

PAY AND CONDITIONS GUIDE

Animal Care and Veterinary Services Award 2010 [MA000118]


('modern award')

replacing terms and conditions in or derived from

Veterinary Practice Employees ' Award - State [AN140313] ('pre-modern award')

(QLD)

Effective from 01 July 2013.

Published 20 June 2013 

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 award covers employers throughout Australia in the veterinary surgery industry and the animal care industry and their employees in the classifications listed in this transitional instrument to the exclusion of any other transitional instrument. The transitional instrument does not cover employers in the following industries:

- Amusement, Events and Recreation Award 2010
- Food, Beverage and Tobacco Manufacturing Award 2010
- Horse and Greyhound Training Award 2010
- Pastoral Award 2010.

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

The transitional instrument does not cover employees who are covered by a modern enterprise award, or an enterprise instrument (within the meaning of the Fair Work (Transitional Provisions and Consequential Amendments) Act 2009 (Cth)), or employers in relation to those employees.

The transitional instrument does not cover employees who are covered by a State reference public sector modern award, or a State reference public sector transitional award (within the meaning of the Fair Work (Transitional Provisions and Consequential Amendments) Act 2009)), or employers in relation to those employees.

This transitional instrument covers any employer which supplies labour on an on-hire basis in the veterinary surgery industry and the animal care industry 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 those industries. This subclause operates subject to the exclusions from coverage in this award.

This transitional instrument covers employers which provide group training or related temporary employment services for trainees engaged in the the veterinary surgery industry and the animal care industry and/or parts of such industry and those trainees engaged by a group training or related temporary employment service hosted by a company to perform work at a location where the activities described herein are being performed. This subclause operates subject to the exclusions from coverage in this award.

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

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

Wages

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

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

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

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

Casual employees

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

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

*Post 26 March 2006 employer

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

Adult

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

Full & Part Time

Practice manager/Veterinary nurse/Receptionist/Animal attendant&assistant

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Intro. level	Introductory (less than 3 months)	\$16.37
Level 1	Level 1	\$16.80
Level 2	Level 2	\$18.09
Level 3	Level 3	\$18.88
Level 4	Level 4	\$20.51
Level 5	Level 4	\$21.38

Casual

Practice manager/Veterinary nurse/Receptionist/Animal attendant&assistant

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Intro. level	Introductory (less than 3 months)	\$20.40 (24.6%)
Level 1	Level 1	\$20.93 (24.6%)
Level 2	Level 2	\$22.55 (24.6%)
Level 3	Level 3	\$23.52 (24.6%)
Level 4	Level 4	\$25.56 (24.6%)
Level 5	Level 4	\$26.63 (24.6%)

Junior

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

Full & Part Time Veterinary Surgeons

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Level 2, 20 years of age	Level 2	\$21.70
Level 3, 20 years of age	Level 3	\$23.67
Level 4, 20 years of age	Level 4	\$26.53

Practice manager/Veterinary nurse/Receptionist/Animal attendant&assistant

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Introductory Level, 16 years of age or under	Junior employee, 16 years & under 17 years	\$8.19
Introductory Level, 17 years of age	Junior employee, 17 years & under 18 years	\$9.82
Introductory Level, 18 years of age	Junior employee, 18 years & under 19 years	\$11.63
Introductory Level, 19 years of age	Junior employee, 19 years & under 20 years	\$13.42
Introductory Level, 20 years of age	Introductory (less than 3 months)	\$15.02
Level 1, 16 years of age or under	Junior employee, 16 years & under 17 years	\$8.40
Level 1, 17 years of age	Junior employee, 17 years & under 18 years	\$10.08
Level 1, 18 years of age	Junior employee, 18 years & under 19 years	\$11.90
Level 1, 19 years of age	Junior employee, 19 years & under 20 years	\$13.73
Level 1, 20 years of age	Level 1	\$15.41
Level 2, 16 years of age or under	Level 2	\$10.56
Level 2, 17 years of age	Level 2	\$12.07
Level 2, 18 years of age	Level 2	\$13.58
Level 2, 19 years of age	Level 2	\$15.08
Level 2, 20 years of age	Level 2	\$16.59

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Level 3, 16 years of age or under	Level 3	\$11.03
Level 3, 17 years of age	Level 3	\$12.60
Level 3, 18 years of age	Level 3	\$14.17
Level 3, 19 years of age	Level 3	\$15.74
Level 3, 20 years of age	Level 3	\$17.31
Level 4, 16 years of age or under	Level 4	\$11.95
Level 4, 17 years of age	Level 4	\$13.66
Level 4, 18 years of age	Level 4	\$15.38
Level 4, 19 years of age	Level 4	\$17.09
Level 4, 20 years of age	Level 4	\$18.72
Level 5, 16 years of age or under	Level 4	\$12.38
Level 5, 17 years of age	Level 4	\$14.18
Level 5, 18 years of age	Level 4	\$15.98
Level 5, 19 years of age	Level 4	\$17.78
Level 5, 20 years of age	Level 4	\$19.58

Casual Veterinary Surgeons

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Level 2, 20 years of age	Level 2	\$27.04 (24.6%)
Level 3, 20 years of age	Level 3	\$29.49 (24.6%)
Level 4, 20 years of age	Level 4	\$33.06 (24.6%)

Practice manager/Veterinary nurse/Receptionist/Animal attendant&assistant

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Introductory Level, 16 years of age or under	Junior employee, 16 years & under 17 years	\$10.20 (24.6%)
Introductory Level, 17 years of age	Junior employee, 17 years & under 18 years	\$12.24 (24.6%)
Introductory Level, 18 years of age	Junior employee, 18 years & under 19 years	\$14.50 (24.6%)
Introductory Level, 19 years of age	Junior employee, 19 years & under 20 years	\$16.72 (24.6%)
Introductory Level, 20 years of age	Introductory (less than 3 months)	\$18.72 (24.6%)
Level 1, 16 years of age or under	Junior employee, 16 years & under 17 years	\$10.46 (24.6%)
Level 1, 17 years of age	Junior employee, 17 years & under 18 years	\$12.56 (24.6%)
Level 1, 18 years of age	Junior employee, 18 years & under 19 years	\$14.83 (24.6%)
Level 1, 19 years of age	Junior employee, 19 years & under 20 years	\$17.10 (24.6%)
Level 1, 20 years of age	Level 1	\$19.20 (24.6%)

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Level 2, 16 years of age or under	Level 2	\$13.16 (24.6%)
Level 2, 17 years of age	Level 2	\$15.04 (24.6%)
Level 2, 18 years of age	Level 2	\$16.92 (24.6%)
Level 2, 19 years of age	Level 2	\$18.79 (24.6%)
Level 2, 20 years of age	Level 2	\$20.67 (24.6%)
Level 3, 16 years of age or under	Level 3	\$13.74 (24.6%)
Level 3, 17 years of age	Level 3	\$15.69 (24.6%)
Level 3, 18 years of age	Level 3	\$17.65 (24.6%)
Level 3, 19 years of age	Level 3	\$19.61 (24.6%)
Level 3, 20 years of age	Level 3	\$21.57 (24.6%)
Level 4, 16 years of age or under	Level 4	\$14.89 (24.6%)
Level 4, 17 years of age	Level 4	\$17.02 (24.6%)
Level 4, 18 years of age	Level 4	\$19.16 (24.6%)
Level 4, 19 years of age	Level 4	\$21.29 (24.6%)
Level 4, 20 years of age	Level 4	\$23.33 (24.6%)
Level 5, 16 years of age or under	Level 4	\$15.43 (24.6%)
Level 5, 17 years of age	Level 4	\$17.67 (24.6%)
Level 5, 18 years of age	Level 4	\$19.91 (24.6%)
Level 5, 19 years of age	Level 4	\$22.15 (24.6%)
Level 5, 20 years of age	Level 4	\$24.39 (24.6%)

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 15.2 of the modern award.

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

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

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

Transitional arrangements

This modern award includes transitional arrangements that apply to loading/penalty entitlements where there is a difference in modern award and pre-modern award loading/penalty entitlements. Transitional arrangements apply from the first pay period on or after

01 July 2010 until the first pay period on or after 01 July 2014 (when modern award loadings/penalties apply in full).

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

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

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

Equivalent entitlements

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

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

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

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

Example:

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

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

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

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

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
16.1(b)	On call allowance	<p>Veterinary surgeon Where an associate is required to be on call, a minimum amount of 5.06% of the standard rate will be paid for each period of such duty. If continuous on call duty is required, a new period of such duty will be deemed to commence each 24 hours.</p>	1/07/2013	\$36.6597 per each period of duty (192.28%)
16.2	Meal allowance	<p>An employee (other than a veterinary surgeon) who completes more than 1.5 hours of overtime and is not notified by the previous day of the overtime, will be paid a meal allowance for the first meal of the overtime.</p> <p>This allowance does not apply if the employer provides a meal, or if the employer does not notify the employee of how many meal breaks will be provided on the previous day.</p> <p>If the employee brings a meal, and the overtime ends early, the allowance will be paid for extra meals brought by the employee.</p>	1/07/2013	\$10.5800 per meal
16.2	Meal allowance	<p>An employee (other than a veterinary surgeon) who completes more than 1.5 hours of overtime and is not notified by the previous day of the overtime, will be paid a meal allowance for the second and subsequent overtime meals.</p>	1/07/2013	\$9.0900 per meal

Clause	Allowance Type	Description	Effective Date	Rate
		<p>This allowance does not apply if the employer provides a meal, or if the employer does not notify the employee of how many meal breaks will be provided on the previous day.</p> <p>If the employee brings a meal, and the overtime ends early, the allowance will be paid for extra meals brought by the employee.</p>		
16.2(b)	Shift allowance	An employee (other than a veterinary surgeon) required to work their ordinary hours in more than one shift will be paid this allowance per shift.	1/07/2013	\$11.5920 per shift (60.80%)
16.2(d)	First aid allowance	An employee (other than a veterinary surgeon) who is a qualified first aid attendant and is appointed by the employer to carry out those duties, must be paid this allowance per week.	1/07/2013	<p>\$0.3737 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 a maximum of 38 hours per week) (1.96%)</p>
16.2e(i)	On call allowance	Employee (other than a veterinary surgeon) rostered to be on call between normal shifts on Monday to Friday inclusive, will be paid this allowance.	1/07/2013	\$14.9972 per 24 hour period or part thereof (78.66%)
16.2e(ii)	On call allowance	Employee (other than a veterinary surgeon) rostered to be on call on a Saturday, will be paid this allowance.	1/07/2013	\$22.5319 per 24 hour period or part thereof (118.18%)

Clause	Allowance Type	Description	Effective Date	Rate
16.2e(iii)	On call allowance	Employee (other than a veterinary surgeon) rostered to be on call on a Sunday, public holiday or a rostered day off, will be paid this allowance.	1/07/2013	\$26.2269 per 24 hour period or part thereof (137.56%)
16.3(a)	Laundry	If an employer requires a uniform to be worn, the employer must provide a laundry allowance per week unless the employer launders the clothing by agreement.	1/01/2010	\$0.1713 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).
16.3b(ii)	Vehicle allowance	An employee required to use their own motor vehicle during work will be paid this allowance	1/07/2013	\$0.7600 per kilometre
16.3b(ii)	Vehicle allowance	An employee required to use their own motorcycle during work will be paid this allowance	1/01/2010	\$0.2500 per kilometre

Other Conditions

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

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

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

All states covered by this instrument

Clause	Conditions Type	Description
7	Award flexibility (Instrument)	An employer and an individual employee may agree to vary the following terms of this award to meet the genuine needs of the employer and the individual employee with respect to: - arrangements for when work is performed - overtime rates - penalty rates - allowances - leave loading. Other conditions concerning award flexibility are contained within the Fair Work Act 2009.
8	Consultation (Instrument)	The award contains information on the employer's responsibility to consult regarding major workplace change including the: - 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).
10.4	Part-time conditions	A part-time employee is an employee who works less than 38 hours on a regular basis.

Clause	Conditions Type	Description
	(Instrument)	Part-time employees are entitled to pro rata equivalent pay and conditions to those of full-time employees.
10.5(c)	Casual conditions (Instrument)	<p>Casual employees are entitled to a minimum payment for three hours' work, provided that the minimum engagement period for an employee will be 2.5 hours if all of the following circumstances apply:</p> <p>a) the employee is a full time secondary school student; and</p> <p>b) the employee is engaged to work between the hours of 3.00 p.m. and 7.00 p.m. on a day which they are required to attend school; and</p> <p>c) the employee agrees to work, and a parent or guardian of the employee agrees to allow the employee to work, a shorter period than 3 hours; and</p> <p>d) employment for a longer period than the period of the engagement is not possible either because of the operational requirements of the employer or the unavailability of the employee.</p>
11.2	Termination of employment (Instrument)	Instead of the notice period provided for in the National Employment Standards - Notice of Termination, in order to terminate the employment of a veterinary surgeon the employer must give the employee one month's notice.
11.3	Termination of employment - notice of termination by an employee (Instrument)	The notice of termination required to be given by an employee is the same as an employer except there is no requirement to give additional notice based on age. If an employee fails to give the required notice the employer may withhold from any monies due on termination, the difference between the amount of notice required and the amount of notice actually given.
11.4	Termination of employment - job search entitlement (Instrument)	Where an employer has given notice of termination to an employee, an employee must be allowed up to one day's time off without loss of pay for the purpose of seeking other employment. The time off is to be taken at times that are convenient to the employee after consultation with the employer.
12.2	Redundancy - transfer to lower paid duties (Instrument)	Where an employee is transferred to lower paid duties by reason of redundancy, the same period of notice must be given as the employee would have been entitled to if the employment had been terminated. Alternatively, the employer may choose to pay the employee the difference between the former ordinary time rate of pay and the new ordinary time rate of pay for the number of weeks of notice still owing.

Clause	Conditions Type	Description
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)	<p>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.</p> <p>If the employee has been allowed paid leave for more than one day, the employee must, by request, produce proof of attendance at an interview or they will not be entitled to payment for the time absent. For this purpose a statutory declaration is sufficient.</p>
12.5	Redundancy - transitional provisions (Instrument)	<p>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.</p> <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>
16.1(a)	Other (Instrument)	<p>Where an employer requires a veterinary surgeon to use a communication system, the employer must reimburse for the cost of purchasing such equipment, unless the employer elects to provide the system.</p> <p>The employer must meet the system's running costs for practice usage or provide an allowance to cover such costs.</p> <p>Where a veterinary surgeon is required to perform on call duty, a communication system will be provided so that the veterinary surgeon is able to remain available without being restricted to one location, provided such location is:</p> <ul style="list-style-type: none"> - within effective communication zones at all times; and

Clause	Conditions Type	Description
		- within reasonable access to the practice location.
16.1(b)	Call-back (Instrument)	<p>If a veterinary surgeon performs work while on call, the employee will be paid at the relevant hourly rate.</p> <p>By agreement, on call remuneration can be compensated by one or a combination of the following:</p> <ul style="list-style-type: none"> - payment; - time off instead of payment at the veterinary surgeon's ordinary rate on an hour for hour basis; and - an annual allowance not less than what otherwise would have been payable. <p>Any agreements must be recorded in writing and kept as part of the time and wages records kept by the employer.</p>
16.1(c)	Higher duties (Instrument)	When a veterinary surgeon is required to perform duties at a higher classification level for a temporary period of more than two weeks, the veterinary surgeon must receive an allowance to increase the salary to the higher classification for the time worked.
16.2(c)	Higher duties (Instrument)	<p>An employee other than a veterinary surgeon engaged for a day or shift on duties carrying a higher rate than the ordinary classification must be paid the higher rate for such day or shift.</p> <p>Any employee other than a veterinary surgeon who is required to perform work temporarily for which a lower rate is paid must not suffer any reduction in wages whilst so employed; provided that any work of less than one week's duration will be deemed to be temporary.</p>
16.3(a)	Clothing, footwear and/ or equipment (Instrument)	Where an employer requires a uniform to be worn, the employer must provide an allowance equal to the cost of the uniform.
16.3(b)	Travelling time (Instrument)	<p>Where travel is required during work, the employer must meet all reasonable expenses.</p> <p>The employer must pay all expenses including registration, running and maintenance where an employer provides a motor vehicle which is used by an employee during work.</p>
17	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

Clause	Conditions Type	Description
		<p>have applied to the employee immediately prior to 1 January 2010, providing that employee was not bound by an agreement under that Act.</p> <p>This clause ceases to operate on 31 December 2014.</p>
18	Accident pay (Instrument)	<p>An employee is entitled to accident pay in accordance with the terms of:</p> <ul style="list-style-type: none"> - 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 made under the Workplace Relations Act 1996 (Cth) 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>
19	Other (Instrument)	<p>Professional development and indemnity</p> <p>For veterinary surgeons only.</p> <p>A veterinary surgeon undertaking a program of residency or internship must receive payment in accordance with the award for required practice duties.</p> <p>At the beginning of the residency/internship an agreement will be entered into which includes:</p> <ul style="list-style-type: none"> - the goals of the program and the expectations of both parties; - the time devoted to required practice duties and a how both parties will respond to additional requirements;

Clause	Conditions Type	Description
		<ul style="list-style-type: none"> - the provision and type of structured training and supervision and whether this includes formal teaching time (such as lectures and tutorials); and - the access that the resident/intern will have to the practice for observation and study. <p>Agreements under this clause must be recorded in writing and kept as a part of the time and wages records kept by the employer.</p> <p>The employer and the veterinary surgeon should agree on criteria for professional development having regard to the cost, accessibility and availability of courses relevant to the practice needs and the number of veterinarians seeking such opportunity.</p> <p>The employer must pay any course registration fees for agreed professional development activities. The employer, at its discretion, may agree to pay other expenses.</p> <p>Where the employer pays course registration fees, the veterinary surgeon has the duty to pass on the knowledge gained to other members of the practice. All conference publications from paid courses remain the property of the employer.</p> <p>On request, the employer must provide all veterinary surgeons, with written proof that the employer holds professional indemnity and public liability insurance to cover the surgeon during work.</p>
19.3	Study leave (Instrument)	A full-time veterinary surgeon is entitled to one week's paid study leave, at their ordinary rate of pay, for each completed year of service for skill acquisition and career progression.
20.2	Method of payment (Instrument)	Wages must either be paid by cash, cheque or electronic funds transfer (EFT) into the bank or financial institution account nominated by the employee.
20.3	Payment of wages (Instrument)	Where an employee is paid wages by cash or cheque and the employee is, due to the arrangement of their ordinary hours, to take a day off on a day which coincides with payday, such employee must be paid by the working day immediately following payday.
21	Superannuation (Instrument)	The award contains information on:

Clause	Conditions Type	Description
		<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.
22.1	Hours of work (Instrument)	<p>The ordinary hours of work are an average of 38 per week but not exceeding 152 hours in 28 days, or an average of 38 over the period of an agreed roster cycle.</p> <p>The maximum length of the ordinary hours for any one shift must not exceed 10 hours plus meal breaks</p>
22.2	Hours of work (Instrument)	<p>The ordinary hours of work will be between 6.00 am and 9.00 pm Monday to Sunday.</p> <p>The ordinary hours of work are to be worked continuously, except for meal breaks, at the discretion of the employer. The spread of hours may be altered by agreement between the employer and the individual employee.</p>
22.3	Other (Instrument)	<p>The following provisions apply to veterinary surgeons:</p> <p>Time taken for travel during work, except for active on call duty, will be counted as time worked.</p> <p>Daily work rosters should be published at least one month in advance. All annual holiday and public holiday rosters should be published at least two months in advance.</p> <p>Veterinary surgeons, other than casuals, should receive a minimum of three full days off per fortnight. Time off will accumulate instead if not given. However, if this time is not used within six weeks they must be paid out at the veterinary surgeon's ordinary rate of pay.</p>
23.1	Breaks - meal (Instrument)	<p>An unpaid meal break of not less than 30 minutes must be given to each employee between the fourth and fifth hour of work unless otherwise agreed by the employer and the employee in times of emergency or staff accident or illness or the employee.</p>
23.2	Breaks - rest (Instrument)	<p>All employees (other than veterinary surgeons) must receive, where practicable, a rest pause of 10 minutes duration after four hours work.</p>

Clause	Conditions Type	Description
		<p>Where the employee has performed 7.6 hours per day such employee will be entitled to two 10 minute rest breaks. Such rest breaks will be taken at such times so as not to interfere with the continuity of work.</p> <p>Where there is agreement, rest breaks can be combined into one 20 minute rest break that will be taken at a time that will not interfere with the continuity of work.</p> <p>Such rest breaks are to be counted as part of time worked.</p>
24.1	Overtime - other (Instrument)	<p>Veterinary surgeons will be compensated for time worked in addition to 38 hours per week, except when on call, either by:</p> <ul style="list-style-type: none"> - granting additional remuneration at the employee's ordinary time rate; or - granting time off instead of payment on an hour for hour basis, if agreed by the veterinary surgeon. <p>Veterinary surgeons may, by agreement with their employer, receive an annual allowance instead of the above provisions, provided that the allowance plus any other payments for extra hours, calculated over a calendar year, are not less than would otherwise have been payable above.</p> <p>Agreements under this clause must be recorded in writing.</p>
24.3	Return to duty (Instrument)	<p>Where an employee (other than a veterinary surgeon) is required to return to duty after the usual finishing time for that day, the employee must be paid at the appropriate overtime rate and must receive a minimum payment as for three hours' work.</p> <p>However, this clause does not apply where the work is continuous (subject to a meal break of not more than one hour) with the completion or commencement of ordinary working time.</p>
24.4	Overtime – time off in lieu (Instrument)	<p>An employee may elect, with agreement of the employer, to take time off instead of payment for overtime, at a time or times agreed with the employer.</p> <p>Overtime taken as time off instead of payment for overtime during ordinary time hours must be taken at the ordinary time rate, that is, an hour for each hour worked.</p>

Clause	Conditions Type	Description
		An employer must, if requested by an employee, provide payment at the appropriate overtime rate, where such time has not been taken within four weeks of accrual.
24.5	Make-up time (Instrument)	An employee may elect, with agreement of the employer, to work make-up time under which the employee takes time off during ordinary hours, and works those hours at a later time during the spread of ordinary hours provided in this award.
25.3	Shiftwork (Instrument)	<p>An employee may be transferred to or from shiftwork on 14 days' notice provided the employee has at least 10 hours off duty before beginning shiftwork.</p> <p>If notice not provided, the employee will be paid overtime rates for all work done outside previous ordinary working hours within 14 days of the time of notification of the change.</p>
26.3	Annual leave loading (Instrument)	<p>During a period of annual leave an employee will receive a loading calculated on the relevant minimum ordinary rate. Annual leave loading is payable on leave accrued.</p> <p>The loading is as follows:</p> <ul style="list-style-type: none"> - Day work Employees on day work only, 17.5% or the relevant weekend penalty rates, whichever is the greater but not both. - Shiftwork Employees working shiftwork - 17.5% or the shift loading (including relevant weekend penalty rates) whichever is the greater, but not both.
26.4	Annual leave - paid leave in advance of accrued entitlement (Instrument)	<p>An employer may allow an employee to take annual leave either wholly or partly in advance before the leave has accrued.</p> <p>Where paid leave in advance has been granted to an employee, and the employee leaves or is terminated by the employer before completing the required amount of service to account for the leave provided in advance, the employer can deduct the amount of leave in advance still owing from any monies owed to the employee upon termination of employment.</p>

Clause	Conditions Type	Description
26.5	Annual leave - close-down (Instrument)	An employer may require an employee to take annual leave by giving at least four weeks' notice where such leave is required as part of a close-down of its operations.
27.2	Personal/carer's leave (Instrument)	<p>Casual employees are entitled to be not available for work or to leave work to care for a person who is sick and requires care and support or who requires care due to an emergency.</p> <p>Such leave is unpaid. A maximum of 48 hours absence is allowed by right with additional absence by agreement.</p>
29.2	Public holidays (Instrument)	<p>Full time Veterinary Surgeons</p> <p>If employee does not regularly work a five day, Monday to Friday week and a public holiday falls on a day when they are not working. The employee will be entitled to, either:</p> <ul style="list-style-type: none"> - an alternative day off; - an additional one day of annual leave; or - an additional day's wages. <p>Where the employee normally works on Saturdays and/or Sundays and a public holiday falls on the weekend and is the subject of a substitution provision, the employee is entitled to either:</p> <ul style="list-style-type: none"> - have the actual day off without loss of pay, with no additional entitlement to the substitute day; or - if required to work on the actual day, be paid the normal Saturday or Sunday rate and be entitled to the substitute day, or if the substitute day falls on the employee's normal day off, an alternative day off. - if required to work on both the actual day and the substitute day, the employee is paid the normal Saturday and Sunday rate for work on the actual day and for work performed on the substitute day receive either an alternative day off; or an extra annual leave day; or public holidays rates for the day's work. <p>An employee who does not work a five day week should get the hours that they work and 7.6 hours where a public holiday falls on a day they do not work.</p>

Clause	Conditions Type	Description
29.2(f)	Public holidays (Instrument)	<p>Where the employee's normal roster includes a public holiday, they are entitled to the public holiday without loss of pay or to receive the appropriate public holiday rate for working on it.</p> <p>Where the employee normally works on Saturdays and/or Sundays and a public holiday falls on the weekend and a substitution provision is in place, the employee will be entitled to, either:</p> <ul style="list-style-type: none"> - have the actual day off without loss of pay, with no additional entitlement to the substitute day; or - if required to work on the actual day, receive normal Saturday or Sunday rate and be entitled to take another day as a public holiday or receive an additional day's payment at ordinary time of equal length. <p>An employee who works an average five days per week, but not regularly Monday to Friday, should a prescribed public holiday falls on a day the employee would not be working they are entitled to either:</p> <ul style="list-style-type: none"> - an alternative day off; - one day added to annual leave; or - an additional day's wages.

Frequency of Payment

Frequency of payment of wages options are as follows:

- Associates must be paid at least monthly. This payment must include all earnings verified to the employer at that date. It is the duty of the employer to ensure that payment is made on a set day and preferably at a regular time. It is the duty of the associate to provide all information concerning claims prior to the processing of such payment.

- All other employees must be paid weekly, or if the employer and employee agree fortnightly or monthly.

IMPORTANT NOTE: Disclaimer

The Fair Work Ombudsman (FWO) is committed to providing useful, reliable information to help you understand your rights and obligations under workplace laws. The Pay and Conditions Guides are provided for that purpose.

There are factors that may affect the information contained in these Guides. These include:

- changes to pay rates, allowances, penalties or modern award provisions; eg after FWA's annual wage review which takes effect on 1 July each year
- changes to the Fair Work Act or other relevant legislation
- decisions of courts or Fair Work Australia, in particular regarding the effect of provisions in modern awards and pre-modern awards where those differ from the approach taken by the FWO.

The FWO will consider these matters and where appropriate update the Guides.

It is your responsibility to comply with workplace laws and industrial instruments that apply to you.

The information contained in these Pay and Conditions Guides is:

- general in nature and may not deal with all aspects of the law that are relevant to your specific situation; and
- not legal advice.

Therefore you may wish to seek your own independent professional advice to ensure all the factors relevant to your circumstances are properly considered.