftworker. |
| 24.3 | Annual leave (Instrument) | <p>Taking annual leave</p> <p>Annual leave is to be taken within two years of the entitlement accruing. For the purpose of ensuring accrued annual leave is taken within that period, or because of a temporary or seasonal slowdown in the employer's business, and in the absence of agreement, an employer may require an employee to take a period of annual leave from a particular date provided the employee is given at least 28 days notice.</p> |
| 24.4 | Annual leave loading (Instrument) | <p>Before the start of the employee's annual leave the employer must pay the employee the greater of:</p> <ul style="list-style-type: none"> - the amount the employee would have earned during the period of leave for working their normal hours, exclusive of overtime, had they not been on leave, and - the employee's ordinary time rate together with, where applicable, the leading hand allowance, relieving officer's allowance and first aid allowance respectively, plus a loading of 17.5%. |
| 24.5 | Annual leave - paid leave in advance of accrued entitlement (Instrument) | If mutually agreed, annual leave can be taken in advance of the entitlement accruing. However, if leave is taken in advance and the employment terminates before the entitlement has accrued, the employer can deduct the entitlement on termination. |
| 24.6 | Annual leave - close-down (Instrument) | <p>If an employer plans to temporarily close down the business, then employees must be given 1 month's notice. If an employee is engaged within 1 month of the close down, they should be notified on the date they are engaged.</p> <p>Until 23 January 2014</p> <p>Any employee who has accrued annual leave at the date of closing must:</p> <ul style="list-style-type: none"> - be given annual leave commencing from the date of closing, and - be paid 1/12th of their ordinary pay for any period of employment between accrual of the employee's right to the annual leave and the date of closing. <p>Any employee who has no accrued annual leave at the date of closing must:</p> |

| Clause | Conditions Type | Description |
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| | | <ul style="list-style-type: none"> - be given leave without pay as from the date of closing, and - be paid for any public holiday during such leave for which the employee is entitled to payment. <p>From 24 January 2014</p> <p>If notice is given to the employee as above and the employee has:</p> <ul style="list-style-type: none"> - accrued sufficient annual leave to cover the full period of closing, the employee must take paid annual leave for the full period of closing; - insufficient accrued annual leave to cover the full period of closing, the employee must take paid annual leave to the full amount accrued and leave without pay for the remaining period of the closing; or - no accrued annual leave, the employee must take leave without pay for the full period of closing. <p>Public holidays that fall within the period of close down will be paid as provided for in this award and will not count as a day of annual leave or leave without pay.</p> |
| 24.7, 24.8, & 24.9 | Annual leave - proportionate leave on termination (Instrument) | <p>Where an employee is entitled to a payment on termination of employment as provided in the NES, the employer must also pay an amount equal to the amount the employee would have earned for working their normal hours, exclusive of overtime. The employer must also pay to the employee a loading of 17.5% unless the employee has been dismissed for misconduct.</p> <p>In relation to any employee ordinary pay means:</p> <ul style="list-style-type: none"> - remuneration for the employee's normal weekly number of hours of work calculated at the ordinary time rate of pay, and - where the employee is provided with board or lodging, ordinary pay includes the cash value of that board or lodging. <p>For the purpose of the definition of the term ordinary pay:</p> <ul style="list-style-type: none"> - where no ordinary time rate of pay is fixed for an employee's work the ordinary time rate of pay is deemed to be the average weekly rate earned during the period in respect of which the right to the annual leave accrues |

| Clause | Conditions Type | Description |
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| | | <ul style="list-style-type: none"> - where no normal weekly number of hours is fixed, the normal weekly number of hours of work is deemed to be the average weekly number of hours worked during the period in respect of which the right to the annual leave accrues - the cash value of any board or lodging provided is deemed to be its cash value as fixed by or under the terms of employment or, if it is not so fixed, must be computed at the rate of \$2.49 a week for board and \$1.25 a week for lodging, and - the value of any board or lodging or the amount of any payment in respect of it must not be included where it is provided or paid for not as part of the ordinary pay but because: - the work done by the employee is in such a locality as to necessitate their sleeping elsewhere than at their genuine place of residence, or - because of any other special circumstances. <p>Week in relation to any employee means the employee's ordinary working week.</p> |
| 26.2 | Public holidays (Instrument) | <p>Substitution of public holidays</p> <p>If an employer and the majority of employees agree, a public holiday may be substituted with another day.</p> |
| 26.3 | Substitution of public holidays (Instrument) | <p>By agreement between the employer and the majority of employees in an enterprise another day may be substituted for a public holiday.</p> |

Frequency of Payment

Payment of wages will be made by cheque or Electronic Funds Transfer, either weekly or fortnightly. Payment will be made not later than Thursday in the pay week. Where a public holiday falls in that week, payment will be made by Friday. Where a public holiday falls on a Friday, payment will be made no later than Wednesday of that week.

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>