

CURRENT AWARD as at 16 November 2016**Fast Food Industry Award 2010****Table of Contents****Part 1— Application and Operation**

1. Title
2. Commencement and transitional
3. Definitions and interpretation
4. Coverage
5. Access to the award and the National Employment Standards
6. The National Employment Standards and this award
7. Award flexibility

Part 2— Consultation and Dispute Resolution

8. Consultation
9. Dispute resolution

Part 3— Types of Employment and Termination of Employment

10. Employment categories
11. Full-time employees
12. Part-time employees
13. Casual employment
14. Termination of employment
15. Redundancy

Part 4— Classifications and Wage Rates

16. Classifications
17. Minimum weekly wages

EXPOSURE DRAFT**Fast Food Industry Award 2016****Table of Contents****Part 1— Application and Operation of this Award**

1. Title and commencement
2. Definitions
3. The National Employment Standards and this award
4. Coverage
5. Effect of variations made by the Fair Work Commission
6. Award flexibility for individual arrangements
7. Facilitative provisions for flexible working practices

Part 2— Types of Employment and Classifications

8. Types of employment
9. Full-time employees
10. Part-time employees
11. Casual employment
12. Classifications

Part 3— Hours of Work

13. Ordinary hours of work
14. Rostering arrangements
15. Breaks

Part 4— Wages and Allowances

16. Minimum Wage
17. Allowances

18. Junior rates	18. Accident pay
19. Allowances	19. Superannuation
20. Accident pay	Part 5— Overtime and Penalty Rates
21. Superannuation	20. Overtime
22. Payment of wages	21. Penalty rates
23. Supported wage	Part 6— Leave and Public Holidays
24. National training wage	22. Annual leave
Part 5— Ordinary Hours of Work	23. Personal/carer's leave and compassionate leave
25. Hours of work	24. Parental leave and related entitlements
26. Overtime	25. Public holidays
27. Breaks	26. Community service leave
Part 6— Leave and Public Holidays	Part 7— Consultation and Dispute Resolution
28. Annual leave	27. Consultation about major workplace change
29. Personal/carer's leave and compassionate leave	28. Consultation about changes to rosters or hours of work
30. Public holidays	29. Dispute resolution
31. Community service leave	Part 8— Termination of Employment and Redundancy
Schedule A —Transitional Provisions	30. Termination of employment
Schedule B —Classifications	31. Redundancy
Schedule C —Supported Wage System	32. Transfer to lower paid job on redundancy
Schedule D —National Training Wage	33. Employee leaving during redundancy notice period
Appendix D1: Allocation of Traineeships to Wage Levels	34. Job search entitlement
Schedule E —2016 Part-day Public Holidays	Schedule A —Summary of Hourly Rates of Pay
Schedule F —Agreement to Take Annual Leave in Advance	Schedule B —Summary of Monetary Allowances
Schedule G —Agreement to Cash Out Annual Leave	Schedule C —Supported Wage System
	Schedule D —National Training Wage
	Schedule E —Agreement to Take Annual Leave in Advance
	Schedule F —Agreement to Cash Out Annual Leave
	Schedule G —2016 Part-day Public Holidays

Part 1—Application and Operation	Part 1—Application and Operation of this Award
<p>1. Title</p> <p>This award is the <i>Fast Food Industry Award 2010</i>.</p> <p>2. Commencement and transitional</p> <p>2.1 This award commences on 1 January 2010.</p> <p>2.2 The monetary obligations imposed on employers by this award may be absorbed into overaward payments. Nothing in this award requires an employer to maintain or increase any overaward payment.</p> <p>2.3 This award contains transitional arrangements which specify when particular parts of the award come into effect. Some of the transitional arrangements are in clauses in the main part of the award. There are also transitional arrangements in Schedule A. The arrangements in Schedule A deal with:</p> <ul style="list-style-type: none"> • minimum wages and piecework rates • casual or part-time loadings • Saturday, Sunday, public holiday, evening or other penalties • shift allowances/penalties. <p>2.4 Neither the making of this award nor the operation of any transitional arrangements is intended to result in a reduction in the take-home pay of employees covered by the award. On application by or on behalf of an employee who suffers a reduction in take-home pay as a result of the making of this award or the operation of any transitional arrangements, the Fair Work Commission may make any order it considers appropriate to remedy the situation.</p> <p>2.5 The Fair Work Commission may review the transitional arrangements in this award and make a determination varying the award.</p> <p>2.6 The Fair Work Commission may review the transitional arrangements:</p> <p>(a) on its own initiative; or</p>	<p>1. Title and commencement</p> <p>1.1 This award is the <i>Fast Food Industry Award 2016</i>.</p> <p><i>References to transitional arrangements removed – obsolete</i></p> <p>1.2 This modern award, as varied, commenced operation on 1 January 2010.</p> <p>1.3 Neither the making of this award nor the operation of any transitional arrangements is intended to result in a reduction in the take-home pay of employees covered by the award. On application by or on behalf of an employee who suffers a reduction in take-home pay as a result of the making of this award or the operation of any transitional arrangements, the Fair Work Commission may make any order it considers appropriate to remedy the situation.</p>

<p>(b) on application by an employer, employee, organisation or outworker entity covered by the modern award; or</p> <p>(c) on application by an organisation that is entitled to represent the industrial interests of one or more employers or employees that are covered by the modern award; or</p> <p>(d) in relation to outworker arrangements, on application by an organisation that is entitled to represent the industrial interests of one or more outworkers to whom the arrangements relate.</p>	
<p>3. Definitions and interpretation</p> <p>3.1 In this award, unless the contrary intention appears:</p> <p>Act means the <i>Fair Work Act 2009</i> (Cth)</p> <p>agreement-based transitional instrument has the meaning in the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth)</p> <p>award-based transitional instrument has the meaning in the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth)</p> <p>default fund employee means an employee who has no chosen fund within the meaning of the <i>Superannuation Guarantee (Administration) Act 1992</i> (Cth)</p> <p>defined benefit member has the meaning given by the <i>Superannuation Guarantee (Administration) Act 1992</i> (Cth)</p> <p>Division 2B State award has the meaning in Schedule 3A of the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth)</p> <p>Division 2B State employment agreement has the meaning in Schedule 3A of the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth)</p> <p>employee means national system employee within the meaning of the Act</p> <p>employer means national system employer within the meaning of the Act</p>	<p><i>Definitions relating to transitional instruments removed - obsolete</i></p> <p>2. Definitions</p> <p>In this award, unless the contrary intention appears:</p> <p>Act means the <i>Fair Work Act 2009</i> (Cth)</p> <p>defined benefit member has the meaning given by the <i>Superannuation Guarantee (Administration) Act 1992</i> (Cth)</p> <p>employee means national system employee within the meaning of the Act</p> <p>employer means national system employer within the meaning of the Act</p> <p>exempt public sector superannuation scheme has the meaning given by the <i>Superannuation Industry (Supervision) Act 1993</i> (Cth)</p> <p>fast food industry means the industry of taking orders for and/or preparation and/or sale and/or delivery of:</p> <p>(a) meals, snacks and/or beverages, which are sold to the public primarily to be consumed away from the point of sale;</p> <p>(b) take away foods and beverages packaged, sold or served in such a manner as to allow their being taken from the point of sale to be consumed elsewhere should the customer so decide; and/or</p> <p>(c) food and/or beverages in food courts and/or in shopping centres and/or in retail complexes, excluding coffee shops, cafes, bars and restaurants providing primarily a sit down service inside the catering establishment.</p>

<p>enterprise award-based instrument has the meaning in the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth)</p> <p>exempt public sector superannuation scheme has the meaning given by the <i>Superannuation Industry (Supervision) Act 1993</i> (Cth)</p> <p>fast food industry means the industry of taking orders for and/or preparation and/or sale and/or delivery of:</p> <ul style="list-style-type: none"> • meals, snacks and/or beverages, which are sold to the public primarily to be consumed away from the point of sale; • take away foods and beverages packaged, sold or served in such a manner as to allow their being taken from the point of sale to be consumed elsewhere should the customer so decide; and/or • food and/or beverages in food courts and/or in shopping centres and/or in retail complexes, excluding coffee shops, cafes, bars and restaurants providing primarily a sit down service inside the catering establishment <p>MySuper product has the meaning given by the <i>Superannuation Industry (Supervision) Act 1993</i> (Cth)</p> <p>NES means the National Employment Standards as contained in sections 59 to 131 of the <i>Fair Work Act 2009</i> (Cth)</p> <p>on-hire means the on-hire of an employee by their employer to a client, where such employee works under the general guidance and instruction of the client or a representative of the client</p> <p>standard rate means the minimum weekly wage for a Fast Food Employee Level 2 in clause 17—Minimum weekly wages. Where an allowance is provided for on an hourly basis, a reference to standard rate means 1/38th of the weekly wage referred to above.</p> <p>transitional minimum wage instrument has the meaning in the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth)</p>	<p>MySuper product has the meaning given by the <i>Superannuation Industry (Supervision) Act 1993</i> (Cth)</p> <p>NES means the National Employment Standards as contained in sections 59 to 131 of the <i>Fair Work Act 2009</i> (Cth)</p> <p>on-hire means the on-hire of an employee by their employer to a client, where such employee works under the general guidance and instruction of the client or a representative of the client</p> <p>standard rate means the minimum hourly rate for a fast food employee Level 2 in clause 16.1.</p>
<p>3.2 Where this award refers to a condition of employment provided for in the NES, the NES definition applies.</p>	<p>3.2 Where this award refers to a condition of employment provided for in the NES, the NES definition applies.</p>

<p>4. Coverage</p> <p>4.1 This industry award covers employers throughout Australia in the fast food industry and their employees in the classifications listed in clause 17—Minimum weekly wages to the exclusion of any other modern award. The award does not cover employers in the following industries:</p> <ul style="list-style-type: none"> • the hospitality industry; or • the general retail industry. <p>4.2 The award does not cover an employee excluded from award coverage by the Act.</p> <p>4.3 The award does not cover employees who are covered by a modern enterprise award, or an enterprise instrument (within the meaning of the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth)), or employers in relation to those employees.</p> <p>4.4 The award does not cover employees who are covered by a State reference public sector modern award, or a State reference public sector transitional award (within the meaning of the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth)), or employers in relation to those employees.</p> <p>4.5 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.</p> <p>4.6 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.</p> <p>4.7 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</p>	<p>4. Coverage</p> <p>4.1 This industry award covers employers throughout Australia in the fast food industry and their employees in the classifications listed in clause 12—Classifications to the exclusion of any other modern award.</p> <p>4.2 The award does not cover employers in the following industries:</p> <ul style="list-style-type: none"> (a) the hospitality industry; or (b) the general retail industry. <p>4.3 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.</p> <p>4.4 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.</p> <p>4.5 This industry award does not cover:</p> <ul style="list-style-type: none"> (a) an employee excluded from award coverage by the Act; (b) employees who are covered by a modern enterprise award, or an enterprise instrument (within the meaning of the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth)), or employers in relation to those employees; or (c) 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 <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth)), or employers in relation to those employees. <p>4.6 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</p>
---	--

<p>environment in which the employee normally performs the work.</p> <p>NOTE: Where there is no classification for a particular employee in this award it is possible that the employer and employee are covered by an award with occupational coverage.</p>	<p>in which the employee normally performs the work.</p> <p>NOTE: Where there is no classification for a particular employee in this award it is possible that the employer and employee are covered by an award with occupational coverage.</p>															
<p>5. Access to the award and the National Employment Standards The employer must ensure that copies of this award and the NES are available to all employees to whom they apply either on a noticeboard which is conveniently located at or near the workplace or through electronic means, whichever makes them more accessible.</p> <p>6. The National Employment Standards and this award The NES and this award contain the minimum conditions of employment for employees covered by this award.</p>	<p>3. The National Employment Standards and this award</p> <p>3.1 The NES and this award contain the minimum conditions of employment for employees covered by this award.</p> <p>3.2 Where this award refers to a condition of employment provided for in the NES, the NES definition applies.</p> <p>3.3 The employer must ensure that copies of the award and the NES are available to all employees to whom they apply, either on a notice board which is conveniently located at or near the workplace or through accessible electronic means.</p>															
<p>7. Award flexibility</p> <p><i>Provision not reproduced - standard clause - no change</i></p>	<p>4. Award flexibility</p> <p><i>Provision not reproduced - standard clause - no change</i></p>															
<p><i>Clause inserted - proposed new provision</i></p>	<p>7. Facilitative provisions for flexible working practices</p> <p>7.1 A facilitative provision provides that the standard approach in an award provision may be departed from by agreement between an employer and an individual employee, or an employer and the majority of employees in the enterprise or part of the enterprise concerned.</p> <p>7.2 Facilitative provisions in this award are contained in the following clauses:</p> <table border="1" data-bbox="1223 1066 2092 1414"> <thead> <tr> <th>Clause</th> <th>Provision</th> <th>Agreement between an employer and:</th> </tr> </thead> <tbody> <tr> <td>20.4</td> <td>Time off instead of payment</td> <td>An individual</td> </tr> <tr> <td>22.4</td> <td>Annual leave in advance</td> <td>An individual</td> </tr> <tr> <td>22.5</td> <td>Cashing out of annual leave</td> <td>An individual</td> </tr> <tr> <td>25.2</td> <td>Public holidays – substitution</td> <td>The majority of employees</td> </tr> </tbody> </table>	Clause	Provision	Agreement between an employer and:	20.4	Time off instead of payment	An individual	22.4	Annual leave in advance	An individual	22.5	Cashing out of annual leave	An individual	25.2	Public holidays – substitution	The majority of employees
Clause	Provision	Agreement between an employer and:														
20.4	Time off instead of payment	An individual														
22.4	Annual leave in advance	An individual														
22.5	Cashing out of annual leave	An individual														
25.2	Public holidays – substitution	The majority of employees														

<p>Part 2—Consultation and Dispute Resolution</p> <p>8. Consultation</p> <p>8.1 Consultation regarding major workplace change</p> <p>8.2 Consultation about changes to rosters or hours of work</p> <p><i>Provision not reproduced - standard clause - no change</i></p>	<p>Part 7—Consultation and Dispute Resolution</p> <p>27. Consultation about major workplace change</p> <p>28. Consultation about changes to rosters or hours of work</p> <p><i>Provisions not reproduced - standard clause - no change other than numbering and changes to clause titles</i></p>
<p>9. Dispute resolution</p> <p><i>Provision not reproduced - standard clause - no change</i></p>	<p>29. Dispute resolution</p> <p><i>Provision not reproduced - standard clause - no change</i></p>
<p>Part 3—Types of Employment and Termination of Employment</p> <p>10. Employment categories</p> <p>10.1 Employees under this award will be employed in one of the following categories:</p> <ul style="list-style-type: none"> • full-time employees; • part-time employees; or • casual employees. <p>10.2 At the time of engagement an employer will inform each employee of the terms of their engagement and, in particular, whether they are to be full-time, part-time or casual.</p>	<p>Part 2—Types of Employment and Classifications</p> <p>8. Types of employment</p> <p>8.1 Employees under this award will be employed in one of the following categories:</p> <ul style="list-style-type: none"> (a) full-time employees; (b) part-time employees; or (c) casual employees. <p>8.2 At the time of engagement an employer will inform each employee of the terms of their engagement and, in particular, whether they are to be full-time, part-time or casual.</p>
<p>11. Full-time employees</p> <p>A full-time employee is an employee who is engaged to work an average of 38 hours per week.</p>	<p>9. Full-time employees</p> <p>A full-time employee is engaged to work an average of 38 hours per week.</p>
<p>12. Part-time employees</p> <p>12.1 A part-time employee is an employee who:</p> <ul style="list-style-type: none"> (a) works less than 38 hours per week; and (b) has reasonably predictable hours of work. 	<p>10. Part-time employees</p> <p>10.1 A part-time employee:</p> <ul style="list-style-type: none"> (a) works less than 38 hours per week; and (b) has reasonably predictable hours of work; and

	<p>(c) receives, on a pro rata basis, pay and conditions equivalent to those of full-time employees who do the same kind of work.</p>
<p>12.2 At the time of first being employed, the employer and the part-time employee will agree, in writing, on a regular pattern of work, specifying at least:</p> <ul style="list-style-type: none"> • the number of hours worked each day; • which days of the week the employee will work; • the actual starting and finishing times of each day; • that any variation will be in writing; • that the minimum daily engagement is three hours; and • the times of taking and the duration of meal breaks. <p>12.3 Any agreement to vary the regular pattern of work will be made in writing before the variation occurs.</p> <p>12.4 The agreement and any variation to it will be retained by the employer and a copy given by the employer to the employee.</p> <p>12.5 An employer is required to roster a part-time employee for a minimum of three consecutive hours on any shift.</p> <p>12.6 An employee who does not meet the definition of a part-time employee and who is not a full-time employee will be paid as a casual employee in accordance with clause 13—Casual employment.</p> <p>12.7 A part-time employee employed under the provisions of this clause will be paid for ordinary hours worked at the rate of 1/38th of the weekly rate prescribed for the class of work performed. All time worked in excess of the hours as agreed under clause 12.2 or varied under clause 12.3 will be overtime and paid for at the rates prescribed in clause 26.2-Overtime and penalty rates.</p>	<p>10.2 At the time of first being employed, the employer and the part-time employee will agree, in writing, on a regular pattern of work, specifying at least:</p> <ul style="list-style-type: none"> (a) the number of hours worked each day; (b) which days of the week the employee will work; (c) the actual starting and finishing times of each day; (d) that any variation will be in writing; (e) that the minimum daily engagement is three hours; and (f) the times of taking and the duration of meal breaks. <p>10.3 Any agreement to vary the regular pattern of work will be made in writing before the variation occurs.</p> <p>10.4 The agreement and any variation to it will be retained by the employer and a copy given by the employer to the employee.</p> <p>10.5 An employer is required to roster a part-time employee for a minimum of three consecutive hours on any shift.</p> <p>10.6 An employee who does not meet the definition of a part-time employee and who is not a full-time employee will be paid as a casual employee in accordance with clause 11—Casual employment.</p> <p>10.7 A part-time employee employed under the provisions of this clause will be paid for ordinary hours worked at the minimum hourly rate prescribed for the class of work performed.</p> <p>10.8 All time worked in excess of the hours as agreed under clause 10.2 or varied under clause 10.3 will be overtime and paid for at the rates prescribed in clause 20—Overtime.</p>
<p>13. Casual employment</p> <p>13.1 A casual employee is an employee engaged as such.</p>	<p>11. Casual employment</p> <p>11.1 A casual employee is an employee who is engaged and paid as a casual</p>

<p>13.2 A casual will be paid both the ordinary hourly rate paid to a full-time employee and an additional 25% of the ordinary hourly rate for a full-time employee.</p> <p>13.3 Casual employees will be paid at the termination of each engagement, or weekly or fortnightly in accordance with pay arrangements for full-time employees.</p> <p>13.4 The minimum daily engagement of a casual is three hours.</p>	<p>employee.</p> <p>A casual employee will be paid per ordinary hour worked:</p> <p>(a) the minimum hourly rate appropriate to the employee's classification; and</p> <p>(b) a loading of 25% of that rate.</p> <p>11.2 Casual employees will be paid at the termination of each engagement, or weekly or fortnightly in accordance with pay arrangements for full-time employees.</p> <p>11.3 The minimum daily engagement of a casual is three hours.</p>
<p>14. Termination of employment</p> <p>14.2 Notice of termination by an employee</p> <p>14.3 Job search entitlement</p> <p><i>Clause 14.3 now clause 34 - combined with clause 15.4</i></p>	<p>Part 8—Termination of Employment and Redundancy</p> <p>30. Termination of employment</p> <p>30.2 Notice of termination by an employee</p> <p><i>Provision not reproduced – no change</i></p> <p><i>Clause 14.3 now clause 34</i></p>
<p>15. Redundancy</p> <p><i>Provision not reproduced - no change other than renumbering of clause and clause titles</i></p> <p>15.2 Transfer to lower paid duties</p> <p>15.3 Employees leaving during notice period</p> <p>15.4 Job search entitlement</p>	<p>31. Redundancy</p> <p><i>Provision not reproduced - no change other than renumbering of clause and clause titles</i></p> <p>32. Transfer to lower paid job on redundancy</p> <p>33. Employee leaving during redundancy notice period</p> <p>34. Job search entitlement</p>
<p>15.5 Transitional provisions – NAPSA employees</p> <p>15.6 Transitional provisions – Division 2B State employees</p>	<p><i>Transitional provisions removed – obsolete</i></p>
<p>Part 4—Classifications and Wage Rates</p> <p>16. Classifications</p> <p>16.1 All employees covered by this award must be classified according to the</p>	<p>12. Classifications</p> <p>12.1 All employees covered by this award must be classified according to the structure clause 12.4.</p>

<p>structure set out in Schedule B—Classifications. Employers must advise their employees in writing of their classification and of any changes to their classification.</p> <p>16.2 The classification by the employer must be according to the skill level or levels required to be exercised by the employee in order to carry out the principal functions of the employment as determined by the employer.</p>	<p>12.2 Employers must advise their employees in writing of their classification and of any changes to their classification.</p> <p>12.3 The classification by the employer must be according to the skill level or levels required to be exercised by the employee in order to carry out the principal functions of the employment as determined by the employer.</p>
---	--

<p>17. Minimum weekly wages</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Classifications</th> <th style="text-align: center;">Per week</th> </tr> </thead> <tbody> <tr> <td></td> <td style="text-align: center;">\$</td> </tr> <tr> <td>Level 1</td> <td style="text-align: center;">738.80</td> </tr> <tr> <td>Level 2</td> <td style="text-align: center;">783.30</td> </tr> <tr> <td>Level 3—In charge of one or no persons</td> <td style="text-align: center;">795.30</td> </tr> <tr> <td style="padding-left: 20px;">—In charge of two or more persons</td> <td style="text-align: center;">805.00</td> </tr> </tbody> </table>	Classifications	Per week		\$	Level 1	738.80	Level 2	783.30	Level 3—In charge of one or no persons	795.30	—In charge of two or more persons	805.00	<p>Part 4—Wages and Allowances</p> <p>16. Minimum Wage</p> <p>16.1 An employer must pay adult employees the following minimum wages for ordinary hours worked by the employee:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Employee classification</th> <th style="text-align: center;">Minimum weekly rate \$</th> <th style="text-align: center;">Minimum hourly rate \$</th> </tr> </thead> <tbody> <tr> <td>Level 1</td> <td style="text-align: center;">738.80</td> <td style="text-align: center;">19.44</td> </tr> <tr> <td>Level 2</td> <td style="text-align: center;">783.30</td> <td style="text-align: center;">20.61</td> </tr> <tr> <td>Level 3—In charge of one or no persons</td> <td style="text-align: center;">795.30</td> <td style="text-align: center;">20.93</td> </tr> <tr> <td>Level 3—In charge of two or more persons</td> <td style="text-align: center;">805.00</td> <td style="text-align: center;">21.18</td> </tr> </tbody> </table>	Employee classification	Minimum weekly rate \$	Minimum hourly rate \$	Level 1	738.80	19.44	Level 2	783.30	20.61	Level 3—In charge of one or no persons	795.30	20.93	Level 3—In charge of two or more persons	805.00	21.18
Classifications	Per week																											
	\$																											
Level 1	738.80																											
Level 2	783.30																											
Level 3—In charge of one or no persons	795.30																											
—In charge of two or more persons	805.00																											
Employee classification	Minimum weekly rate \$	Minimum hourly rate \$																										
Level 1	738.80	19.44																										
Level 2	783.30	20.61																										
Level 3—In charge of one or no persons	795.30	20.93																										
Level 3—In charge of two or more persons	805.00	21.18																										

<p>18. Junior rates</p> <p>Junior employees will be paid the following percentage of the appropriate wage rate in clause 17—Minimum weekly wages:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Age</th> <th style="text-align: center;">% of weekly wage</th> </tr> </thead> <tbody> <tr> <td>Under 16 years of age</td> <td style="text-align: center;">40</td> </tr> <tr> <td>16 years of age</td> <td style="text-align: center;">50</td> </tr> <tr> <td>17 years of age</td> <td style="text-align: center;">60</td> </tr> </tbody> </table>	Age	% of weekly wage	Under 16 years of age	40	16 years of age	50	17 years of age	60	<p>16.2 Junior rates</p> <p>Junior employees will be paid the following percentage of the appropriate wage rate in clause 16.1.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Age</th> <th style="text-align: center;">% of adult wage</th> </tr> </thead> <tbody> <tr> <td>Under 16 years</td> <td style="text-align: center;">40</td> </tr> <tr> <td>16 years</td> <td style="text-align: center;">50</td> </tr> <tr> <td>17 years</td> <td style="text-align: center;">60</td> </tr> </tbody> </table>	Age	% of adult wage	Under 16 years	40	16 years	50	17 years	60
Age	% of weekly wage																
Under 16 years of age	40																
16 years of age	50																
17 years of age	60																
Age	% of adult wage																
Under 16 years	40																
16 years	50																
17 years	60																

18 years of age	70		18 years	70	
19 years of age	80		19 years	80	
20 years of age	90		20 years	90	
19. Allowances			17. Allowances Employers must pay to an employee the allowances the employee is entitled to under this clause. See Schedule B for a summary of monetary allowances and method of adjustment.		
19.1 Meal allowance (a) An employee required to work more than one hour of overtime after the employee's ordinary time of ending work, without being given 24 hours' notice, will be either provided with a meal or paid a meal allowance of \$12.51. Where such overtime work exceeds four hours a further meal allowance of \$11.30 will be paid. (b) No meal allowance will be payable where an employee could reasonably return home for a meal within the period allowed.			17.2 Expense-related allowances (a) Meal allowance (i) An employee required to work more than one hour of overtime after the employee's ordinary finishing time, will be either provided with a meal or paid a meal allowance of \$12.51 , if they have not been given 24 hours' notice. Where such overtime work exceeds four hours a further meal allowance of \$11.30 will be paid. (ii) No meal allowance will be payable where an employee could reasonably return home for a meal within the period allowed.		
19.2 Special clothing (a) Where the employer requires an employee to wear any protective or special clothing such as a uniform, dress or other clothing, the employer will reimburse the employee for any cost of purchasing such clothing and the cost of replacement items when replacement is due to normal wear and tear. This provision will not apply where the special clothing is supplied and/or paid for by the employer. (b) Where an employee is required to launder any special uniform, dress or other clothing, the employee will be paid the following applicable allowance: (i) For a full-time employee—\$6.25 per week; (ii) For a part-time or casual employee—\$1.25 per shift.			 (b) Special clothing (i) Where the employer requires an employee to wear any protective or special clothing such as a uniform, dress or other clothing, the employer will reimburse the employee for any cost of purchasing such clothing and the cost of replacement items when replacement is due to normal wear and tear. This provision will not apply where the special clothing is supplied and/or paid for by the employer. (ii) Where an employee is required to launder any special uniform, dress or other clothing, the employee will be paid an allowance of \$6.25 per week if they are a full-time employee and \$1.25 per shift if they are a part-time or casual employee.		

<p>19.3 Excess travelling costs</p> <p>Where an employee is required by their employer to move temporarily from one branch or shop to another for a period not exceeding three weeks, all additional transport costs so incurred will be reimbursed by the employer.</p>	<p>(c) Excess travelling costs</p> <p>Where an employee is required by their employer to move temporarily from one branch or shop to another for a period of up to three weeks, all additional transport costs so incurred will be reimbursed by the employer.</p>
<p>19.4 Travelling time reimbursement</p> <p>(a) An employee who on any day is required to work at a place away from their usual place of employment, for all time reasonably spent in reaching and returning from such place (in excess of the time normally spent in travelling from their home to their usual place of employment and returning), will be paid travelling time and also any fares reasonably incurred in excess of those normally incurred in travelling between their home and their usual place of employment.</p> <p>(b) Where the employer provides transport from a pick up point, an employee will be paid travelling time for all time spent travelling from such pick up point and return thereto.</p> <p>(c) The rate of pay for travelling time will be the ordinary time rate except on Sundays and public holidays when it will be time and a half.</p>	<p>(d) Travelling time reimbursement</p> <p>(i) When an employee is required to work away from their usual place of employment, that employee will be paid:</p> <ul style="list-style-type: none"> • for time reasonably spent travelling to and from that place, if the travelling time exceeds the time normally spent travelling to and from their usual place of employment; and • any fares reasonably incurred in excess of those normally incurred in travelling between their home and their usual place of employment. <p>(ii) Where the employer provides transport from a pick-up point, an employee will be paid travelling time for all time spent travelling to and from that pick-up point.</p> <p>(iii) The rate of pay for travelling time will be the minimum hourly rate except on Sundays and public holidays when it will be 150% of the minimum hourly rate.</p>
<p>19.5 Transfer of employee reimbursement</p> <p>Where any employer transfers an employee from one township to another, the employer will be responsible for and will pay the whole of the moving expenses, including fares and transport charges, for the employee and their family.</p>	<p>(e) Transfer of employee reimbursement</p> <p>Where any employer transfers an employee from one township to another, the employer will be responsible for and will pay the whole of the moving expenses, including fares and transport charges, for the employee and their family.</p>
<p>19.6 Transport allowance</p> <p>(a) Other than as provided in clause 19.6(b), where an employer requests an employee to use their own motor vehicle in the performance of their duties such employee will be paid an allowance of \$0.78 per kilometre.</p>	<p>(f) Transport allowance</p> <p>(i) Where an employer asks an employee to use their own motor vehicle in the performance of their duties, the employee will be paid an allowance of \$0.78 per kilometre, except for as provided in clause 17.2(f)(ii).</p>

<p>(b) Where an employee is engaged primarily to perform delivery duties of the employer's products to customers using their own motor vehicle, such employee will be paid an allowance of \$0.41 per kilometre.</p>	<p>(ii) Where an employee is engaged primarily to perform delivery duties of the employer's products to customers using their own motor vehicle, such employee will be paid an allowance of \$0.41 per kilometre.</p>
<p>19.7 Transport of employee reimbursement</p> <p>(a) Where an employee commences and/or ceases work after 10.00 pm on any day or prior to 7.00 am on any day and the employee's regular means of transport is not available and the employee is unable to arrange their own alternative transport, the employer will reimburse the employee for the cost of a taxi fare from the place of employment to the employee's usual place of residence. This will not apply if the employer provides or arranges proper transportation to and/or from the employee's usual place of residence, at no cost to the employee.</p> <p>(b) Provided always that an employee may elect to provide their own transport.</p>	<p>(g) Transport of employee reimbursement</p> <p>(i) Where an employee starts and/or finishes work after 10.00 pm on any day or before 7.00 am on any day and the employee's regular means of transport is not available and the employee is unable to arrange their own alternative transport, the employer will reimburse the employee for the cost of a taxi fare from the place of employment to the employee's usual place of residence.</p> <p>(ii) Clause 17.2(g)(i) will not apply if the employer provides or arranges proper transportation to and/or from the employee's usual place of residence, at no cost to the employee.</p> <p>(iii) An employee may always elect to provide their own transport.</p>
<p>19.8 Cold work disability allowance</p> <p>(a) Employees principally employed on any day to enter cold chambers and/or to stock and refill refrigerated storages such as dairy cases or freezer cabinets will be paid an allowance per hour, while so employed, of 1.3% of the standard rate.</p> <p>(b) An employee required to work in a cold chamber where the temperature is below 0°C will in addition to the allowance in clause 19.8(a) also be paid an additional allowance per hour, while so employed, of 2% of the standard rate.</p>	<p>17.1 Wage-related allowances</p> <p>(b) Cold work disability allowance</p> <p>(i) Employees principally employed on any day to enter cold chambers and/or to stock and refill refrigerated storages such as dairy cases or freezer cabinets will be paid an allowance of \$0.27 per hour.</p> <p>(ii) An employee required to work in a cold chamber where the temperature is below 0°C will in addition to the allowance in clause 17.1(b)(i) also be paid an allowance of \$0.41 per hour.</p>
<p>19.9 Broken Hill</p> <p>An employee in the County of Yancowinna in New South Wales (Broken Hill) will in addition to all other payments be paid an allowance for the exigencies of working in Broken Hill of 4.28% of the standard rate.</p>	<p>(a) Broken Hill allowances</p> <p>An employee in the County of Yancowinna in New South Wales (Broken Hill) will in addition to all other payments be paid an allowance for working in Broken Hill of \$33.53 per week.</p>

19.10 Adjustment of expense related allowances

At the time of any adjustment to the standard rate, each expense related allowance will be increased by the relevant adjustment factor. The relevant adjustment factor for this purpose is the percentage movement in the applicable index figure most recently published by the Australian Bureau of Statistics since the allowance was last adjusted.

The applicable index figure is the index figure published by the Australian Bureau of Statistics for the Eight Capitals Consumer Price Index (Cat No. 6401.0), as follows:

Allowance	Applicable Consumer Price Index figure
Meal allowance	Take away and fast foods sub-group
Special clothing	Clothing and footwear group
Transport allowance	Private motoring sub-group

B.2.2 Adjustment of expense-related allowances

(a) At the time of any adjustment to the standard rate, each expense-related allowance will be increased by the relevant adjustment factor. The relevant adjustment factor for this purpose is the percentage movement in the applicable index figure most recently published by the Australian Bureau of Statistics since the allowance was last adjusted.

(b) The applicable index figure is the index figure published by the Australian Bureau of Statistics for the Eight Capitals Consumer Price Index (Cat No. 6401.0), as follows:

Allowance	Applicable Consumer Price Index figure
Meal allowance	Take away and fast foods sub-group
Special clothing	Clothing and footwear group
Transport allowance	Private motoring sub-group

20. Accident pay

Provision not reproduced - no change

18. Accident pay

Provision not reproduced - no change

21. Superannuation

Provision not reproduced - standard clause - no change

19. Superannuation

Provision not reproduced - no change

22. Payment of wages

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

16.3 Payment of wages

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

NOTE: Regulations 3.33(3) and 3.46(1)(g) of *Fair Work Regulations 2009* set out the requirements for pay records and the content of payslips including the requirement to separately identify any allowance paid.

<p>23. Supported wage</p> <p>See Schedule C</p>	<p>16.4 Supported wage system</p> <p>For employees who because of the effects of a disability are eligible for a supported wage, see Schedule C—Supported Wage System.</p>
<p>24. National training wage</p> <p>See Schedule D</p>	<p>16.5 National training wage</p> <p>For employees undertaking a traineeship, see Schedule D—National Training Wage.</p>
<p>Part 5—Ordinary Hours of Work</p> <p>25. Hours of work</p> <p>25.1 This clause does not operate to limit or increase or in any way alter the trading hours of any employer as determined by the relevant State or Territory legislation.</p>	<p>Part 3—Hours of Work</p> <p>13.4 Clause 13 does not operate to limit or increase or in any way alter the trading hours of any employer as determined by the relevant State or Territory legislation.</p>
<p>25.2 Ordinary hours</p> <p>(a) The ordinary hours of work are an average of 38 per week over a period of no more than four weeks.</p> <p>(b) Hours of work on any day will be continuous, except for rest pauses and meal breaks.</p>	<p>13. Ordinary hours of work</p> <p>13.1 The ordinary hours of work are an average of 38 per week over a period of no more than four weeks.</p> <p>13.2 Hours of work on any day will be continuous, except for rest breaks and meal breaks.</p>
<p>25.3 Maximum hours on a day</p> <p>An employee may be rostered to work up to a maximum of 11 ordinary hours on any day.</p>	<p>13.3 Maximum hours on a day</p> <p>An employee may be rostered to work up to a maximum of 11 ordinary hours on any day.</p>
<p>25.4 38 hour week rosters</p> <p>A full-time employee will be rostered for an average of 38 hours per week, worked in any of the following forms:</p> <p>(a) 38 hours in one week;</p> <p>(b) 76 hours in two consecutive weeks;</p> <p>(c) 114 hours in three consecutive weeks; or</p> <p>(d) 152 hours in four consecutive weeks.</p>	<p>14. Rostering arrangements</p> <p>A full-time employee will be rostered for an average of 38 hours per week, worked in any of the following forms:</p> <ul style="list-style-type: none"> • 38 hours in one week; • 76 hours in two consecutive weeks; • 114 hours in three consecutive weeks; or • 152 hours in four consecutive weeks.

<p>25.5 Penalty rates</p> <p>(a) Evening work Monday to Friday</p> <p>(i) A loading of 10% will apply for ordinary hours of work within the span of hours between 9.00 pm and midnight, and for casual employees this loading will apply in addition to their 25% casual loading.</p> <p>(ii) A loading of 15% will apply for ordinary hours of work after midnight, and for casual employees this loading will apply in addition to their 25% casual loading.</p> <p>(b) Saturday work</p> <p>A loading of 25% will apply for ordinary hours of work within the span of hours on a Saturday, and for casual employees an additional 25% on top of the casual rate.</p> <p>(c) Sunday work</p> <p>(i) A 50% loading will apply for all hours of work on a Sunday for full-time and part-time employees.</p> <p>(ii) A 75% loading will apply for all hours of work on a Sunday for casual employees, inclusive of the casual loading.</p>	<p>21. Penalty rates</p> <p>21.1 Evening work Monday to Friday</p> <p>(a) 110% of the minimum hourly rate will apply for ordinary hours of work between 9.00 pm and midnight for full-time and part-time employees; and 135% of the minimum hourly rate for casual employees, inclusive of the casual loading.</p> <p>(b) 115% of the minimum hourly rate will apply for ordinary hours of work after midnight for full-time and part-time employees; and 140% of the minimum hourly rate for casual employees, inclusive of the casual loading.</p> <p>21.2 Saturday work</p> <p>125% of the minimum hourly rate will apply for ordinary hours of work within the span of hours on a Saturday for full-time and part-time employees; and 150% of the minimum hourly rate for casual employees, inclusive of the casual loading.</p> <p>21.3 Sunday work</p> <p>(a) A 150% of the minimum hourly rate will apply for all hours of work on a Sunday for full-time and part-time employees.</p> <p>(b) A 175% of the minimum hourly rate will apply for all hours of work on a Sunday for casual employees, inclusive of the casual loading.</p> <p>21.4 Employees who work on a public holiday will be paid in accordance with clause 25.3.</p>
<p>26. Overtime</p> <p>The rate of overtime shall be time and a half for the first two hours on any one day and at the rate of double time thereafter, except on a Sunday which shall be paid for at the rate of double time and on a Public Holiday which shall be paid for at the rate of double time and a half. Casual employees shall be paid 275% on a Public Holiday.</p>	<p>Part 5—Overtime and Penalty Rates</p> <p>20. Overtime</p> <p>20.2 Overtime will be paid at:</p> <p>(a) Monday to Saturday—all employees</p> <p>(i) 150% of the minimum hourly rate for the first two hours on any one day; and</p>

	<ul style="list-style-type: none"> (ii) 200% of the minimum hourly rate after two hours. (b) Sunday—all employees 200% of the minimum hourly rate. (c) Public holidays <ul style="list-style-type: none"> (i) For full-time and part-time employees—250% of the minimum hourly rate; and (ii) For casual employees—275% of the minimum hourly rate.
<p>26.1 An employee shall be paid overtime for all work as follows:</p> <ul style="list-style-type: none"> (a) In excess of: <ul style="list-style-type: none"> (i) 38 hours per week or an average of 38 hours per week averaged over a four week period; or (ii) five days per week (or six days in one week if in the following week ordinary hours are worked on not more than four days); or (iii) eleven hours on any one day; or (b) Before an employee's rostered commencing time on any one day; or (c) After an employee's rostered ceasing time on any one day; or (d) Outside the ordinary hours of work; or (e) Hours worked by part-time employees in excess of the agreed hours in clause 12.2 or as varied under clause 12.3. 	<p>20.1 An employee will be paid overtime for all work as follows:</p> <ul style="list-style-type: none"> (a) In excess of: <ul style="list-style-type: none"> (i) 38 hours per week or an average of 38 hours per week averaged over a four week period; or (ii) five days per week (or six days in one week if in the following week ordinary hours are worked on not more than four days); or (iii) eleven hours on any one day; or (b) Before an employee's rostered starting time on any one day; or (c) After an employee's rostered finishing time on any one day; or (d) Outside the ordinary hours of work; or (e) Hours worked by part-time employees in excess of the agreed hours in clause 10.2 or as varied under clause 10.3.
<p>26.2 Where an employee works overtime on a Sunday and that work is not immediately preceding or immediately following ordinary hours, then that employee must be paid double time with a minimum payment of four hours at such rate.</p>	<p>20.3 Where an employee works overtime on a Sunday and that work is not immediately before or after ordinary hours, then that employee must be paid 200% of the minimum hourly rate with a minimum payment of four hours at such rate.</p>

26.3 Time off instead of payment
Provision not reproduced – no change

20.4 Time off instead of payment
Provision not reproduced – no change

26.4 Reasonable overtime
Provision not reproduced – no change

20.5 Reasonable overtime
Provision not reproduced – no change

27. Breaks

27.1 Breaks during work periods

(a) Breaks will be given as follows:

Hours worked	Rest break	Meal break
Less than 4 hours	No rest break	No meal break
4 hours but less than 5 hours	One 10 minute rest break	No meal break
5 hours but less than 9 hours	One 10 minute rest break	One meal break of at least 30 minutes but not more than 60 minutes
9 hours or more	One or two 10 minute rest breaks, with one taken in the first half of the work hours and the second taken in the second half of the work hours, two rest breaks will be given unless a second meal break is provided	One or two meal breaks of at least 30 minutes but not more than 60 minutes

(b) The timing of the taking of a rest break or meal break is intended to provide a meaningful break for the employee during work hours.

(c) An employee cannot be required to take a rest break or meal break within one hour of commencing or ceasing work. An employee cannot be required to take a rest break(s) combined with a meal

15. Breaks

15.1 Breaks during work periods

Breaks will be given as follows:

Hours worked	Rest break	Meal break
Less than 4 hours	No rest break	No meal break
Between 4 and 5 hours	One 10 minute rest break	No meal break
Between 5 and 9 hours	One 10 minute rest break	One meal break of between 30 and 60 minutes
9 hours or more	Two rest breaks if only one meal break is provided. One rest break will be taken in the first half of work hours and the second taken in the second half of work hours; or One rest break if a second meal break is provided.	One or two meal breaks of 30 to 60 minutes

<p>break.</p> <p>(d) The time of taking rest and meal breaks and the duration of meal breaks form part of the roster and are subject to the roster provisions of this award.</p> <p>(e) Rest breaks are paid breaks and meal breaks are unpaid breaks.</p> <p>(f) An employee cannot work more than five hours without a meal break.</p>	<p>15.2 The timing of the taking of a rest break or meal break is intended to provide a meaningful break for the employee during work hours.</p> <p>15.3 An employee cannot be required to take a rest break or meal break within one hour of starting or finishing work. An employee cannot be required to take a rest break(s) combined with a meal break.</p> <p>15.4 The time of taking rest breaks and meal breaks and the duration of meal breaks form part of the roster and are subject to the roster provisions of this award.</p> <p>15.5 Rest breaks are paid breaks and meal breaks are unpaid breaks.</p> <p>15.6 An employee cannot work more than five hours without a meal break.</p>
<p>Part 6—Leave and Public Holidays</p> <p>28. Annual leave</p> <p>28.1 Annual leave is provided for in the NES.</p>	<p>Part 6—Leave and Public Holidays</p> <p>22. Annual leave</p> <p>22.1 Annual leave is provided for in the NES.</p>
<p>28.2 Definition of shiftworker</p> <p>For the purpose of the additional week of annual leave provided for in the NES, a shiftworker is a seven day shiftworker who is regularly rostered to work on Sundays and public holidays in a business in which shifts are continuously rostered 24 hours a day for seven days a week.</p>	<p>22.2 Definition of shiftworker</p> <p>For the purpose of the additional week of annual leave provided for in the NES, a shiftworker is a seven day shiftworker who is regularly rostered to work on Sundays and public holidays in a business in which shifts are continuously rostered 24 hours a day for seven days a week.</p>
<p>28.3 Annual leave loading</p> <p>(a) During a period of annual leave an employee will receive a loading calculated on the wage rate prescribed in clause 17—Minimum weekly wages. Annual leave loading is payable on leave accrued.</p> <p>(b) The loading will be as follows:</p> <p>(i) Day work</p> <p>Employees who would have worked on day work only had they not been on leave—17.5% or the relevant weekend penalty rates, whichever is the greater but not both.</p>	<p>22.3 Annual leave loading</p> <p>(a) During a period of annual leave an employee will receive a loading calculated on the wage rate prescribed in clause 16—Minimum Wage. Annual leave loading is payable on leave accrued.</p> <p>(b) The loading will be as follows:</p> <p>(i) Day work</p> <p>Employees who would have worked on day work only had they not been on leave—17.5% or the relevant weekend penalty rates, whichever is the greater but not both.</p>

<p>(ii) Shiftwork Employees who would have worked on shiftwork had they not been on leave—a loading of 17.5% or the shift loading (including relevant weekend penalty rates), whichever is the greater but not both.</p>	<p>(ii) Shiftwork Employees who would have worked on shiftwork had they not been on leave—a loading of 17.5% or the shift loading (including relevant weekend penalty rates), whichever is the greater but not both.</p>
<p>28.4 Annual leave in advance <i>Provision not reproduced - standard clause - no change</i></p>	<p>22.4 Annual leave in advance <i>Provision not reproduced - standard clause - no change</i></p>
<p>28.5 Cashing out of annual leave <i>Provision not reproduced - standard clause - no change</i></p>	<p>22.5 Cashing out of annual leave <i>Provision not reproduced - standard clause - no change</i></p>
<p>28.6 Excessive leave accruals: general provision <i>Provision not reproduced - standard clause - no change</i></p>	<p>22.6 Excessive leave accruals: general provision <i>Provision not reproduced - standard clause - no change</i></p>
<p>28.7 Excessive leave accruals: direction by employer that leave be taken <i>Provision not reproduced - standard clause - no change</i></p>	<p>22.7 Excessive leave accruals: direction by employer that leave be taken <i>Provision not reproduced - standard clause - no change</i></p>
<p>28.8 Excessive leave accruals: request by employee for leave <i>Provision not reproduced - standard clause - no change</i></p>	<p>22.8 Excessive leave accruals: request by employee for leave <i>Provision not reproduced - standard clause - no change</i></p>
<p>29. Personal/carer's leave and compassionate leave 29.1 Personal/carer's leave and compassionate leave are provided for in the NES.</p>	<p>23. Personal/carer's leave and compassionate leave 23.1 Personal/carer's leave and compassionate leave are provided for in the NES.</p>
<p><i>Clause inserted - proposed new provision</i></p>	<p>24. Parental leave and related entitlements Parental leave and related entitlements are provided for in the NES.</p>
<p>29.2 Casual employees</p> <p>(a) 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>(b) Such leave is unpaid. A maximum of 48 hours' absence is allowed</p>	<p>23.2 Casual employees</p> <p>(a) Casual employees are entitled to be unavailable for work or are entitled to leave work to care for a person:</p> <p>(i) who is sick and requires care and support; or</p>

<p>by right with additional absence by agreement.</p> <p>29.3 An employer must not fail to re-engage a casual employee because the employee has accessed the entitlement under this clause.</p>	<p>(ii) who requires care due to an emergency.</p> <p>(b) This leave is unpaid.</p> <p>(c) A maximum of 48 hours' absence is allowed by right with additional absence by agreement.</p> <p>23.3 An employer must not fail to re-engage a casual employee because the employee has accessed the entitlement under this clause.</p>
<p>30. Public holidays</p> <p>30.1 Public holidays are provided for in the NES.</p> <p>30.2 An employer and a majority of employees may agree to substitute another day for a public holiday. If an employee works on either the public holiday or the substitute day public holiday penalties apply. If both days are worked, the public holiday penalties must be paid on one day chosen by the employee.</p> <p>30.3 Work on a public holiday must be compensated by payment at the rate of 250% (275% for casual employees).</p>	<p>25. Public holidays</p> <p>25.1 Public holiday entitlements are provided for in the NES.</p> <p>25.2 An employer and a majority of employees may agree to substitute another day for a public holiday. If an employee works on either the public holiday or the substitute day, public holiday penalties apply. If both days are worked, the public holiday penalties must be paid on one day chosen by the employee.</p> <p>25.3 Work on a public holiday must be compensated by payment at the rate of:</p> <p>(a) 250% of the minimum hourly rate for full-time and part-time employees; or</p> <p>(b) 275% of the minimum hourly rate for casual employees, inclusive of the casual loading.</p>
<p><i>New subclause inserted for the purposes of cross-referencing the schedule.</i></p>	<p>25.4 Part-day public holidays</p> <p>For Provisions relating to part-day public holidays see Schedule G—2016 Part-day Public Holidays.</p>
<p>31. Community service leave</p> <p>Community service leave is provided for in the NES.</p>	<p>26. Community service leave</p> <p>Community service leave is provided for in the NES.</p>
<p>Schedule A—Transitional Provisions</p> <p><i>Transitional provision - clause removed - obsolete</i></p>	<p><i>Transitional provision - clause removed - obsolete</i></p>

<p>Schedule B—Classifications</p> <p>B.1 Fast Food Employee Level 1</p> <p>B.1.1 An employee engaged in the preparation, the receipt of orders, cooking, sale, serving or delivery of meals, snacks and/or beverages which are sold to the public primarily to take away or in food courts in shopping centres.</p> <p>B.1.2 A Fast Food Employee Level 1 will undertake duties as directed within the limits of their competence, skills and training including incidental cleaning and cleaning of toilets.</p> <p>B.2 Fast Food Employee Level 2</p> <p>An employee who has the major responsibility on a day to day basis for supervising Fast Food employees Level 1 and/or training new employees or an employee required to exercise trade skills.</p> <p>B.3 Fast Food Employee Level 3</p> <p>An employee appointed by the employer to be in charge of a shop, food outlet, or delivery outlet.</p>	<p>12.4 Classification definitions</p> <p>(a) Level 1</p> <p>(i) An employee engaged in the receipt of orders; and the preparation, cooking, sale, serving or delivery of meals, snacks and/or beverages which are sold to the public primarily to take away or in food courts in shopping centres.</p> <p>(ii) A Fast Food Employee Level 1 will undertake duties as directed within the limits of their competence, skills and training including incidental cleaning and cleaning of toilets.</p> <p>(b) Level 2</p> <p>An employee who has the major responsibility on a day to day basis for supervising Fast Food employees Level 1 and/or training new employees or an employee required to exercise trade skills.</p> <p>(c) Level 3</p> <p>An employee appointed by the employer to be in charge of a shop, food outlet, or delivery outlet.</p>
<p>Schedule C—Supported Wage System</p> <p><i>Provision not reproduced – no change</i></p>	<p>Schedule C Supported wage system</p> <p><i>Provision not reproduced – no change</i></p>
<p>Schedule D—National Training Wage</p> <p>Appendix D1: Allocation of Traineeships to Wage Levels</p>	<p>Schedule D—National Training Wage</p> <p><i>Current clause D.3.3 has been amended to remove the reference to training programs from 25 June 1997.</i></p> <p>Link to comparison document</p>
<p>Schedule E—2016 Part-day Public Holidays</p> <p><i>Provision not reproduced - standard clause - no change</i></p>	<p>Schedule E—2016 Part-day Public Holidays</p> <p><i>Provision not reproduced - standard clause - no change</i></p>
<p>Schedule F—Agreement to Take Annual Leave in Advance</p> <p><i>Provision not reproduced - standard clause - no change</i></p>	<p>Schedule E—Agreement to Take Annual Leave in Advance</p> <p><i>Provision not reproduced - standard clause - no change</i></p>

Schedule G—Agreement to Cash Out Annual Leave	Schedule F—Agreement to Cash Out Annual Leave <i>Provision not reproduced - standard clause - no change</i>
<i>Clause inserted - proposed new provision</i>	Schedule A—Summary of Hourly Rates of Pay <i>Provision not reproduced</i>
<i>Clause inserted - proposed new provision</i>	Schedule B—Summary of Monetary Allowances <i>Provision not reproduced</i>