

PAY AND CONDITIONS GUIDE

Sporting Organisations Award 2010 [MA000082] ('modern award')

replacing terms and conditions in or derived from

Australian Cricket Award 2002 [AP819655] ('pre-modern award')

(ACT, NSW, NT, QLD, SA, TAS, VIC, WA)

Effective from 01 January 2014.

Published 06 March 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 January 2014. The rates set out in this guide will change from the first full period on or after 01 July each year to take account of Fair Work Australia's annual wage review and transitional arrangements. The rates may also change as a result of a Fair Work Australia decision to vary the modern award or pay and condition entitlements of the modern award from time to time.

Transitional arrangements for Division 2B State awards

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

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

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

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

Who should use the guide?

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

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

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

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

The guide contains information from this modern award about:

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

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

Minimum wage entitlements in a modern award override lesser wage entitlements in an agreement or contract of employment at all times, including agreements and contracts that were made before the commencement of the *Fair Work Act 2009*. All employees covered by the modern award must not be paid less than the rate of pay in the modern award.

However, the penalty rates and allowances in the modern award do not apply to agreement-covered employees, unless the agreement is read in conjunction with the

modern award (e.g. a pre-reform certified agreement (a type of collective agreement made before 27 March 2006)).

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

Coverage

This industry award covers national, State and Territory sporting organisations throughout Australia with respect to their employees in the classifications in this award to the exclusion of any other modern award.

Exclusions

This 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
- 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
- an employee excluded from award coverage by the Act
- Chief Executive Officers
- coaches employed by the Australian Football League and the Victorian Football League who do not earn their principal income as coaches. In particular, it will not apply to those coaches in the Victorian State Football League Under 18 program, which is conducted by the Australian Football League throughout Victoria, with additional sites in Hobart and Canberra
- Chief Executive Officers and Executives at the second and third tiers of management, including the Director of Finance, Assistant Director and the State Coach or similar at the Cricket Australia level, provided that the State coach is remunerated at a level in excess of that laid down in this award,and
- employees of racing clubs.

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.

This award covers employers which provide group training services for trainees engaged in the industry and/or parts of industry set out at clause 4.1 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 the employee are covered by an award with occupational coverage.

Wages

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

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

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

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

Casual employees

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

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

*Post 26 March 2006 employer

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

Adult

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

Full & Part Time Coach

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Grade 1	Coach, Grade 1	\$20.91
Grade 2	Coach, Grade 2	\$23.58
Grade 3	Coach, Grade 3	\$29.16

Clerical & administrative

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Grade 1	Clerical, Grade 1	\$17.51
Grade 2	Clerical, Grade 2A	\$17.99
Grade 3	Clerical, Grade 2B	\$18.57
Grade 4	Clerical, Grade 3A	\$19.22
Grade 5	Clerical, Grade 3B	\$20.00
Grade 6	Clerical, Grade 4	\$21.09

Casual Coach

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Grade 1	Coach, Grade 1	\$25.72 (23%)
Grade 2	Coach, Grade 2	\$29.00 (23%)
Grade 3	Coach, Grade 3	\$35.87 (23%)

Clerical & administrative

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Grade 1	Clerical, Grade 1	\$21.53 (23%)
Grade 2	Clerical, Grade 2A	\$22.13 (23%)
Grade 3	Clerical, Grade 2B	\$22.84 (23%)
Grade 4	Clerical, Grade 3A	\$23.64 (23%)
Grade 5	Clerical, Grade 3B	\$24.60 (23%)
Grade 6	Clerical, Grade 4	\$25.94 (23%)

Junior

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

Full & Part Time Clerical and Administrative

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Grade 1, 17 years and under	Clerical, Grade 1, 17 years and under	\$12.26
Grade 1, At 18 years	Clerical, Grade 1, At 18 years	\$14.01
Grade 1, At 19 years	Clerical, Grade 1, At 19 years	\$15.76
Grade 1, At 20 years	Clerical, Grade 1, At 20 years	\$17.51
Grade 2, 17 years and under	Clerical, Grade 2, 17 years and under	\$12.60
Grade 2, At 18 years	Clerical, Grade 2, At 18 years	\$14.40
Grade 2, At 19 years	Clerical, Grade 2, At 19 years	\$16.19

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Grade 2, At 20 years	Clerical, Grade 2, At 20 years	\$17.99

Coaching and related staff

Rates for junior Coaching and related staff are new classifications inserted into the modern award with effect from 1 January 2014. As these classifications were not present in the award at 1 January 2010, the modern award rates apply in full. Penalties and loadings, including casual loadings, apply in accordance with the model transitional provisions.

Modern award classification	Base rate of pay (hourly)
Coach Grade 1, 17 years and under	\$15.15
Coach Grade 1, at 18 years	\$17.32
Coach Grade 1, at 19 years	\$19.48
Coach Grade 1, at 20 years	\$21.64
Coach Grade 2, 17 years and under	\$17.00
Coach Grade 2, at 18 years	\$19.43
Coach Grade 2, at 19 years	\$21.86
Coach Grade 2, at 20 years	\$24.29
Coach Grade 3, 17 years and under	\$20.43
Coach Grade 3, at 18 years	\$23.35
Coach Grade 3, at 19 years	\$26.27
Coach Grade 3, at 20 years	\$29.19
Coach Grade 4, 17 years and under	\$23.17
Coach Grade 4, at 18 years	\$26.48
Coach Grade 4, at 19 years	\$29.79
Coach Grade 4, at 20 years	\$33.09

Provided that a junior who has attained the age of 18 and has been continuously employed for 12 months will be paid the full adult rate for their classification.

Casual Clerical and Administrative

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Grade 1, 17 years and under	Clerical, Grade 1, 17 years and under	\$15.07 (23%)
Grade 1, At 18 years	Clerical, Grade 1, At 18 years	\$17.23 (23%)
Grade 1, At 19 years	Clerical, Grade 1, At 19 years	\$19.38 (23%)
Grade 1, At 20 years	Clerical, Grade 1, At 20 years	\$21.53 (23%)
Grade 2, 17 years and under	Clerical, Grade 2, 17 years and under	\$15.49 (23%)
Grade 2, At 18 years	Clerical, Grade 2, At 18 years	\$17.71 (23%)

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Grade 2, At 19 years	Clerical, Grade 2, At 19 years	\$19.92 (23%)
Grade 2, At 20 years	Clerical, Grade 2, At 20 years	\$22.13 (23%)

Coaching and related staff

Rates for junior Coaching and related staff are new classifications inserted into the modern award with effect from 1 January 2014. As these classifications were not present in the award at 1 January 2010, the modern award rates apply in full. Penalties and loadings, including casual loadings, apply in accordance with the model transitional provisions.

Modern award classification	Base rate of pay (hourly)
Coach Grade 1, 17 years and under	\$18.64 (23.00%)
Coach Grade 1, at 18 years	\$21.30 (23.00%)
Coach Grade 1, at 19 years	\$23.96 (23.00%)
Coach Grade 1, at 20 years	\$26.62 (23.00%)
Coach Grade 2, 17 years and under	\$20.91 (23.00%)
Coach Grade 2, at 18 years	\$23.90 (23.00%)
Coach Grade 2, at 19 years	\$26.89 (23.00%)
Coach Grade 2, at 20 years	\$29.87 (23.00%)
Coach Grade 3, 17 years and under	\$25.13 (23.00%)
Coach Grade 3, at 18 years	\$28.72 (23.00%)
Coach Grade 3, at 19 years	\$32.31 (23.00%)
Coach Grade 3, at 20 years	\$35.90 (23.00%)
Coach Grade 4, 17 years and under	\$28.49 (23.00%)
Coach Grade 4, at 18 years	\$32.57 (23.00%)
Coach Grade 4, at 19 years	\$36.64 (23.00%)
Coach Grade 4, at 20 years	\$40.71 (23.00%)

Provided that a junior who has attained the age of 18 and has been continuously employed for 12 months will be paid the full adult rate for their classification.

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 17.3 of the modern award.

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

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

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

Transitional arrangements

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

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

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

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

Equivalent entitlements

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

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

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

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

Example:

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

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

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

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

Example:

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

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

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

Entitlements that are not equivalent

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

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

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

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

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

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

Example:

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

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

1/01/2014	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%
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%)
10.00%	8.00%
20.00%	16.00%
25.00%	20.00%
50.00%	40.00%
75.00%	60.00%
100.00%	80.00%
120.00%	96.00%
125.00%	100.00%
130.00%	104.00%
150.00%	120.00%

New entitlements

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

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

Example:

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

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

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

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

Allowances

The Northern Territory district allowances have been extracted from the **Clerical and Administrative Employees (Northern Territory) Award 2000 (AP839196)**.

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
18.4	Meal allowance	Clerical and administrative staff will receive a meal allowance when required to work overtime after 7.00 pm, if the employer does not supply a substantial meal.	1/07/2013	\$12.9800 per occasion
18.7	Vehicle allowance	An employee required and authorised to use their own vehicle in the course of their duties.	1/07/2013	\$0.7600 per kilometre

The above district allowances apply to the Northern Territory. The allowances outlined within the table titled "All other states covered by this instrument" also apply to the NT.

* The award preserves an employee's previous entitlement to a district allowance in Western Australia or the Northern Territory where they meet the criteria listed below. An employee's entitlement to a district allowance may differ from that specified in the table above.

Northern Territory

An employee in the Northern Territory is entitled to payment of a district allowance in accordance with the terms of an award made under the Workplace Relations Act 1996 (Cth):

(a) 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 made under the Workplace Relations Act 1996 (Cth) had applied to the employee; and

(b) that would have entitled the employee to payment of a district allowance.

These district allowance provisions cease to operate on 31 December 2014.

Western Australia

An employee in Western Australia is entitled to payment of a district allowance in accordance with the terms of a NAPSA or an award made under the Workplace Relations Act 1996 (Cth):

(a) 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 made under the Workplace Relations Act 1996 (Cth) had applied to the employee; and

(b) that would have entitled the employee to payment of a district allowance.

This entitlement ceases to operate on 31 December 2014.

Other Conditions

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

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

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

All states covered by this instrument

Clause	Conditions Type	Description
7	Award flexibility (Instrument)	An employer and an individual employee may agree to vary the following terms of this award to meet the genuine needs of the employer and the individual employee with respect to: <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:</p> <ul style="list-style-type: none"> - works less than 38 hours per week - has regular, reasonable predictable and continuous employment, and - receives, on a pro rata basis, equivalent pay and conditions to those of full-time employees. <p>At the time of engagement, the employer and the part-time employee will agree in writing on a regular pattern of work, specifying at least the hours worked each day, the starting and finishing times, and the days of the week the employee will work. A copy of the agreement must be provided to the employee.</p> <p>The terms of the engagement may be varied by consent. Any agreed variation to the pattern of work will be recorded in writing, with a copy of the variation provided to the employee.</p> <p>All hours worked in excess of the hours as mutually arranged will be deemed overtime and paid as such.</p>
13	Casual conditions (Instrument)	<p>A casual employee is an employee engaged as such and paid by the hour. An employer when engaging a casual must inform the employee:</p> <ul style="list-style-type: none"> - that they are employed as a casual - their hours of work - their classification level, and - the relevant minimum wage.

Clause	Conditions Type	Description
		Casual employees must be paid at the termination of each engagement, but may agree to be paid weekly or fortnightly.
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 immediately prior to 1 January 2010 and that would have entitled the employee to redundancy pay in excess of the employee's entitlement under the NES. This includes employees engaged after 1 January 2010.

Clause	Conditions Type	Description
		<p>The entitlement to redundancy pay under the NAPSA is limited to the amount which exceeds the entitlement under the NES.</p> <p>This clause does not reduce an employee's entitlement to redundancy pay under any other instrument and ceases to operate on 31 December 2014.</p>
18	Expenses (Instrument)	An employee should be reimbursed for any reasonable and documented out-of-pocket expenses incurred in the course of their employment.
18.2	Travelling time (Instrument)	<p>Where employees are required to travel away from their home city or town, the employer will reimburse the cost of travel, including airport car parking charges. This provision will not apply where the employer provides transport.</p> <p>Meal allowances - travelling</p> <p>Where an employee is required to travel over a specified meal time and they have not been supplied a meal, they will be reimbursed reasonable expenses for a meal. The specified meal times are:</p> <p>Breakfast - between 7.00 am and 9.00 am Lunch - between noon and 2.00 pm Dinner - between 6.00 pm and 8.00 pm</p>
18.3	Away from home/usual place of employment (Instrument)	Where an employee is away from home overnight for employment purposes, they will be reimbursed for all reasonable expenses incurred for accommodation, meals and incidentals. This will not apply if the employer provides accommodation and meals.
18.6	Training conditions (Instrument)	If a coach is required as a condition of their employment to attend specified training programs, the employer will reimburse the coach for the cost of attending such training programs. This clause will not apply where the training is provided at the employer's expense.
19	District allowance (Instrument)	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 1996 that would have applied to the employee immediately prior to 1 January 2010, providing that employee was not bound by an agreement under that Act.

Clause	Conditions Type	Description
		This clause 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.
22	Hours of work (Instrument)	<p>Clerical and administrative staff</p> <p><u>Full-time employees</u> Ordinary hours will be determined by the employer and will average 38 per week. These hours can be worked Monday to Sunday, between the hours of 6.00 am and 6.00 pm on one of the following bases:</p> <ul style="list-style-type: none"> - working 38 ordinary hours on five days per week - working 19 days over a 20 day cycle, with 40 hours in three weeks and 32 hours in one week - working nine days over a 10 day cycle, with 42 hours in one week and 34 hours in one week - working 38 hours on four days in each 5 day cycle. <p>The maximum number of ordinary hours on any one day is 11.</p> <p>An employee may, with the agreement of their employer, bank up to five rostered days off in any 12 month period.</p> <p><u>Part-time employees</u> Work must be performed in blocks of at least four hours on any day.</p> <p>A part-time employee's agreed hours or days can only be changed by:</p> <ul style="list-style-type: none"> - agreement in writing between the parties, or - at least seven days' notice in writing being given by the employer to the part-time employee, provided that there is no reduction in the total agreed number of ordinary weekly hours of work.

Clause	Conditions Type	Description
		<p>Coaching staff</p> <p>Ordinary hours for coaching staff are provided for in the NES.</p>
23	Breaks - meal (Instrument)	Employees are entitled to an unpaid meal break of between 30 minutes and one hour, which will commence no later than five hours from the start of work.
24	Overtime – time off in lieu (Instrument)	<p>Up to and including the first hour of overtime an employee will, at the discretion of the employer, either be given time off instead of payment, at the rate of time and a half within the following fortnight, or the overtime will be paid for at that rate.</p> <p>Subject to the previous paragraph, by agreement an employee may opt to take time off instead of payment at the rate of single time within the next 12 months. Such agreement will be recorded in writing.</p>
25.2	Annual leave (Instrument)	<p>Quantum of annual leave</p> <p>In addition to the entitlements in the NES, full-time and part-time coaches are entitled to additional leave based on the number of days worked on weekends.</p> <ul style="list-style-type: none"> - Not less than 6 days and not more than 8 days - 1 working day - Not less than 9 days and not more than 11 days - 2 working days - Not less than 12 days and not more than 14 days - 3 working days - Not less than 15 days and not more than 17 days - 4 working days - 18 days or more - 5 working days
25.3	Annual leave loading (Instrument)	In addition to their ordinary pay, an employee will be paid an annual leave loading of 17.5% of their ordinary pay for their period of annual leave, excluding any additional leave granted for working on weekends.
25.4	Annual leave (Instrument)	<p>Taking of annual leave</p> <p>Annual leave is to be taken within 18 months of the entitlement accruing. To ensure annual leave is taken within that period, and in the absence of agreement as provided for in the NES, 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>

Clause	Conditions Type	Description

Frequency of Payment

Wages must be paid weekly or fortnightly, unless otherwise mutually agreed, up to a monthly maximum period.

Employees will be paid by cash, cheque or electronic funds transfer, as determined by the employer, into a bank or financial institution account nominated by the employee.

IMPORTANT NOTE: Disclaimer

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

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