



Clerks (Commercial, Social and Professional Services) State Award Summary

THINGS TO CHECK as an employee or employer include:

- ✓ Pay rates
- ✓ Employment of children
- ✓ Allowances
- ✓ Overtime rates
- ✓ Public holidays
- ✓ Meal breaks
- ✓ Leave entitlements
- ✓ Dismissal laws and entitlements due on termination
- ✓ Time and wages record keeping
- ✓ Laws relating to [taxation](#), [superannuation](#), [workers compensation](#), [discrimination](#) and [occupational health and safety](#)

This award summary outlines only the MOST COMMON ENTITLEMENTS within the Western Australian STATE SYSTEM of industrial relations under the *Clerks (Commercial, Social and Professional Services) Award 1972*.

It applies only to sole traders and partnerships. If the business is a Pty Ltd company, it does not apply. If you are unsure contact **Wageline** on **1300 655 266**.

To access a full copy of the award, which details all entitlements and obligations, visit www.wairc.wa.gov.au.

Adult wages – apply as of the first pay period on or after 1 July 2011

GRADE 1		<16 YRS	16 YRS	17 YRS	18 YRS	19 YRS	20 YRS	ADULT
		40%	50%	60%	70%	80%	90%	
1st year of experience at this grade	Weekly	\$256.20	\$320.25	\$384.30	\$448.35	\$512.40	\$576.45	\$640.50
	Hourly	\$6.74	\$8.43	\$10.11	\$11.80	\$13.48	\$15.17	\$16.86
	Casual	\$8.43	\$10.53	\$12.64	\$14.75	\$16.86	\$18.96	\$21.07
2nd year of experience at this grade	Weekly	\$261.72	\$327.15	\$392.58	\$458.01	\$523.44	\$588.87	\$654.30
	Hourly	\$6.89	\$8.61	\$10.33	\$12.05	\$13.77	\$15.50	\$17.22
	Casual	\$8.61	\$10.76	\$12.91	\$15.07	\$17.22	\$19.37	\$21.52
3rd year of such experience and thereafter	Weekly	\$266.36	\$332.95	\$399.54	\$466.13	\$532.72	\$599.31	\$665.90
	Hourly	\$7.01	\$8.76	\$10.51	\$12.27	\$14.02	\$15.77	\$17.52
	Casual	\$8.76	\$10.95	\$13.14	\$15.33	\$17.52	\$19.71	\$21.90

GRADE 2								
1st year of experience at this grade	Weekly	\$270.56	\$338.20	\$405.84	\$473.48	\$541.12	\$608.76	\$676.40
	Hourly	\$7.12	\$8.90	\$10.68	\$12.46	\$14.24	\$16.02	\$17.80
	Casual	\$8.90	\$11.13	\$13.35	\$15.58	\$17.80	\$20.03	\$22.25
2nd year of experience at this grade	Weekly	\$272.20	\$340.25	\$408.30	\$476.35	\$544.40	\$612.45	\$680.50
	Hourly	\$7.16	\$8.95	\$10.74	\$12.54	\$14.33	\$16.12	\$17.91
	Casual	\$8.95	\$11.19	\$13.43	\$15.67	\$17.91	\$20.15	\$22.38
3rd year of experience at this grade and thereafter	Weekly	\$274.56	\$343.20	\$411.84	\$480.48	\$549.12	\$617.76	\$686.40
	Hourly	\$7.23	\$9.03	\$10.84	\$12.64	\$14.45	\$16.26	\$18.06
	Casual	\$9.03	\$11.29	\$13.55	\$15.81	\$18.06	\$20.32	\$22.58
GRADE 3								
1st year of experience at this grade	Weekly	\$277.56	\$346.95	\$416.34	\$485.73	\$555.12	\$624.51	\$693.90
	Hourly	\$7.30	\$9.13	\$10.96	\$12.78	\$14.61	\$16.43	\$18.26
	Casual	\$9.13	\$11.41	\$13.70	\$15.98	\$18.26	\$20.54	\$22.83
2nd year of experience at this grade	Weekly	\$280.36	\$350.45	\$420.54	\$490.63	\$560.72	\$630.81	\$700.90
	Hourly	\$7.38	\$9.22	\$11.07	\$12.91	\$14.76	\$16.60	\$18.44
	Casual	\$9.22	\$11.53	\$13.83	\$16.14	\$18.44	\$20.75	\$23.06
GRADE 4								
	Weekly	\$291.48	\$364.35	\$437.22	\$510.09	\$582.96	\$655.83	\$728.70
	Hourly	\$7.67	\$9.59	\$11.51	\$13.42	\$15.34	\$17.26	\$19.18
	Casual	\$9.59	\$11.99	\$14.38	\$16.78	\$19.18	\$21.57	\$23.97
GRADE 5								
	Weekly	\$304.68	\$380.85	\$457.02	\$533.19	\$609.36	\$685.53	\$761.70
	Hourly	\$8.02	\$10.02	\$12.03	\$14.03	\$16.04	\$18.04	\$20.04
	Casual	\$10.02	\$12.53	\$15.03	\$17.54	\$20.04	\$22.55	\$25.06
GRADE 6								
	Weekly	\$320.68	\$400.85	\$481.02	\$561.19	\$641.36	\$721.53	\$801.70
	Hourly	\$8.44	\$10.55	\$12.66	\$14.77	\$16.88	\$18.99	\$21.10
	Casual	\$10.55	\$13.19	\$15.82	\$18.46	\$21.10	\$23.73	\$26.37

Additional Rates

Employees who are required to work any ordinary hours prior to 7:00am or after 7:00pm on any day Monday to Friday shall be paid an extra 20% on their ordinary rate for every hour so worked.

Employment of children

Under the *Children and Community Services Act 2004*, it is illegal to employ children under the age of 15 in this industry.

Exemptions may apply to children working in a family business where the business is carried out by a parent or relative of the child, in a not-for-profit organisation or when they are participating in a school program.

School aged children must not be employed during school hours, unless they are participating in a school program or have received an exemption from the Department of Education.

A child under 18 must not be employed in a job that jeopardises their well being.



It always pays to call

Please contact **Wageline** on **1300 655 266** or view the Employment of Children Laws fact sheet at www.commerce.wa.gov.au/labourrelations for more information.

Allowances

Meal allowance

A meal allowance of **\$8.10** shall be paid to an employee who:

- at the requirement of the employer, works two hours or more overtime, after the completion of the ordinary hours on any day; or
- is required to work until after 1:00pm on Sunday or on a public holiday.

An employer may supply the employee with a suitable meal in lieu of making payment of the meal allowance. Overtime rates will apply where an employee is required by the employer to work through the meal break, until the time when the meal period is allowed.

Location allowance

An employee working in a specified regional area is entitled to a weekly location allowance. Please contact **Wageline** on **1300 655 266** or see a full copy of the award at www.wairc.wa.gov.au for details.

Hours and overtime

Ordinary hours shall not exceed 38 hours in one week, or eight hours in any day, and at the discretion of the employer may be worked in a five or five and a half day week Monday to Saturday inclusive.

A part-time employee shall regularly work no more than 32 ordinary hours per week.

All time worked in excess of eight hours in any one day, shall be paid for at the rate of time and one half for the first two hours and at the rate of double time thereafter. In calculation of overtime each day shall stand alone.

Any clerk in receipt of a salary at the rate of 20 percent per week or more in excess of the rate herein prescribed for a Clerical Officer Grade 3 Year 1 shall not be entitled to payment of overtime rates for any overtime worked.

Weekend work

Ordinary hours of work performed by a full-time, part-time or casual employee on a Saturday *prior* to 12:00pm shall be paid at the rate of time and a quarter. Ordinary hours of work performed by an employee on a Saturday *after* 12:00pm shall be paid for at the rate of time and a half. Work performed **outside** of ordinary hours on a Saturday *after* 12 noon, or on a Sunday, shall be paid at the rate of double time.

Meal breaks

After no more than five hours work, a meal break shall be taken at a time mutually arranged between the employer and the employee. The meal break shall be one hour, except where the employer and the employee agree that the meal break shall be for a lesser period not shorter than 30 minutes. A minimum of one refreshment break shall be allowed during working hours.

Public holidays

Full-time employees are entitled to public holidays (or days substituted for public holidays) without deduction of pay. Part-time employees are entitled to public holidays (or days substituted for public holidays) without deduction of pay if they would ordinarily be required to work on that day.

If a public holiday falls on a Saturday or Sunday, the following Monday will be considered to be the public holiday. However, if Boxing Day falls on a Sunday or Monday, the following Tuesday will be considered to be the public holiday. When a public holiday is substituted with another day, the public holiday itself is no longer considered a public holiday for the purposes of the award.

If an employee works on a public holiday or substituted public holiday they shall be paid at the rate of double time and a half.

To view public holiday dates please visit our website www.commerce.wa.gov.au/labourrelations.

Leave entitlements

The table below outlines the basic leave entitlements for employees covered by this award. For more information relating to leave entitlements, please contact **Wageline** on **1300 655 266** or access a full copy of the award at www.wairc.wa.gov.au.

Type of leave	Entitlement
Annual leave	Full-time employees accrue 2.923 hours weekly; this amounts to 4 weeks a year (pro rata for part-time) which is allowed annually after a period of 12 months' continuous service. Leave accumulates year to year. In addition, a loading of 17.5% applies. For the annual leave calculation sheet visit www.commerce.wa.gov.au/labourrelations .
Personal leave	Full-time employees accrue 1.461 hours weekly; this amounts to 10 days a year (pro rata for part-time). This can be used for sick leave or carer's leave and accumulates from year to year. For the personal leave calculation sheet please visit our website www.commerce.wa.gov.au/labourrelations .
Bereavement leave	Two days without deduction of pay per occasion for any employee (including casuals), applies on the death of a partner, parent, step-parent, grandparent, child, step-child, grandchild, sibling or any other member of the employee's household.
Parental leave	Please contact Wageline on 1300 655 266 for details, or see the parental leave factsheet at www.commerce.wa.gov.au/labourrelations .
Long service leave	In accordance with the <i>Long Service Leave Act 1958</i> , 8.667 weeks after 10 years' continuous employment for any employee (including casuals), and a further 4.333 weeks every subsequent 5 years, with pro-rata payments due on termination any time after 7 years' continuous employment. For the long service leave calculation sheet please visit our website www.commerce.wa.gov.au/labourrelations .

Time and wages recordkeeping

Employers must keep time and wages records which demonstrate that employees have been paid all entitlements under the relevant award or legislation.

For more information about time and wages record keeping, contact **Wageline** on **1300 655 266** or see the Time and Wages Record Keeping factsheet at www.commerce.wa.gov.au/labourrelations.

Termination

It is recommended that an employer contact **Wageline** on **1300 655 266** before any termination, to receive information about dismissal laws.

Notice by an employer

Full-time and part-time employees may be terminated with the following period of notice:

Period of continuous service	Period of notice
Not more than 1 year	1 week
More than 1 year but not more than 3 years	2 weeks*
More than 3 years but not more than 5 years	3 weeks*
More than 5 years	4 weeks*

Employees over 45 years of age with two or more years of continuous service at the time of termination shall receive an additional week's notice.

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

If such notice is not given, the employee shall be given payment in lieu for the period of the notice. An employee may be summarily dismissed for gross misconduct, and will only be paid up to the time of dismissal.

Notice by an employee

A full-time or part-time employee may terminate their employment by giving one week's notice.

Termination of a casual employee

A casual employee may be terminated by the giving of one hour's notice on either side.

Employees who do not provide the required notice as prescribed above, may be liable to forfeit certain entitlements. Please call **Wageline** on **1300 655 266** for more information.

Redundancy

Please contact **Wageline** on **1300 655 266** for information relating to redundancy.

Other entitlements

The Award also includes:

- Mixed Function
- Uniforms
- Settlement of disputes
- Right of entry

To access a full copy of the Award please visit www.wairc.wa.gov.au.

This award summary has only included the MOST COMMON EMPLOYEE ENTITLEMENTS.

To minimise the risk of non-compliance with State employment laws, please contact Wageline on 1300 655 266 to clarify your understanding of this award summary.

Wageline offers advice and publications to assist employees and employers better understand their rights and obligations in the workplace.

To keep informed and receive practical information on employment issues, please subscribe to Wageline's email newsletters at www.commerce.wa.gov.au/labourrelations.

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