



INTERNET / ONLINE AWARD SUBSCRIPTION
FOR FULL COPY OF THE AWARD
TELEPHONE WAGELINE

www.commerce.wa.gov.au/labourrelations
www.wairc.wa.gov.au
1300 655 266

IMPORTANT INFORMATION

This award summary outlines the major provisions of the State Animal Welfare Industry award.

In March 2006 the Federal Government introduced major changes to industrial relations in Australia, through the Workplace Relations Amendment (Work Choices) Act 2005. Many employers and employees who have previously been covered by State awards, agreements and/or the Western Australian minimum conditions legislation are now be covered by the federal industrial relations system.

Any employers who are uncertain whether their business is affected by the federal changes, should contact their employer association, Wageline on 1300 655 266 or the Fair Work Infoline on 13 13 94.

The Department of Commerce has prepared the following State award summary in an endeavour to provide advice and assistance regarding pay rates and certain major award provisions. It is provided as a general guide and is not designed to be comprehensive nor to render legal advice. For detail regarding the content of each Award clause, please obtain a full copy of the award. State awards are available at the WAIRC website at www.wairc.wa.gov.au. Information on State award coverage and specific clauses can be obtained by telephoning Wageline on 1300 655 266.

Every attempt has been made to ensure the contents of this summary are accurate. However, neither the Department of Commerce nor its officers accept liability for any claim which may arise from any person acting on, or refraining from acting on, this information.

This schedule has been approved by the Registrar of the WAIRC as a summary of the award for the purposes of registering an Employer Employee Agreement (EEA).

Award Name:	Animal Welfare Industry Award	38 hr week
Effective from:	(1) Effective on and from the commencement of the first pay period on or after 1 October 2009 (Order No. 1/2009) – State Wage Case Decision (2) Effective from the beginning of the first pay period to commence on or after 1 July 2009 (Order No. 24/2009) - Increase to Location Allowances	

ADULT EMPLOYEE	All rates on this summary are gross (before tax)		
CLASSIFICATION	WEEKLY	HOURLY	CASUAL 20% loading
Introductory (not exceeding 3 months)	\$569.70	\$14.99	\$17.99
Level 1	\$608.70	\$16.02	\$19.22
Level 2	\$620.85	\$16.34	\$19.61
Level 3 (Cert III)	\$663.50	\$17.46	\$20.95
Level 4 (Cert IV)	\$719.62	\$18.94	\$22.72
Level 5 (Diploma.)	\$772.37	\$20.33	\$24.39

JUNIOR EMPLOYEES

Junior employees shall receive the prescribed percentage of the minimum rate for the appropriate classification.

IMPORTANT NOTE: The junior rates of pay in this award may fall below those prescribed by the Minimum Conditions of Employment Act 1993. Junior employees will receive either the rates of pay prescribed by the award or the Act, WHICHEVER IS THE HIGHER, for ordinary hours of work.

JUNIOR RATES		
Under 17 years of age	50%	Junior employees shall receive the prescribed percentage of the minimum rate for the appropriate classification of work they are performing.
Between 17 and 18 years of age	60%	
Between 18 and 19 years of age	70%	
Between 19 and 20 years of age	80%	
Between 20 and 21 years of age	90%	

ALLOWANCES

In addition to the appropriate total **weekly** wage prescribed by the award an employee placed in charge of 3 or more other employees shall be paid the following amount per week: **\$22.80**

Where an employee is required to carry out the ordinary hours of duty per day in more than one shift, the following allowance shall be paid **per day**: **\$2.07**

Animal Welfare Industry Award

Classification Structure

(a) Introductory level

An employee who has had no experience in this industry shall initially be engaged at the introductory level for a period not exceeding 3 months. During this period the employer will provide on the job training to assist the employee to gain the appropriate skills.

(b) Level 1

Employees at this level will perform routine tasks involving adherence to determined procedures and with only minimal scope for deviation from these procedures.

An employee at this Level will:

- (i) work under direct supervision with regular close checking of their work;
- (ii) develop and then apply their knowledge and skills to a limited range of tasks and roles;
- (iii) work within a specified range of contexts where the choice of action is clear and restricted;
- (iv) normally develop and then use their competencies within established routines, where methods and procedures are predictable.

Typical activities at this level may include:

- (i) assists other employees in their duties;
- (ii) appropriate induction to the industry and the routines of the practice;
- (iii) basic animal care;
- (iv) grooming, feeding, cleaning and restraint as instructed.

(c) Level 2

Work at this level will involve the use of limited discretion and initiative. Knowledge relating to the care of animals will be involved.

An employee at this level will, in addition to level 1 duties:

- (i) work under direct supervision with routine checking of their work;
- (ii) develop and then apply their knowledge and skills to a limited range of tasks and roles;
- (iii) work within a specified range of contexts where the choice of action is clear and restricted;
- (iv) normally use their competencies within established routines, where methods and procedures are predictable;
- (v) exercise discretion and judgment against established criteria.

Typical activities at this level may include:

- (i) basic animal care, animal handling;
- (ii) consult duty veterinarian;
- (iii) tasks relating to the clinic and surgery including maintaining patient records and compiling patient and client histories;
- (iv) ability to undertake basic animal health procedures.

(d) Level 3

General

A Level 3 employee will possess the competencies of Certificate III in Companion in Animal Services or other equivalent qualification or possess knowledge and experience which enables them to operate at trade equivalent level;

An employee at this Level will, in addition to lower level duties:

- (i) generally be working under limited supervision ;
- (ii) normally use their competencies within established routines, where methods and procedures are predictable;
- (iii) exercise discretion and judgment against established criteria.

Typical activities at this level may include:

- (i) assist with animal care under limited supervision;
- (ii) limited Staff Supervision of introductory and Level 1;
- (iii) undertake daily clinic routines and routine monitoring of patient care;
- (iv) ability to follow clinic procedures for hazard identification and risk control;
- (v) ability to provide grief support to clients/animal owners;
- (vi) work in the companion animal industry;
- (vii) provide basic first aid for animals.

(e) Level 4

A Level 4 employee will possess the competencies of AQF Level 4, or other equivalent qualification such as the ACVN. The attainment of these competencies by an individual employee will be determined through a formal assessment process carried out through a Registered Training Organisation

An employee at this Level will, in addition to lower level duties:

- (i) use their competencies within established routines, where methods and procedures are predictable;
- (ii) exercise discretion and judgment against established criteria;

Typical activities and competencies at this level for a veterinary nurse may include:

- (iv) be registered under the Veterinary Surgeons Act 1960.

Notwithstanding the above an employee at this level may also be employed to undertake the duties of an Inspector.

- (i) ability to undertake limited Staff Supervision ;
- (ii) ability to undertake daily clinic routines and patient care;
- (iii) ability to identifying deviation from normal animal behaviour which may suggest illness, and taking appropriate action;
- (iv) ability to undertake the maintenance of records relating to the physical aspects of the animals;
- (v) can perform clinic pathology procedures;
- (vi) can conduct medical and surgical support;
- (vii) can identify vital signs of patients and relate these findings to the supervising veterinary surgeon.

(f) Level 5

A Level 5 employee will possess a Diploma in Veterinary Nursing or recognized equivalent qualification. The attainment of the competencies by an individual employee necessary for the granting of such qualifications, will be determined through a formal assessment process carried out through a Registered Training Organisation.

An employee at this Level will, in addition to lower level duties:

- (i) exercise skills, discretion and responsibilities beyond that required at Level 4;
- (ii) be registered under the Veterinary Surgeons Act 1960.

Animal Welfare Industry Award

Area and Scope: This award shall apply throughout the state of Western Australia to all employees employed in any classification referred to in clause 18 - Rates of Pay in the veterinary industries of animal welfare, animal care, animal breeding or animal homes and to all employers employing such employees.

Classifications: Under this award, employees are engaged as full time, part time or casual. An employee's engagement depends upon what basis he or she is employed, and the nature of the employment relationship. Prior to engagement, an employer will inform each employee of the terms of their engagement, and in particular stipulate whether they are full time, part time or casual. This advice must be confirmed in writing within two weeks of commencement of employment.

Full Time Employees: Are employees working a 38 hour week on not more than five consecutive days of the week. The ordinary hours of work shall be between 7.00am and 7.00pm. Other rostering options are available, including accrual of an RDO each month.

Part Time Employees: Are employees who are regularly employed to work less than 38 hours per week. Part time employees are entitled to paid annual leave, public holidays and paid sick leave on a pro rata basis in proportion to the number of ordinary hours worked each week.

Casual Employees: Are employees engaged on an hourly basis and shall receive a loading of 20% in addition to the prescribed rate, however they shall not receive paid annual leave, public holidays, or sick leave entitlements.

Overtime: All work performed outside ordinary hours shall be paid at the rate of time and one half for the first two hours and double thereafter. Overtime performed on Saturday after 12 noon and on Sundays shall be paid at the rate of double time. Where it is agreed between employer and employee, time off work may be allowed in lieu of overtime payments. All work done on a public holiday shall be paid at double time and one half.

Additional Rates for Ordinary Hours: All ordinary hours of work on Saturdays shall be paid at the rate of ordinary time plus 25%. All ordinary hours of work on Sundays shall be paid at the rate of ordinary time plus 50%. The foregoing penalties shall be in substitution for night work penalties where the latter would otherwise have application. Where ordinary hours extend beyond 7pm an employee receives an extra 5% for the shift, where hours extend beyond midnight, employees are paid at time plus 10%.

Meal Allowance: All employees are entitled to a meal break of not less than half an hour, nor more than one hour, between the fourth and fifth hours of work. If an employee is required to work overtime for more than two hours the employer must either provide a meal for the employee or pay them \$ 7.75 unless the employee was notified of the overtime on the previous day.

Annual Leave: Full time and part time employees are entitled to 4 weeks paid annual leave (plus a loading of 17.5%) per 12 month period Annual leave accrues weekly at the rate of 2.923 hours per completed week of service for a full time employee, and on a proportionate basis for a part time employee. Full time and part time employees who leave their employment, or are terminated, may be entitled to be paid their unused annual leave. This includes annual leave accrued in an incomplete year of service.

Sick Leave: Full time, part time employees and trainees are entitled to paid sick leave if they are unable to attend or remain at work because of ill health or injury (other than illness or injury compensated under *the Workers Compensation and Injury Management Act 1981*) and if they have sufficient sick leave credits. Sick Leave credits accrue on weekly basis of 1.461 hours for every week of completed service and unused sick leave entitlements will accumulate from year to year. This accrues proportionately for part time employees based on the average number of hours worked each week.

Carer's leave: The *Minimum Conditions of Employment Act 1993* permits an employee to take paid carer's leave in certain circumstances. Such leave is to be deducted from an employee's personal leave (commonly known as sick leave); it is not a separate leave entitlement. There is also an entitlement to unpaid carer's leave in certain circumstances.

Contract of Service: The employment of any employee (other than a casual) may be terminated by the employer in accordance with the following notice period:

Period of Continuous Service	Period of Notice
Less than one year	1 week
1 year but less than 3 years	2 weeks
3 years but less than 5 years	3 weeks
5 years and over	4 weeks

An employee who at the time of being given notice is over 45 years of age and has completed two years' continuous service, shall be entitled to one week's additional notice. An employee may be engaged on a three month probationary period where the contract of service may be terminated by one day's notice on either side.

For employees one week's notice is required to terminate their employment.

For employers the notice provisions of the award must be read in conjunction with those in the *Fair Work Act 2009*, as a greater period of notice may be required.

Termination, Change and Redundancy: This award is subject to the Termination, Change and Redundancy Order of the Western Australian Industrial Relations Commission. This General Order prescribes for many employees an entitlement to severance payments of up to 16 weeks of pay. This entitlement does not apply if the employer has fewer than 15 employees.

Other mandatory requirements on termination or introduction of change in the workplace include:

- * written notice of and discussions with employees about significant change in which job restructuring, changing of hours or location or operational changes in the business may occur;
- * time off of up to one day's paid leave during each week of the notice period to search for other employment; and
- * if requested by the employee, a statement specifying the period of employment and classification or type of work performed.

Employment Records: Employers bound by this award shall maintain a record at each establishment, containing information relating to each worker.

Relationship to the National Training Wage Award: Parties and respondents to this award shall comply with the terms of the National Training Wage Award.

Superannuation: The federal Government's *Superannuation Guarantee Charge Act 1992* requires that all employers (including companies) shall make superannuation contributions, at least quarterly, to an approved fund for most employees with gross earnings of more than \$450 per month. The current rate of contribution is 9% of your earnings base. Further information is available from the Superannuation Helpline on 13 10 20 or at www.ato.gov.au/super.

The following clauses may provide further entitlements depending on business operations and work arrangements.

Scope: This award shall apply throughout the state of Western Australia to all employees employed in any classification referred to in clause 18 – Rates of Pay in the veterinary industries of animal welfare, animal care, animal breeding or animal homes and to all employers employing such employees.

Public Holidays: The holidays specified in the award shall be allowed without deduction of pay for permanent employees subject to the provisions contained in this clause.

Long Service Leave: An employee's entitlement to long service leave under this award will be as prescribed by the *Long Service Leave Act 1958*. Under this Act, an employee is entitled to 8.667 weeks long service leave after 10 continuous years of service. An employee who has completed at least seven continuous years of service may be entitled to pro rata long service leave on termination. **For further information, or to obtain a copy of a publication regarding long service leave, please contact Wageline on 1300 655 266.**

Location Allowance: Employees governed by this award may be entitled to a location allowance if employed in towns mentioned by Clause 14. A full copy of the award is available from www.wairc.wa.gov.au.

Right of Entry: An authorised representative of the union shall be entitled to exercise right of entry in accordance with the provisions of the *Industrial Relations Act 1979* or any other legislation that makes the provision for right of entry.

Board of Reference: The Board of Reference referred to in this Award is that Board of Reference established by Section 48 of the *Industrial Relations Act, 1979*.

Supported Wage System for Employees With Disabilities: Prescribes the conditions which will apply to employees who, because of the effects of a disability, are eligible for a supported wage under the terms of this award.

Travelling Time and Expenses: An employee who is required to travel from and back to the employer's recognised place of business must be paid travelling expenses.

Minimum Adult Award Wage: This clause sets out the provisions for the application of the Minimum Adult Award Wage.

Protective Clothing and Uniforms: An employer must supply protective clothing where necessary. Where an employee is required to wear a uniform it will be supplied by and remain the property of the employer.

Where to go for further information: Prescribes contact details if further information needs to be sought. For further information relating to this clause please see full copy of the award available from www.wairc.wa.gov.au.

Other Laws affecting Employment: Provides other laws which may affect employment. For further information relating to this clause please see full copy of the award available from www.wairc.wa.gov.au.

Call Back: An employee who is recalled to work after leaving the job must be paid for at least three hours at overtime rates.

Bereavement Leave: On the death of; a spouse or de facto partner, child, step child or grandchild, brother or sister, parent, step-parent or grandparent, or any other person who immediately prior to their death lived with the employee as a member of the employee's household, an employee (including a casual employee) is entitled to bereavement leave of up to 2 days.

Parental Leave: An employee is entitled to up to 52 weeks unpaid leave, provided that she has had not less than 12 months' continuous service with that employer, in respect of: the birth of a child or the placement of a child with the employee with the view to the adoption of the child by the employee. **This clause operates in conjunction with the *Minimum Conditions of Employment Act 1993*, providing additional parental leave entitlements.**

Payment of Wages: An employee must be paid weekly and provided with a pay advice slip on each day that wages are paid.

Definitions: Defines terms and work classifications used in the award.

Dispute Settlement Procedures: Outlines the procedures in the event of a dispute or matter arising under this award.

Award Modernisation and Enterprise Consultation: The parties to this award are committed to cooperating positively to increase the efficiency and productivity of the industry and to enhancing employees career opportunities and job security.

Schedules A: Parties to the award

The Australian Liquor, Hospitality and Miscellaneous Workers Union, Western Australian Branch

Contact Details

www.lhmu.org.au

Telephone (08) 9388 5400

Toll Free 1800 199 890

Facsimile (08) 9382 3986

Email lhmuwa@lhmu.org.au

For further information on any of the clauses in this award, please contact Wageline on 1300 655 266.