

**CURRENT AWARD as at 3 November 2016**

**Car Parking Award 2010**

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<p><b>Part 1—Application and Operation</b></p> <p><b>1. Title</b></p> <p>This award is the <i>Car Parking Award 2010</i>.</p> <p><b>2. Commencement and transitional</b></p> <p><b>2.1</b> This award commences on 1 January 2010.</p> <p><b>2.2</b> 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><b>Part 1—Application and Operation of this Award</b></p> <p><b>1. Title and commencement</b></p> <p><b>1.1</b> This award is the <i>Car Parking Award 2016</i>.</p> <p><b>1.2</b> This modern award, as varied, commenced operation on 1 January 2010.</p> <p><b>1.3</b> 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>

- 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:
- minimum wages and piecework rates
  - casual or part-time loadings
  - Saturday, Sunday, public holiday, evening or other penalties
  - shift allowances/penalties.
- 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.
- 2.5** The Fair Work Commission may review the transitional arrangements in this award and make a determination varying the award.
- 2.6** The Fair Work Commission may review the transitional arrangements:
- (a) on its own initiative; or
  - (b) on application by an employer, employee, organisation or outworker entity covered by the modern award; or
  - (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
  - (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.

*References to transitional arrangements removed - obsolete*

### 3. Definitions and interpretation

3.1 In this award, unless the contrary intention appears:

**Act** means the *Fair Work Act 2009* (Cth)

**agreement-based transitional instrument** has the meaning in the *Fair Work (Transitional Provisions and Consequential Amendments) Act 2009* (Cth)

**award-based transitional instrument** has the meaning in the *Fair Work (Transitional Provisions and Consequential Amendments) Act 2009* (Cth)

**car parking industry** means the provision of parking and related services for cars and other vehicles on a commercial basis but does not include the provision of such services which are incidental or ancillary to the operations of an employer primarily engaged in another industry

**default fund employee** means an employee who has no chosen fund within the meaning of the *Superannuation Guarantee (Administration) Act 1992* (Cth)

**defined benefit member** has the meaning given by the *Superannuation Guarantee (Administration) Act 1992* (Cth)

**Division 2B State award** has the meaning in Schedule 3A of the *Fair Work (Transitional Provisions and Consequential Amendments) Act 2009* (Cth)

**Division 2B State employment agreement** has the meaning in Schedule 3A of the *Fair Work (Transitional Provisions and Consequential Amendments) Act 2009* (Cth)

**employee** means national system employee within the meaning of the Act

**employer** means national system employer within the meaning of the Act

**enterprise award-based instrument** has the meaning in the *Fair Work (Transitional Provisions and Consequential Amendments) Act 2009* (Cth)

**exempt public sector superannuation scheme** has the meaning given by

### 2. Definitions

In this award, unless the contrary intention appears:

**Act** means the *Fair Work Act 2009* (Cth)

**car parking industry** means the provision of parking and related services for cars and other vehicles on a commercial basis but does not include the provision of such services which are incidental or ancillary to the operations of an employer primarily engaged in another industry

**defined benefit member** has the meaning given by the *Superannuation Guarantee (Administration) Act 1992* (Cth)

**employee** means national system employee within the meaning of the Act

**employer** means national system employer within the meaning of the Act

**exempt public sector superannuation scheme** has the meaning given by the *Superannuation Industry (Supervision) Act 1993* (Cth)

**MySuper product** has the meaning given by the *Superannuation Industry (Supervision) Act 1993* (Cth)

**NES** means the National Employment Standards as contained in sections 59 to 131 of the *Fair Work Act 2009* (Cth)

**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

**standard rate** means the minimum weekly rate for a Car Parking Officer Level 2 in clause 17.1

*Definitions relating to transitional instruments removed - obsolete*

<p>the <i>Superannuation Industry (Supervision) Act 1993</i> (Cth)</p> <p><b>MySuper product</b> has the meaning given by the <i>Superannuation Industry (Supervision) Act 1993</i> (Cth)</p> <p><b>NES</b> means the National Employment Standards as contained in sections 59 to 131 of the <i>Fair Work Act 2009</i> (Cth)</p> <p><b>on-hire</b> 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><b>standard rate</b> means the minimum weekly rate for a Car Parking Officer Level 2 in clause 14.1</p> <p><b>transitional minimum wage instrument</b> has the meaning in the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth)</p>	
<p><b>3.2</b> Where this award refers to a condition of employment provided for in the NES, the NES definition applies.</p>	<p><i>Provision not reproduced - standard clause - no change</i></p>
<p><b>4. Coverage</b></p> <p><b>4.1</b> This industry award covers employers throughout Australia in the car parking industry and their employees in the classifications listed in Schedule B—Classifications to the exclusion of any other modern award. The award does not cover employers covered by the following modern awards:</p> <ul style="list-style-type: none"> <li>• <i>Clerks—Private Sector Award 2010</i>;</li> <li>• <i>General Retail Industry Award 2010</i>;</li> <li>• <i>Hospitality Industry (General) Award 2010</i>;</li> <li>• <i>Local Government Industry Award 2010</i>; or</li> <li>• <i>Security Services Industry Award 2010</i>.</li> </ul>	<p><b>4. Coverage</b></p> <p><b>4.1</b> This industry award covers employers throughout Australia in the car parking industry and their employees in the classifications listed in clause 12—Classifications to the exclusion of any other modern award.</p> <p><b>4.2</b> <b>Car parking industry</b> means the provision of parking and related services for cars and other vehicles on a commercial basis but does not include the provision of such services which are incidental or ancillary to the operations of an employer primarily engaged in another industry.</p> <p><b>4.3</b> The award does not cover employers covered by the following modern awards:</p> <ul style="list-style-type: none"> <li>(a) <i>Clerks—Private Sector Award 2016</i>;</li> <li>(b) <i>General Retail Industry Award 2016</i>;</li> <li>(c) <i>Hospitality Industry (General) Award 2016</i>;</li> </ul>

<p><b>4.2</b> The award does not cover an employee excluded from award coverage by the Act.</p> <p><b>4.3</b> 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><b>4.4</b> 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><b>4.5</b> 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><b>4.6</b> 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><b>4.7</b> 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.</p> <p>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.</p>	<p><b>(d)</b> <i>Local Government Industry Award 2016</i>; or</p> <p><b>(e)</b> <i>Security Services Industry Award 2016</i>.</p> <p><b>4.4</b> This award covers any employer which supplies labour on an on-hire basis in the industry set out in clauses 4.1 and 4.2 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><b>4.5</b> This award covers employers which provide group training services for trainees engaged in the industry and/or parts of industry set out at clauses 4.1 and 4.2 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><b>4.6</b> This award does not cover:</p> <p><b>(a)</b> an employee excluded from award coverage by the Act;</p> <p><b>(b)</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</p> <p><b>(c)</b> 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><b>4.7</b> 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.</p> <p>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.</p>
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<p><i>Clause inserted - proposed new provision</i></p>	<p><b>5. Effect of variations made by the Fair Work Commission</b></p> <p>A variation to this award does not affect any right, privilege, obligation or liability that a person acquired, accrued or incurred under the award as it existed prior to that variation.</p>						
<p><b>5. Access to the award and the National Employment Standards</b></p> <p>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><b>6. The National Employment Standards and this award</b></p> <p>The NES and this award contain the minimum conditions of employment for employees covered by this award.</p>	<p><b>3. The National Employment Standards and this award</b></p> <p><b>3.1</b> The National Employment Standards (NES) and this award contain the minimum conditions of employment for employees covered by this award.</p> <p><b>3.2</b> Where this award refers to a condition of employment provided for in the NES, the NES definition applies.</p> <p><b>3.3</b> 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><b>7. Award flexibility</b></p> <p><i>Provision not reproduced - standard clause - no change</i></p>	<p><b>6. Award flexibility for individual arrangements</b></p> <p><i>Provision not reproduced - standard clause - no change</i></p>						
<p><i>Clause inserted - proposed new provision</i></p>	<p><b>7. Facilitative provisions for flexible working practices</b></p> <p><b>7.1</b> 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><b>5.2</b> Facilitative provisions in this award are contained in the following clauses:</p> <table border="1" data-bbox="1223 1214 2112 1422"> <thead> <tr> <th>Clause</th> <th>Provision</th> <th>Agreement between an employer and:</th> </tr> </thead> <tbody> <tr> <td>14.2(b)</td> <td>Ordinary hours of work – maximum hours per day</td> <td>An individual</td> </tr> </tbody> </table>	Clause	Provision	Agreement between an employer and:	14.2(b)	Ordinary hours of work – maximum hours per day	An individual
Clause	Provision	Agreement between an employer and:					
14.2(b)	Ordinary hours of work – maximum hours per day	An individual					



		14.3 Ordinary hours of work – shiftworkers – maximum hours per day	Majority of employees
		15.2 Change to roster	An individual
		16.2(c) Rest periods	An individual
		20.6 Time off instead of payment for overtime	An individual
		23.5 Annual leave in advance	An individual
		23.10 Cashing out of annual leave	An individual
		26.3 Substitution of public holidays by agreement	Majority of employees
<p><b>Part 2—Consultation and Dispute Resolution</b></p> <p><b>8. Consultation</b></p> <p><i>Provision not reproduced - standard clause - no change</i></p>	<p><b>Part 7—Consultation and Dispute Resolution</b></p> <p><b>28. Consultation about major workplace change</b></p> <p><b>29. Consultation about changes to rosters or hours of work</b></p> <p><i>Provision not reproduced - standard clause - no change other than numbering and changes to clause titles</i></p>		
<p><b>9. Dispute resolution</b></p> <p><i>Provision not reproduced - standard clause - no change</i></p>	<p><b>30. Dispute resolution</b></p> <p><i>Provision not reproduced - standard clause - no change</i></p>		
<p><b>Part 3—Types of Employment and Termination of Employment</b></p> <p><b>10. Types of employment</b></p> <p><b>10.1</b> Employees under this award will be employed in one of the following categories:</p>	<p><b>Part 2—Types of Employment and Classifications</b></p> <p><b>8. Types of employment</b></p> <p><b>8.1</b> Employees under this award will be employed in one of the following categories:</p>		

<p>(a) full-time employment;</p> <p>(b) part-time employment; or</p> <p>(c) casual employment.</p> <p><b>10.2</b> At the time of engagement an employer must inform each employee in writing of the terms of their engagement and in particular whether they are to be full-time, part-time or casual. This will then be recorded in the time and wages record of the employee.</p>	<p>(a) full-time employment;</p> <p>(b) part-time employment; or</p> <p>(c) casual employment.</p> <p><b>8.2</b> At the time of engagement an employer must inform each employee in writing of the terms of their engagement and in particular whether they are to be full-time, part-time or casual. The terms of engagement will be recorded in the time and wages record of the employee.</p>
<p><b>10.3 Full-time employment</b></p> <p>(a) A full-time employee is one who is engaged to work an average of 38 ordinary hours per week.</p> <p>(b) Any employee not specifically engaged as being a part-time or casual employee is for all purposes of this award a full-time employee, unless otherwise specified in the award.</p>	<p><b>9. Full-time employment</b></p> <p><b>9.1</b> A full-time employee is engaged to work an average of 38 ordinary hours per week.</p> <p><b>9.2</b> Any employee not specifically engaged as being a part-time or casual employee is for all purposes of this award a full-time employee, unless otherwise specified in the award.</p>
<p><b>10.4 Part-time employment</b></p> <p>(a) A part-time employee is an employee who:</p> <p>(i) is engaged to work less than full-time hours of 38 ordinary hours per week;</p> <p>(ii) has reasonably predictable hours of work; and</p> <p>(iii) receives, on a pro rata basis, equivalent pay and conditions to those of full-time employees who do the same kind of work.</p> <p>(b) At the time of engagement the employer and the part-time employee will agree in writing on a regular pattern of work, specifying at least the hours worked each day, which days of the week the employee will work and the actual starting and finishing times each day.</p>	<p><b>10. Part-time employment</b></p> <p><b>10.1</b> A part-time employee:</p> <p>(a) is engaged to work less than 38 ordinary hours per week;</p> <p>(b) has reasonably predictable hours of work; and</p> <p>(c) receives, on a pro rata basis, equivalent pay and conditions to those of full-time employees who do the same kind of work.</p> <p><b>10.2</b> At the time of engagement the employer and the part-time employee will agree in writing on a regular pattern of work including:</p> <p>(a) the hours worked each day;</p> <p>(b) which days of the week the employee will work; and</p> <p>(c) the actual starting and finishing times each day.</p>

<p>(c) Any agreed variation to the hours of work will be in writing.</p> <p>(d) A part-time employee must be engaged for a minimum of three consecutive hours per start including if called in for a separate engagement for overtime.</p> <p>(e) All time worked in excess of the hours agreed under clause 10.4(b) or varied under clause 10.4(c) will be overtime and paid for at the rates prescribed in clause 23—Overtime and penalty rates.</p> <p>(f) 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 10.5.</p> <p>(g) A part-time employee under the provisions of this clause must be paid for each ordinary hour worked at the rate of 1/38th of the weekly rate prescribed for the appropriate classification.</p>	<p><b>10.3</b> Any agreed variation to the hours of work in clause 10.2 will be in writing.</p> <p><b>10.4</b> A part-time employee must be engaged for a minimum of three consecutive hours per start including if called in for a separate engagement for overtime.</p> <p><b>10.5</b> All time worked in excess of the hours agreed under clause 10.2 or varied under clause 10.3 will be overtime and paid for at the rates prescribed in clauses 20—Overtime and clause 15.3.</p> <p><b>10.6</b> 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.</p> <p><b>10.7</b> A part-time employee must be paid the minimum hourly rate for the appropriate classification for each ordinary hour worked.</p>
<p><b>10.5 Casual employment</b></p> <p>(a) Subject to clause 10.4, a casual employee is an employee who is engaged and paid as such. A casual employee is engaged to work less than 38 hours per week.</p> <p>(b) The employment of a casual employee is terminable with one hour’s notice by either the employer or the employee.</p> <p>(c) A casual employee must be paid an hourly rate of 1/38th of the weekly rate prescribed for the appropriate classification plus a loading of 25% for all hours worked.</p> <p>(d) The casual loading is paid instead of annual leave, paid personal/carer’s leave, notice of termination, redundancy benefits and the other attributes of full-time or part-time employment provided for in this award.</p> <p>(e) A casual employee must be paid for a minimum of three hours per day for each start on any day.</p>	<p><b>11. Casual employment</b></p> <p><b>11.1</b> Subject to clause 10.6, a casual employee is an employee who is engaged and paid as a casual employee.</p> <p><b>11.2</b> A casual employee is engaged to work less than 38 hours per week.</p> <p><b>11.3</b> An employer or casual employee may terminate the employment relationship with one hour’s notice by either party.</p> <p><b>11.4</b> For each ordinary hour worked a casual employee must be paid:</p> <p>(a) the minimum hourly rate for the appropriate classification; and</p> <p>(b) a loading of <b>25%</b> of the minimum hourly rate.</p> <p><b>11.5</b> The casual loading is paid instead of annual leave, paid personal/carer’s leave, notice of termination, redundancy benefits and the other attributes of full-time or part-time employment provided for in this award.</p> <p><b>11.6</b> A casual employee must be paid for a minimum of three hours per day for each start on any day.</p>

<p><b>11. Termination of employment</b></p> <p><i>Provision not reproduced – standard clause – no change</i></p>	<p><b>Part 8—Termination of Employment and Redundancy</b></p> <p><b>31. Termination of employment</b></p> <p><i>Provision not reproduced – standard clause – no change</i></p>
<p><b>11.3 Job search entitlement</b></p> <p><i>Provision not reproduced – no change other than renumbering of clause and clause titles</i></p>	<p><b>35. Job search entitlement</b></p> <p><b>35.1 Job search entitlement for notice of termination of employment</b></p> <p><i>Provision not reproduced – no change other than renumbering of clause and clause titles</i></p>
<p><b>12. Redundancy</b></p> <p><i>Provision not reproduced – no change other than renumbering of clause and clause titles</i></p> <p><b>12.2 Transfer to lower paid duties</b></p> <p><b>12.3 Employee leaving during notice period</b></p>	<p><b>32. Redundancy</b></p> <p><i>Provision not reproduced – no change other than renumbering of clause and clause titles</i></p> <p><b>33. Transfer to lower paid job on redundancy</b></p> <p><b>34. Employee leaving during redundancy notice period</b></p>
<p><b>12.4 Job search entitlement</b></p> <p><i>Provision not reproduced – no change other than renumbering of clause and clause titles</i></p>	<p><b>35.2 Job search entitlement—redundancy</b></p> <p>(a) <b>Time off for seeking other employment</b></p> <p>(b) <b>Proof of attendance</b></p> <p><i>Provision not reproduced – no change other than renumbering of clause and clause titles</i></p>
<p><b>12.5 Transitional provisions – NAPSA employees</b></p> <p><b>12.6 Transitional provisions – Division 2B State employees</b></p>	<p><i>Transitional provisions removed – see <a href="#">AM2014/190</a></i></p>
<p><b>Part 4—Minimum Wages and Related Matters</b></p> <p><b>13. Classifications</b></p>	<p><b>12. Classifications</b></p> <p><b>12.1</b> All employees covered by this award must be classified according to the structure set out in this clause.</p>

<p><b>13.1</b> All employees covered by this award must be classified according to the structure set out in Schedule B—Classifications. Employers must advise their employees in writing of their classification and any changes to their classification.</p> <p><b>13.2</b> 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><b>12.2</b> Employers must advise their employees in writing of their classification and any changes to their classification.</p> <p><b>12.3</b> 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><b>14. Minimum wages</b></p> <p><b>14.1</b> An employer must pay full-time employees weekly wages for ordinary hours (exclusive of penalties and allowances) as follows:</p> <table border="1" data-bbox="197 655 1093 1054"> <thead> <tr> <th>Classification</th> <th>Minimum weekly rate</th> </tr> </thead> <tbody> <tr> <td></td> <td style="text-align: center;">\$</td> </tr> <tr> <td>Car Parking Officer Level 1</td> <td style="text-align: right;">708.60</td> </tr> <tr> <td>Car Parking Officer Level 2</td> <td style="text-align: right;">732.20</td> </tr> <tr> <td>Car Parking Officer Level 3</td> <td style="text-align: right;">760.40</td> </tr> </tbody> </table>	Classification	Minimum weekly rate		\$	Car Parking Officer Level 1	708.60	Car Parking Officer Level 2	732.20	Car Parking Officer Level 3	760.40	<p><b>Part 4—Wages and Allowances</b></p> <p><b>17. Minimum wages</b></p> <p><b>17.1</b> An employer must pay employees the following minimum wages for ordinary hours worked by the employee:</p> <table border="1" data-bbox="1218 655 2112 1054"> <thead> <tr> <th>Classification</th> <th>Minimum weekly rate</th> <th>Minimum hourly rate</th> </tr> </thead> <tbody> <tr> <td></td> <td style="text-align: center;">\$</td> <td style="text-align: center;">\$</td> </tr> <tr> <td>Car Parking Officer Level 1</td> <td style="text-align: right;">708.60</td> <td style="text-align: right;">18.65</td> </tr> <tr> <td>Car Parking Officer Level 2</td> <td style="text-align: right;">732.20</td> <td style="text-align: right;">19.27</td> </tr> <tr> <td>Car Parking Officer Level 3</td> <td style="text-align: right;">760.40</td> <td style="text-align: right;">20.01</td> </tr> </tbody> </table>	Classification	Minimum weekly rate	Minimum hourly rate		\$	\$	Car Parking Officer Level 1	708.60	18.65	Car Parking Officer Level 2	732.20	19.27	Car Parking Officer Level 3	760.40	20.01
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<p><b>14.2 Supported wage system</b></p> <p>See Schedule C</p>	<p><b>17.4 Supported wage system</b></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><b>14.3 National training wage</b></p> <p>See Schedule D</p>	<p><b>17.5 National training wage</b></p> <p>For employees undertaking a traineeship, see Schedule D—National Training Wage.</p>																									

<p><b>15. Allowances</b></p> <p><i>Clause inserted – proposed new provision</i></p>	<p><b>18. Allowances</b></p> <p><b>18.1</b> 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.</p>
<p><b>15.1 First aid allowance</b></p> <p>An employee who has been trained to render first aid, who holds a current first aid qualification and who is appointed by the employer to perform first aid duty will be paid an additional 2.54% of the standard rate per week if a full-time employee or pro rata if a part-time or casual employee.</p>	<p><b>18.2 Wage-related allowances</b></p> <p><b>(a) First aid allowance</b></p> <p><b>(i)</b> A full-time employee will be paid an additional <b>\$18.60</b> per week if they:</p> <ul style="list-style-type: none"> <li>• have been trained to perform first aid;</li> <li>• hold a current first aid qualification; and</li> <li>• are appointed by the employer to perform first aid duty.</li> </ul> <p><b>(ii)</b> An eligible part-time or casual employee will be paid the allowance on a pro rata basis.</p>
<p><b>15.2 Laundering allowance</b></p> <p>In recognition of the service nature of the car parking industry, employees will observe their respective employer's policy in respect to conduct and dress. Where an employee is required to wear a special uniform, such uniform will be laundered by the employer at the employer's expense. Provided that where, by mutual agreement, laundering is done by the employee, or where the employer has refused, neglected or failed reasonably to launder the article and the laundering is done by the employee, then the employee will be paid an allowance as follows:</p> <p><b>(a)</b> if a full-time employee, an additional \$12.36 per week; or</p> <p><b>(b)</b> if a part-time or casual employee, an additional \$2.43 for each shift worked.</p>	<p><b>18.3 Expense-related allowances</b></p> <p><b>(a) Laundering allowance</b></p> <p><b>(i)</b> In recognition of the service nature of the car parking industry, employees will observe the employer's policies on conduct and dress.</p> <p><b>(ii)</b> Where the employer requires the employee to wear a uniform the employer will launder the uniform at the employer's expense.</p> <p><b>(iii)</b> A full-time employee will be paid an additional <b>\$12.36</b> per week and a part-time or casual employee will be paid an additional <b>\$2.43</b> per shift where the employee launders the uniform:</p> <ul style="list-style-type: none"> <li>• by agreement with the employer; or</li> </ul>

	<ul style="list-style-type: none"> <li>• because the employer has refused, neglected or failed reasonably to launder the uniform.</li> </ul>
<p><b>15.3 Meal allowance</b></p> <p>An employee required to work overtime for more than two hours without being notified on the previous day or earlier that they will be required to work will either be supplied with a meal by the employer or paid a meal allowance of \$9.91. If an employee pursuant to notice has provided their own meal and is not required to work overtime or is required to work less than the amount advised, they will be paid the above allowance for those meals they have provided themselves.</p>	<p><b>(b) Meal allowance</b></p> <p>(i) The employer will either supply a meal or pay a meal allowance of <b>\$9.91</b> to an employee where the employee is required to work overtime for more than two hours without being notified on the previous day or earlier that they will be required to work.</p> <p>(ii) If notice has been provided and the employee is not required to work overtime or is required to work less than the amount advised, the employer will pay the employee the meal allowance in clause 18.3(b)(i) for each meal the employee has provided themselves.</p>
<p><b>15.4 Transfer from job-to-job allowance</b></p> <p>An employee transferred by the employer from one job to another job on the same day will be paid for the time spent in travelling as for time worked. An employee will be reimbursed all reasonably incurred travel costs.</p>	<p><b>(c) Transfer from job-to-job allowance</b></p> <p>(i) An employee transferred by the employer from one job to another job on the same day will be paid for the time spent in travelling as for time worked.</p> <p>(ii) An employee transferred will be reimbursed all reasonably incurred travel costs.</p>
<p><b>15.5 Accommodation allowance</b></p> <p>(a) An employee whose employment may necessitate them being absent from their home and therefore being unable to conveniently return to such home on any day will be paid a minimum of eight hours of work for each day they are absent within their ordinary hours of work, plus penalty rates where applicable for actual time worked on any such day.</p> <p>(b) Where an employee subject to the provisions of clause 15.5(a) is absent outside of their ordinary hours of work, they will be paid a minimum of 12 hours for each such day, plus penalty rates where applicable for actual time worked on any such day.</p>	<p><b>(d) Accommodation allowance</b></p> <p>(i) Clause 18.3(d) applies if an employee is living away from home because they are unable to conveniently return home on any day due to their employment.</p> <p>(ii) An employee living away from home under clause 18.3(d)(i) will be paid a minimum of eight hours of work for each day they are absent within their ordinary hours of work, plus penalty rates where applicable for actual time worked on any such day.</p>

<p>(c) An employee living away from home under the provisions of clauses 15.5(a) or (b) will be paid a sufficient allowance to cover the cost of their reasonable board and lodging.</p>	<p>(iii) An employee living away from home under clause 18.3(d)(i) will be paid a minimum of 12 hours for each day they are absent outside of their ordinary hours of work, plus penalty rates where applicable for actual time worked on any such day.</p> <p>(iv) An employee living away from home under clause 18.3(d) will be paid a sufficient allowance to cover the cost of their reasonable board and lodging.</p>												
<p><b>15.6 Adjustment of expense related allowances</b></p> <p>(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.</p> <p>(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:</p> <table border="1" data-bbox="268 877 1008 1101"> <thead> <tr> <th>Allowance</th> <th>Applicable Consumer Price Index figure</th> </tr> </thead> <tbody> <tr> <td>Laundering allowance</td> <td>Cleaning, repair and hire of clothing and footwear sub-group</td> </tr> <tr> <td>Meal allowance</td> <td>Take away and fast foods sub-group</td> </tr> </tbody> </table>	Allowance	Applicable Consumer Price Index figure	Laundering allowance	Cleaning, repair and hire of clothing and footwear sub-group	Meal allowance	Take away and fast foods sub-group	<p><b>B.2.1 Adjustment of expense-related allowances</b></p> <p>(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.</p> <p>(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:</p> <table border="1" data-bbox="1299 861 2060 1133"> <thead> <tr> <th>Allowance</th> <th>Applicable Consumer Price Index figure</th> </tr> </thead> <tbody> <tr> <td>Laundering allowance</td> <td>Cleaning, repair and hire of clothing and footwear sub-group</td> </tr> <tr> <td>Meal allowance</td> <td>Take away and fast foods sub-group</td> </tr> </tbody> </table>	Allowance	Applicable Consumer Price Index figure	Laundering allowance	Cleaning, repair and hire of clothing and footwear sub-group	Meal allowance	Take away and fast foods sub-group
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<p><b>24.7 District allowance</b></p> <p><i>Provision not reproduced - clause removed- see <a href="#">AM2014/190</a></i></p>	<p><i>Transitional provision - clause removed - obsolete - see <a href="#">AM2014/190</a></i></p>												
<p><b>24.8 Accident pay</b></p> <p><i>Provision not reproduced - clause removed- see <a href="#">AM2014/190</a></i></p>	<p><i>Transitional provision - clause removed - obsolete - see <a href="#">AM2014/190</a></i></p>												



<p><b>18. Higher duties</b></p> <p>An employee engaged for more than four hours during one day or shift on duties carrying a higher minimum wage than their ordinary classification must be paid the higher minimum wage for such day or shift. An employee undertaking such duties for four hours or less during one day or shift must be paid the higher minimum wage for the time so worked.</p>	<p><b>17.2 Higher duties</b></p> <p>(a) An employee engaged for more than four hours during one day or shift on duties carrying a higher minimum wage than their ordinary classification must be paid the higher minimum wage for such day or shift.</p> <p>(b) An employee undertaking higher duties for four hours or less during one day or shift must be paid the higher minimum wage for the time worked at the higher level.</p>
<p><b>19. Payment of wages</b></p> <p><b>19.1 Frequency of pay</b></p> <p>Wages, including overtime, penalties and allowances, must be paid weekly or fortnightly. Payment will be made to the employee no later than Friday in each pay week. Where a public holiday occurs on a pay day the employee must be paid on the day preceding the usual pay day.</p> <p><b>19.2 Method of payment</b></p> <p>An employer may pay an employee’s wages by electronic funds transfer into a bank or financial institution nominated by the employee or by cash or cheque.</p> <p><b>19.3 Time of payment—cash or cheque</b></p> <p>If payment is by cash or cheque, wages will be paid during ordinary working hours.</p>	<p><b>17.3 Payment of wages</b></p> <p>(a) <b>Frequency of pay</b></p> <p>Wages, including overtime, penalties and allowances, must be paid weekly or fortnightly. Payment will be made to the employee no later than Friday in each pay week. Where a public holiday occurs on a pay day the employee must be paid on the day before the usual pay day.</p> <p>(b) <b>Method of payment</b></p> <p>An employer may pay an employee’s wages by electronic funds transfer into a bank or financial institution nominated by the employee or by cash or cheque.</p> <p>(c) <b>Time of payment—cash or cheque</b></p> <p>If payment is by cash or cheque, wages will be paid during ordinary working hours.</p> <p>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>
<p><b>20. Superannuation</b></p> <p><i>Provision not reproduced – no change</i></p>	<p><b>20. Superannuation</b></p> <p><i>Provision not reproduced – no change</i></p>

<p><b>Part 5—Hours of Work and Related Matters</b></p> <p><b>21. Ordinary hours of work and rostering</b></p> <p><b>21.1 Ordinary hours of work</b></p> <p>(a) The ordinary hours of work are 38 hours per week or an average of 38 hours per week worked on one of the following bases at the discretion of the employer:</p> <p>(i) 76 hours in any period of two weeks; or</p> <p>(ii) 114 hours in any period of three weeks; or</p> <p>(iii) 152 hours in any period of four weeks.</p>	<p><b>Part 3—Hours of Work</b></p> <p><b>14. Ordinary hours of work</b></p> <p><b>14.1</b> The ordinary hours of work are 38 hours per week or an average of 38 hours per week worked on one of the following bases at the discretion of the employer:</p> <p>(a) 76 hours in any period of two weeks;</p> <p>(b) 114 hours in any period of three weeks; or</p> <p>(c) 152 hours in any period of four weeks.</p>
<p>(b) The ordinary hours for day workers may be worked any day of the week between the spread of hours of 7.00 am to 7.00 pm, up to a maximum of 7.6 hours per day, or up to 10 hours per day by agreement between an individual employee and the employer. An employee cannot be rostered to work for 10 hours per day on more than three consecutive days without a break of at least 48 hours. No more than eight days of 10 hours may be worked in a four week period.</p>	<p><b>14.2 Day workers</b></p> <p>(a) The ordinary hours for day workers may be worked any day of the week between 7.00 am and 7.00 pm.</p> <p>(b) The maximum number worked any day is 7.6 hours, or up to 10 hours per day by agreement between an individual employee and the employer.</p> <p>(c) An employee cannot be rostered to work for 10 hours per day on more than three consecutive days without a break of at least 48 hours.</p> <p>(d) No more than eight days of 10 hours may be worked in a four week period.</p>
<p>(c) The ordinary hours for shiftworkers may be worked on any day of the week up to a maximum of 7.6 hours per shift, or up to 10 hours per shift by agreement between the employer and a majority of the employees in a particular workplace to facilitate the employees taking more than one rostered day off in a four week cycle.</p>	<p><b>14.3 Shiftworkers</b></p> <p>The ordinary hours for shiftworkers may be worked on any day of the week up to a maximum of 7.6 hours per shift, or up to 10 hours per shift by agreement between the employer and a majority of the employees in a particular workplace to facilitate the employees taking more than one rostered day off in a four week cycle.</p>

<p><b>(d)</b> The following time is ordinary working time for the purposes of this clause and must be paid for as such:</p> <ul style="list-style-type: none"> <li><b>(i)</b> rest periods;</li> <li><b>(ii)</b> time occupied by an employee in filling in any time record or cards or in the making of records (other than time spent checking in or out when entering or leaving the employer’s premises);</li> <li><b>(iii)</b> time spent attending a court in the interest of the employer or any client of the employer in relation to any matter arising out of or in connection with the employee’s duties; and</li> <li><b>(iv)</b> time spent at the direction of the employer attending training courses.</li> </ul>	<p><b>14.4</b> The following time is ordinary working time for the purposes of this clause and must be paid for as such:</p> <ul style="list-style-type: none"> <li><b>(a)</b> rest periods;</li> <li><b>(b)</b> time occupied by an employee in filling in any time record or cards or in the making of records (other than time spent checking in or out when entering or leaving the employer’s premises);</li> <li><b>(c)</b> time spent attending a court in the interest of the employer or any client of the employer in relation to any matter arising out of or in connection with the employee’s duties; and</li> <li><b>(d)</b> time spent at the direction of the employer attending training courses.</li> </ul>
<p><b>21.2 Rosters</b></p> <p>Every employer must notify the hours at which an employee is required to commence or cease work. Work done outside the ordinary hours for shiftworkers will be paid at overtime rates. The employer may change the roster by giving notice of the change seven days before the change takes effect unless by agreement with the employees affected or in the event of an emergency which the employer could not have been reasonably expected to foresee.</p>	<p><b>15. Rostering arrangements</b></p> <p><b>15.1</b> Every employer must notify the hours at which an employee is required to start or finish work.</p> <p><b>15.2</b> Work done outside the ordinary hours for shiftworkers will be paid at overtime rates.</p> <p><b>15.3</b> Subject to clause 29—Consultation about changes to rosters or hours of work, the employer may change the roster by giving notice of the change seven days before the change takes effect. Shorter notice can be given by agreement with the employees affected or in the event of an emergency which the employer could not have been reasonably expected to foresee.</p>
<p><b>22. Breaks</b></p> <p><b>22.1 Meal breaks</b></p> <p>An employee will be entitled to an unpaid meal break of not less than 30 minutes per day or shift. The break must be commenced not later than five hours after the start of the employee’s ordinary working hours. Where the employee is not permitted to leave their work station for the meal break the break will be counted as time worked and paid at the ordinary rate of pay.</p>	<p><b>16. Breaks</b></p> <p><b>16.1 Meal breaks</b></p> <ul style="list-style-type: none"> <li><b>(a)</b> An employee is entitled to an unpaid meal break of at least 30 minutes per day or shift.</li> <li><b>(b)</b> The break must start not later than five hours after the start of the employee’s ordinary working hours.</li> </ul>

	<p>(c) Where the employee is not permitted to leave their work station for the meal break, the break will be counted as time worked and paid at the minimum hourly rate of pay.</p>
<p><b>22.2 Rest periods</b></p> <p>(a) An employee will be entitled to a rest period of 10 minutes in the morning and another in the afternoon on each day worked. The rest periods will be taken at the employer's site and will count as time worked.</p> <p>(b) Where an employee and an employer agree, the afternoon rest period will be taken during the morning by joining it to the lunch break or taken immediately prior to finishing work. Subject to the provisions of this clause rest periods may be staggered to meet the needs of the business.</p>	<p><b>16.2 Rest breaks</b></p> <p>(a) An employee will be entitled to paid rest breaks of 10 minutes in the morning and afternoon on each day worked. The rest breaks will be taken at the employer's site and will count as time worked.</p> <p>(b) Rest breaks may be staggered to meet the needs of the business.</p> <p>(c) Where an employee and an employer agree, the afternoon rest break will be taken during the morning by joining it to the lunch break or taken immediately before finishing work.</p>
<p><b>23. Overtime and penalty rates</b></p> <p><b>23.1 Overtime</b></p> <p>The NES contains provisions concerning the working of additional hours.</p> <p><b>23.2</b> All time worked by employees including casual employees in excess of or outside the ordinary hours of work Monday to Sunday will be paid for at the rate of time and a half for the first two hours and double time thereafter (including a weekly employee who works their ordinary hours on five days Monday to Friday and who is required to work overtime on a Saturday). In computing overtime each day's work will stand alone.</p>	<p><b>Part 5—Overtime and Penalty Rates</b></p> <p><b>20. Overtime</b></p> <p><b>20.1</b> The NES contains provisions concerning the working of additional hours.</p> <p><b>20.2</b> All employees will be paid overtime for all time worked in excess of or outside the ordinary hours of work on Monday to Sunday at the following rates:</p> <p>(a) first two hours—<b>150%</b> of the minimum hourly rate; and</p> <p>(b) after two hours—<b>200%</b> of the minimum hourly rate.</p> <p><b>20.3</b> Clause 20.2 applies to all employees including casuals, shiftworkers and weekly employees who work their ordinary hours on Monday to Friday and are required to work on Saturday.</p> <p><b>20.4</b> In calculating overtime each day's work will stand alone.</p>
<p><b>23.3 Rest period after overtime</b></p> <p>(a) When overtime work is necessary it will, so far as it is reasonably</p>	<p><b>20.5 Rest period after overtime</b></p> <p>(a) When overtime work is necessary it will, so far as it is reasonably</p>

<p>practicable, be arranged so that employees have at least 10 consecutive hours off duty between the work of successive days. An employee, other than a casual employee, who works so much overtime between the termination of their ordinary work on one day and the commencement of their ordinary work on the next day that the employee has not had at least 10 consecutive hours off duty between those times will, subject to this subclause, be released after completion of the overtime until the employee has had 10 consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.</p> <p>(b) If, on the instructions of the employer, an employee resumes or continues work without having had the 10 consecutive hours off duty, the employee will be paid at double time until they are released from duty for such period. The employee is then entitled to be absent until they have had 10 consecutive hours off duty without loss of pay for ordinary working time occurring during the absence.</p>	<p>practicable, be arranged so that employees have at least 10 consecutive hours off duty between the work of successive days.</p> <p>(b) An employee, other than a casual employee, who works so much overtime between finishing work on one day and starting work on the next day that the employee has not had at least 10 consecutive hours off duty between finishing and starting will be released after finishing the overtime until the employee has had 10 consecutive hours off duty. The employee will not lose pay for ordinary working time occurring during the 10 hour rest period.</p> <p>(c) If the employer instructs the employee to resume or continue work without a 10 hour rest period, the employee will be paid at <b>200%</b> of the minimum hourly rate until they are released from duty for a minimum of 10 hours. The employee is then entitled to be absent until they have had 10 consecutive hours off duty without loss of pay for ordinary working time occurring during the 10 hour rest period.</p>
<p><b>23.4 Time off instead of payment for overtime</b></p> <p><i>Provision not reproduced – no change</i></p>	<p><b>20.6 Time off instead of payment for overtime</b></p> <p><i>Provision not reproduced – no change</i></p>
<p><b>23.5 Shift allowances</b></p> <p>(a) <b>Definitions</b></p> <p>(i) <b>Afternoon shift</b> means the period of work performed by an employee between 7.00 pm and midnight.</p> <p>(ii) <b>Night shift</b> means the period of work performed by an employee between midnight and 7.00 am.</p> <p>(b) An employee, including a casual employee, who works shiftwork must be paid for each hour worked during an afternoon shift or a night shift 12.5% more than the ordinary rate prescribed for the appropriate classification.</p> <p>(c) Where a shiftworker works on a night shift which does not alternate with another shift or day work they must be paid 25% more than the ordinary rate prescribed for the appropriate classification for</p>	<p><b>21.1 Definitions</b></p> <p>(a) <b>Afternoon shift</b> means the period of work performed by an employee between 7.00 pm and midnight.</p> <p>(b) <b>Night shift</b> means the period of work performed by an employee between midnight and 7.00 am.</p> <p><b>21.2</b> An employee, including a casual employee, who works shiftwork must be paid for each hour worked during an afternoon shift or a night shift <b>112.5%</b> of the minimum hourly rate for the appropriate classification.</p> <p><b>21.3</b> A shiftworker working on a night shift which does not alternate with another shift or day work must be paid 125% of the minimum hourly rate for the appropriate classification for each hour worked during ordinary working hours on that night shift</p>

each hour worked during ordinary working hours on that night shift.	
<p><b>23.6 Weekend and public holiday work</b></p> <p><b>(a) Saturday work</b></p> <p><b>(i)</b> Ordinary hours worked by a day worker on a Saturday will be paid at the rate of time and a half.</p> <p><b>(ii)</b> Ordinary hours worked by a shiftworker on a Saturday will be paid at the rate of time and a half for all time worked.</p>	<p><b>22. Weekend and public holiday work</b></p> <p><b>22.1 Saturday work</b></p> <p><b>(a)</b> Ordinary hours worked by a day worker on a Saturday will be paid at the rate of <b>150%</b> of the minimum hourly rate.</p> <p><b>(b)</b> Ordinary hours worked by a shiftworker on a Saturday will be paid at the rate of <b>150%</b> of the minimum hourly rate for all time worked.</p>
<p><b>(iii)</b> The rates payable to shiftworkers performing such work will be in substitution for and not cumulative upon the shift allowances prescribed in clause 23.5.</p>	<p><b>22.4</b> The rates payable to shiftworkers under clauses 22.1(b) and 22.2(b) will be in substitution for and not cumulative upon the shift allowances prescribed in clause 21.</p>
<p><b>(b) Sunday work</b></p> <p><b>(i)</b> All work performed by a day worker on a Sunday will be paid at the rate of double time.</p> <p><b>(ii)</b> Ordinary hours worked by a shiftworker on a Sunday will be paid at the rate of time and a half.</p>	<p><b>22.2 Sunday work</b></p> <p><b>(a)</b> All work performed by a day worker on a Sunday will be paid at the rate of <b>200%</b> of the minimum hourly rate.</p> <p><b>(b)</b> Ordinary hours worked by a shiftworker on a Sunday will be paid at the rate of <b>150%</b> of the minimum hourly rate.</p>
<p><b>(iii)</b> The rates payable to shiftworkers performing such work will be in substitution for and not cumulative upon the shift allowances prescribed in clause 23.5.</p>	<p><i>See clause 22.4 above</i></p>
<p><b>(c) Public holiday work</b></p> <p>All time worked by an employee on a public holiday will be paid at the rate of double time and a half.</p>	<p><b>22.3 Public holiday work</b></p> <p>All time worked by an employee on a public holiday will be paid at the rate of <b>250%</b> of the minimum hourly rate.</p>
<p><b>(d)</b> The applicable rate for Saturday, Sunday and public holiday work commences at midnight on the applicable day. Penalty rates will be calculated on the ordinary rate, exclusive of the shift allowance.</p>	<p><b>22.5</b> The applicable rate for Saturday, Sunday and public holiday work commences at midnight on the applicable day.</p> <p><b>22.6</b> Penalty rates will be calculated on the minimum hourly rate, exclusive of the shift allowance.</p>

*Current award*

*Car Parking Award 2016*

<p>(e) The overtime rate in clause 23.2 will not apply to a day worker performing work on a Sunday as the rate in clause 23.6(b) is in substitution for and not cumulative upon any overtime rate.</p>	<p><b>22.2 Sunday work</b> ... (c) The rate in clause 22.2(a) is in substitution for and not cumulative upon any overtime rate in clause 20.</p>
<p><b>24. Minimum payment</b> If an employee is required to report for duty and does so, they will receive a minimum of three hours' work or payment at the rate appropriate to the day.</p>	<p><b>15.3 Minimum payment</b>  If an employee is required to report for duty and does so, they will receive a minimum of three hours' work or payment for three hours at the rate appropriate to the day.</p>
<p><b>Part 6—Leave and Public Holidays</b></p> <p><b>25. Annual leave</b></p> <p><b>25.1</b> Annual leave is provided for in the NES. This clause supplements or deals with matters incidental to the NES provisions.</p> <p><b>25.2 Seven day shiftworkers</b>  For the purpose of the additional week of annual leave for shiftworkers provided for in the NES, a <b>shiftworker</b> is a seven day shiftworker who is regularly rostered to work on Sundays and public holidays.</p>	<p><b>Part 6—Leave and Public Holidays</b></p> <p><b>23. Annual leave</b></p> <p><b>23.1</b> Annual leave is provided for in the NES. This clause supplements or deals with matters incidental to the NES provisions.</p> <p><b>23.2 Seven day shiftworkers</b>  For the purpose of the additional week of annual leave for shiftworkers provided for in the NES, a <b>shiftworker</b> is a seven day shiftworker who is regularly rostered to work on Sundays and public holidays.</p>
<p><b>25.3 Annual leave in advance</b>  <i>Provision not reproduced - no change</i></p>	<p><b>23.5 Annual leave in advance</b>  <i>Provision not reproduced - no change</i></p>
<p><b>25.4 Annual close-down</b>  <i>Provision not reproduced - no change</i></p>	<p><b>23.6 Annual close-down</b>  <i>Provision not reproduced - no change</i></p>
<p><b>25.5 Excessive leave accruals: general provision</b>  <i>Provision not reproduced - no change</i></p>	<p><b>23.7 Excessive leave accruals: general provision</b>  <i>Provision not reproduced - no change</i></p>
<p><b>25.6 Excessive leave accruals: direction by employer that leave be taken</b>  <i>Provision not reproduced - no change</i></p>	<p><b>23.8 Excessive leave accruals: direction by employer that leave be taken</b>  <i>Provision not reproduced - no change</i></p>

<p><b>25.7 Excessive leave accruals: request by employee for leave</b></p> <p><i>Provision not reproduced - no change</i></p>	<p><b>23.8 Excessive leave accruals: request by employee for leave</b></p> <p><i>Provision not reproduced - no change</i></p>
<p><b>25.8 Payment and loading</b></p> <p>Before the start of an employee's annual leave the employer must pay the employee:</p> <p>(a) instead of the base rate of pay referred to in the NES, the amount the employee would have earned for working their ordinary hours had they not been on leave; and</p> <p>(b) an additional loading of 17.5% of the employee's minimum rate prescribed in clause 14—Minimum wages, plus first aid allowance where appropriate or if they were a shiftworker prior to entering leave, their shift penalty, whichever is greater.</p>	<p><b>23.3 Payment and loading</b></p> <p>Before the start of an employee's annual leave the employer must pay the employee:</p> <p>(a) instead of the base rate of pay referred to in the NES, the amount the employee would have earned for working their ordinary hours had they not been on leave; and</p> <p>(b) an additional loading of <b>17.5%</b> of the employee's minimum rate prescribed in clause 17—Minimum wages, plus first aid allowance where appropriate or if they were a shiftworker prior to entering leave, their shift penalty, whichever is greater.</p>
<p><b>25.9 Electronic funds transfer (EFT) payment of annual leave</b></p> <p><i>Provision not reproduced - no change</i></p>	<p><b>23.4 Electronic funds transfer (EFT) payment of annual leave</b></p> <p><i>Provision not reproduced - no change</i></p>
<p><b>25.10 Cashing out of annual leave</b></p> <p><i>Provision not reproduced - no change</i></p>	<p><b>23.10 Cashing out of annual leave</b></p> <p><i>Provision not reproduced - no change</i></p>
<p><b>26. Personal/carer's leave and compassionate leave</b></p> <p>Personal/carer's leave and compassionate leave are provided for in the NES.</p>	<p><b>24. Personal/carer's leave and compassionate leave</b></p> <p>Personal/carer's leave and compassionate leave are provided for in the NES.</p>
<p><i>Clause inserted - proposed new provision</i></p>	<p><b>25. Parental leave and related entitlements</b></p> <p>Parental leave and related entitlements are provided for in the NES.</p>
<p><b>27. Community service leave</b></p> <p>Community service leave is provided for in the NES.</p>	<p><b>27. Community service leave</b></p> <p>Community service leave is provided for in the NES.</p>
<p><b>28. Public holidays</b></p>	<p><b>26. Public holidays</b></p>



<p><b>28.1</b> Public holidays are provided for in the NES. This clause supplements or deals with matters incidental to the NES.</p>	<p><b>26.1</b> Public holiday entitlements are provided for in the NES. This clause supplements or deals with matters incidental to the NES.</p>
<p><i>New subclause inserted for the purposes of cross-referencing the schedule.</i></p>	<p><b>26.2 Part-day public holidays</b></p> <p>For provisions relating to part-day public holidays see Schedule H—2016 Part-day Public Holidays.</p>
<p><b>28.2 Substitution of public holidays by agreement</b></p> <p>By agreement between the employer and the majority of employees in an enterprise, another day may be substituted for a public holiday.</p>	<p><b>26.3 Substitution of public holidays by agreement</b></p> <p>Another day may be substituted for a public holiday by agreement between the employer and the majority of employees in an enterprise.</p>
<p><i>Clause inserted – proposed new provision</i></p>	<p><b>26.4</b> Clause 22—Weekend and public holiday work provides for work on a public holiday.</p>
<p><b>29. Employee transfer for operational reasons</b></p> <p><b>29.1</b> An employee may be transferred for operational reasons, from one location to another location within 5 kilometres of the original location, without prejudice to either the employer or the employee.</p> <p><b>29.2 Operational reasons</b> for those purposes are as follows:</p> <p>(a) loss of a parking location contract; or</p> <p>(b) at the request of the owner/lessor of the car park. This may be necessitated because of a complaint about the employee which may or may not be substantiated; or</p> <p>(c) due to a downturn in occupancy rates.</p>	<p><b>13. Employee transfer for operational reasons</b></p> <p><b>13.1</b> An employee may be transferred for operational reasons, from one location to another location within 5 kilometres of the original location, without prejudice to either the employer or the employee.</p> <p><b>13.2</b> For the purpose of clause 13.1, <b>operational reasons</b> are as follows:</p> <p>(a) loss of a parking location contract; or</p> <p>(b) at the request of the owner/lessor of the car park. This may be necessitated because of a complaint about the employee which may or may not be substantiated; or</p> <p>(c) due to a downturn in occupancy rates.</p>
<p><b>Schedule A—Transitional Provisions</b></p> <p><i>Transitional provision - clause removed - obsolete</i></p>	<p><i>Transitional provision - clause removed - obsolete</i></p>
<p><b>Schedule B—Classifications</b></p> <p><i>Provision not reproduced - no change</i></p>	<p><i>Moved to clauses 12.3 – 12.5 – provisions not reproduced – no change</i></p>

<p><b>Schedule C —Supported Wage System</b> <i>Provision not reproduced - no change</i></p>	<p><b>Schedule C —Supported Wage System</b> <i>Provision not reproduced - no change</i></p>
<p><b>Schedule D —National Training Wage</b> <b>Appendix D1: Allocation of Traineeships to Wage Levels</b> <i>Provision not reproduced - no change</i></p>	<p><b>Schedule D —National Training Wage</b> <b>Appendix D7: Allocation of Traineeships to Wage Levels</b> <i>Provision not reproduced - no change</i></p>
<p><b>Schedule E —2016 Part-day Public Holidays</b> <i>Provision not reproduced - no change</i></p>	<p><b>Schedule H —2016 Part-day Public Holidays</b> <i>Provision not reproduced - no change</i></p>
<p><b>Schedule F—Agreement to Take Annual Leave in Advance</b> <i>Provision not reproduced - no change</i></p>	<p><b>Schedule F—Agreement to Take Annual Leave in Advance</b> <i>Provision not reproduced - no change</i></p>
<p><b>Schedule G—Agreement to Cash Out Annual Leave</b> <i>Provision not reproduced - no change</i></p>	<p><b>Schedule G—Agreement to Cash Out Annual Leave</b> <i>Provision not reproduced - no change</i></p>
<p><b>Schedule H—Agreement for time off instead of payment for overtime</b> <i>Provision not reproduced - no change</i></p>	<p><b>Schedule E—Agreement for time off instead of payment for overtime</b> <i>Provision not reproduced - no change</i></p>
<p><i>Clause inserted - proposed new provision</i></p>	<p><b>Schedule A—Summary of Hourly Rates of Pay</b> <i>Provision not reproduced</i></p>
<p><i>Clause inserted - proposed new provision</i></p>	<p><b>Schedule B—Summary of Monetary Allowances</b> <i>Provision not reproduced</i></p>