



INTERNET
FOR FULL COPY OF THE AWARD
TELEPHONE WAGELINE

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

IMPORTANT INFORMATION

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 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: Cleaners and Caretakers 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

		All rates on this summary are gross (before tax)						
	% of adult	ADULT 100%	20 YRS 90%	19 YRS 80%	18 YRS 70%	17 YRS 60%	16 YRS 50%	UNDER 16 40%
Cleaner	Weekly	\$584.90	\$526.41	\$467.92	\$409.43	\$350.94	\$292.45	\$233.96
	Hourly	\$15.39	\$13.85	\$12.31	\$10.77	\$9.24	\$7.70	\$6.16
	Casual	\$18.47	\$16.62	\$14.78	\$12.93	\$11.08	\$9.24	\$7.39
Caretaker	Weekly	\$601.50	\$541.35	\$481.20	\$421.05	\$360.90	\$300.75	\$240.60
	Hourly	\$15.83	\$14.25	\$12.66	\$11.08	\$9.50	\$7.91	\$6.33
	Casual	\$18.99	\$17.10	\$15.20	\$13.30	\$11.40	\$9.50	\$7.60
Security Guard	Weekly	\$582.60	\$524.34	\$466.08	\$407.82	\$349.56	\$291.30	\$233.04
	Hourly	\$15.33	\$13.80	\$12.27	\$10.73	\$9.20	\$7.67	\$6.13
	Casual	\$18.40	\$16.56	\$14.72	\$12.88	\$11.04	\$9.20	\$7.36
Security Guard / (mobile)	Weekly	\$598.50	\$538.65	\$478.80	\$418.95	\$359.10	\$299.25	\$239.40
	Hourly	\$15.75	\$14.18	\$12.60	\$11.03	\$9.45	\$7.88	\$6.30
	Casual	\$18.90	\$17.01	\$15.12	\$13.23	\$11.34	\$9.45	\$7.56
Security Guard / Cleaner	Weekly	\$583.70	\$525.33	\$466.96	\$408.59	\$350.22	\$291.85	\$233.48
	Hourly	\$15.36	\$13.82	\$12.29	\$10.75	\$9.22	\$7.68	\$6.14
	Casual	\$18.43	\$16.59	\$14.75	\$12.90	\$11.06	\$9.22	\$7.37

	% of adult	ADULT 100%	20 YRS 90%	19 YRS 80%	18 YRS 70%	17 YRS 60%	16 YRS 50%	UNDER 16 40%
Window Cleaner	Weekly	\$590.40	\$531.36	\$472.32	\$413.28	\$354.24	\$295.20	\$236.16
	Hourly	\$15.54	\$13.98	\$12.43	\$10.88	\$9.32	\$7.77	\$6.21
	Casual	\$18.64	\$16.78	\$14.92	\$13.05	\$11.19	\$9.32	\$7.46
Lift Attendant	Weekly	\$580.40	\$522.36	\$464.32	\$406.28	\$348.24	\$290.20	\$232.16
	Hourly	\$15.27	\$13.75	\$12.22	\$10.69	\$9.16	\$7.64	\$6.11
	Casual	\$18.33	\$16.50	\$14.66	\$12.83	\$11.00	\$9.16	\$7.33
Attendant	Weekly	\$576.00	\$518.40	\$460.80	\$403.20	\$345.60	\$288.00	\$230.40
	Hourly	\$15.16	\$13.64	\$12.13	\$10.61	\$9.09	\$7.58	\$6.06
	Casual	\$18.19	\$16.37	\$14.55	\$12.73	\$10.91	\$9.09	\$7.28
Rest Room/Toilet Attendant	Weekly	\$583.10	\$524.79	\$466.48	\$408.17	\$349.86	\$291.55	\$233.24
	Hourly	\$15.34	\$13.81	\$12.28	\$10.74	\$9.21	\$7.67	\$6.14
	Casual	\$18.41	\$16.57	\$14.73	\$12.89	\$11.05	\$9.21	\$7.37
LEADING HAND ALLOWANCE:					TOILET CLEANING ALLOWANCE:			
In addition to the appropriate total <i>weekly</i> wage, a leading hand shall be paid, if placed in charge of:					All employees called upon to clean closets connected with septic tanks and sewerage shall receive a <i>weekly</i> allowance as follows:			
between 3 and 6 staff		\$14.20			5 closets but less than 10 closets per day		\$4.40	
between 7 and 10 staff		\$25.30			10 closets but less than 30 closets per day		\$13.10	
between 11 and 15 staff		\$31.60			30 closets but less than 50 closets per day		\$26.10	
between 16 and 20 staff		\$38.40			50 closets or greater per day		\$32.70	
more than 20 staff		\$49.50			<i>(One metre of urinal or 3 urinal stalls count as one closet)</i>			
An employee required to collect money by the employer shall be paid an allowance of \$5.20 per week.								

Cleaners and Caretakers Award

Classifications: There are three categories of workers in this award. Full-time, part-time and casual. An employee's category depends entirely upon what basis he or she is employed. It is the employer's responsibility to decide on what basis an employee is to be engaged and to ensure that the employee is aware of the nature of his/her employment.

Full-Time Workers: The ordinary hours of work for a full-time employee shall be an average of 38 ordinary hours per week, with the hours actually worked being 40 per week or 80 per fortnight to be worked eight hours per day on any five days of the week or 10 days of the fortnight. Except where provided elsewhere, the ordinary hours shall be worked with two hours of each week's work accruing as an entitlement to a maximum of 12 accrued day/s off in each 12 month period. The accrued day/s off shall be taken at a time mutually acceptable to the employer and the worker.

Part-Time Workers: Part-time workers are engaged on a weekly basis for less than 38 hours each week and are paid an hourly rate equal to 1/38 of the weekly wage and are entitled to be paid annual leave, sick leave, compassionate leave and paid public holidays in proportion to the number of ordinary hours worked each week.

Casual Workers: A casual worker is engaged by the hour. A casual worker receives a loading of 20% on the ordinary hourly rate for a full-time employee in lieu of sick leave, annual leave and paid public holidays. The employment of a casual worker may be terminated by one hour's notice on either side or the payment by the employer or forfeiture by the worker (as the case may be) of one hour's pay.

Sick Leave: Full-time workers 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 at the rate of 1.461 hours for every week of completed service and if not used accumulate from year to year. Sick leave 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.

Overtime: All hours worked in excess of 8 per day or outside the prescribed spread of hours or on weekends or Rostered Days Off are paid for at overtime rates. All hours worked by a part-time employee beyond the ordinary rostered hours for that day shall be paid for at overtime rates. All overtime worked in excess of the ordinary hours shall be paid for at the rate of time and one half for the first two hours and double time thereafter. All overtime worked on Sundays is paid for at the rate of double time. Work performed on public holidays is paid for at the rate of double time and one half. An employee who is required to work overtime for 2 hours or more on any day without having been notified on the previous day must be supplied a substantial meal or be paid a \$9.05 meal allowance. If the amount of overtime worked requires a subsequent meal it shall be supplied to the employee or paid \$6.20 in lieu thereof. **Note:** Overtime rates shall not apply in respect of any period of overtime for which the employee has been notified on the previous day or earlier that he/she will be required for.

Meal Breaks: The minimum time allowed for a meal is 30 minutes and not more than one hour, to be taken between noon and 2.15pm. This does not apply to Security Guards, Security Guard/Cleaners or Security Guard (mobile) whose crib time shall be taken in the employer's time. By agreement in writing between the employer and the Union, the above time may be varied.

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. Where a worker with 12 months' continuous service is engaged for part of that qualifying 12 monthly period as a continuous shift worker or as a Security Guard or as a Security Guard/Cleaner or as a Security Guard (mobile) or as a Rest Room/Toilet Attendant then for each completed week he or she is continuously so engaged the period of annual leave to which he or she is entitled shall be increased to 3.65 hours' pay. 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.

Contract of Service: This award prescribes a minimum of one week's notice or pay in lieu (on either side) to terminate the employment of full time or part time employees. The employment of a casual worker may be terminated by one hour's notice on either side or the payment by the employer or forfeiture by the worker (as the case may be) of one hour's pay. The employer may engage a worker on a probationary period for not longer than three months during which time it will be possible for either the worker or employer to end the contract with one day's notice.

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.

Time and Wage Records: Each employer bound by this award shall maintain a record at each establishment, containing information relating to each worker. A Times and Wages publication is available on the Department of Commerce website explaining the way time and wage records are maintained and the rules relating to inspection of these records. For further advice please contact Wageline on 1300 655 266.

Location Allowance: In addition to the rates prescribed in the wages clause of this award, an employee shall be paid a weekly allowance when employed in the towns prescribed by this clause for regional Western Australia. See full copy of the award for details at www.wairc.wa.gov.au.

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.

Area & Scope: This award shall apply to all workers in the callings set out in Clause 22. - Wages of this award in the industries carried on by the respondents: Provided however that it shall not apply to any worker who carries out the duties of a verger, nor to any worker covered by any other award or industrial agreement in force on 7th November, 1969.

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

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

Public Holidays: The public holidays specified in the award must be allowed as holidays without loss of pay for permanent employees subject to the provisions of this clause.

Higher Duties: An employee who is required to perform work carrying a higher minimum than his or her regular rate of pay must be paid in accordance with the provisions of this clause.

Breakdowns, etc: An employer is entitled to deduct payment for any day upon which the employee cannot be usefully employed due to industrial action, or through the breakdown of the employer's machinery or any cause which could not have been reasonably prevented by the employer.

Shift Work: A loading of 15 percent must be paid for time worked on afternoon or night shift as defined in this clause.

Special Rates and Provisions: Provides conditions of employment relating to dressing accommodation, overalls and uniforms, protective clothing and other items. For further information relating to this clause please see full copy of the award available from www.wairc.wa.gov.au.

Motor Vehicle Allowances: Specifies rates for use of employee's own vehicle on employer's business.

Area Details	Engine Displacement (in cubic centimetres)		
	Over 2600cc	Over 1600cc - & 2600cc	1600cc Under
Metropolitan Area	88.4 c/km	76.9 c/km	68.0 c/km
South West Land Division	90.9 c/km	78.9 c/km	70.1 c/km
North of 23.5 South Latitude	99.7 c/km	86.9 c/km	77.4 c/km
Rest of the State	93.8 c/km	81.5 c/km	72.3 c/km
Motor Cycle (in all areas): 30.5 c/km			

Split Shift Allowance: Where an employee is required to carry out the ordinary hours of duty per day in more than one shift and where the break is not less than three hours, an allowance of \$3.15 per day shall be paid. This allowance shall not apply to caretakers.

Maternity Leave: An employee, who becomes pregnant, is entitled to up to 52 weeks unpaid leave, provided that she has had not less than 12 months' continuous service with that employer. **This clause operates in conjunction with the *Minimum Conditions of Employment Act 1993*, providing additional parental leave entitlements.**

No Reduction: Nothing contained in this award shall entitle an employer to reduce the wage of any worker who at the date of this award is being paid a higher rate of wage than the minimum prescribed for his or her class of work.

Posting of Awards and Notices: An employer must place in each workplace a copy of this award, if supplied by the Union, and allow an accredited Union representative to post authorised union notices in a suitable place.

Travelling Time: Where a worker is required during his usual working hours by his employer to work outside his/her usual place of employment, the employer shall pay the worker any reasonable travelling expenses incurred.

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.

Payment of Wages: All employees shall be paid weekly or fortnightly at the option of the employer subject to the provisions of this clause.

Safety Provisions: A reasonable means of communication must be available for a mobile Security Guard to communicate with his headquarters.

Compassionate Leave: On the death of a wife, husband, de-facto wife or de-facto husband, father, father-in-law, mother, mother-in-law, brother, sister, child or stepchild an employee is entitled to paid leave for a period of up to 2 ordinary working days. ***The Minimum Conditions of Employment Act 1993* extends bereavement leave to the death of a grandparent.**

Effect of 38 Hour Week: Sets out the effect of a 38 Hour Week in relation to accrued days off on Termination, Workers' Compensation and Leave Without Pay.

Award Modernisation and Enterprise Consultation: The parties to this award are committed to co-operating positively to increase the efficiency and productivity and to enhance the career opportunities and job security of employees in the industry.

Appendix – Resolution of Disputes Requirement

Schedule A – Parties to the Award

Schedule B – Respondents

Schedule C – Respondents

Appendix – S.49B – Inspection of Records Requirements

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