



**Please note – This is a previous WA award summary and does not contain the current rates of pay**

## WA Award Summary

# Clerks (Commercial, Social and Professional Services) Award

**1 July 2019**

## About this Award Summary

This WA Award Summary is a summary of the state Clerks (Commercial, Social and Professional Services) Award and does not include all obligations required by the award. It is important that you also refer to the full Clerks (Commercial, Social and Professional Services) Award that is available on the WA Industrial Relations Commission website [www.wairc.wa.gov.au](http://www.wairc.wa.gov.au)

Provisions of other employment legislation also apply to employees and have been included in this WA Award Summary where appropriate. You may need to refer to the *Minimum Conditions of Employment Act 1993*, the *Long Service Leave Act 1958*, and the *Industrial Relations Act 1979* for full details.

This document is formatted for viewing on the Wageline website and contains web links to other relevant information. If you are using a printed copy in which links are not visible, all additional information can be found at [www.dmirs.wa.gov.au/wageline](http://www.dmirs.wa.gov.au/wageline) or by contacting Wageline on 1300 655 266.

This WA Award Summary was updated in April 2020 to include information on the provisions of the COVID-19 General Order issued by the Western Australian Industrial Relations Commission (WAIRC) on 14 April 2020. The COVID-19 General Order applies until 31 July 2020 unless extended. The WA Award Summary was further updated in May 2020 to include information on the provisions of the COVID-19 JobKeeper General Order issued by the WAIRC on 15 May 2020. The COVID-19 JobKeeper General Order applies until 28 September unless extended.

## How can we help?

-  Pay rates
-  Leave entitlements
-  Long service leave
-  Employment arrangements
-  Record keeping obligations



## Three Step Check: to make sure this WA Award Summary is relevant to you

<p><b>Step 1</b> Is the business in the state system?</p>	<p>This information applies to businesses in the <b>state industrial relations system</b>. It covers businesses which operate as:</p> <ul style="list-style-type: none"> <li>✓ <b>sole traders</b> (eg Jane Smith trading as Jane’s Architectural Service)</li> <li>✓ <b>unincorporated partnerships</b> (eg Jane and Bob Smith trading as Jane’s Architectural Service)</li> <li>✓ <b>unincorporated trust arrangements</b> (Jane and Bob Smith as trustees for Jane’s Architectural Service)</li> </ul> <p>This information does <b>not</b> cover businesses and organisations in the national system which operate as:</p> <ul style="list-style-type: none"> <li>✗ <b>Pty Ltd businesses</b> that are trading or financial corporations (eg Smith Pty Ltd trading as Jane’s Architectural Service)</li> <li>✗ <b>incorporated partnerships or incorporated trusts</b></li> <li>✗ <b>incorporated associations and other not-for-profit bodies</b> (that are trading or financial corporations)</li> </ul> <p>For more information visit the <a href="#">Guide to who is in the WA state system</a> page. If the business or organisation is in the national system visit the Fair Work Ombudsman website <a href="http://www.fairwork.gov.au">www.fairwork.gov.au</a></p>
<p><b>Step 2</b> Is the business covered by the Clerks (Commercial, Social and Professional Services) Award?</p>	<p>The Clerks (Commercial, Social and Professional Services) Award applies to clerical staff in a wide variety of businesses such as:</p> <ul style="list-style-type: none"> <li>✓ doctor’s surgeries and real estate agents</li> <li>✓ hairdressing salons and chiropractic clinics</li> <li>✓ architects, churches and associations and societies</li> </ul> <p>A complete list of types of businesses covered is available in Schedule A in the full award at the WA Industrial Relations Commission website <a href="http://www.wairc.wa.gov.au">www.wairc.wa.gov.au</a></p>
<p><b>Step 3</b> Is the employee’s job covered by the (Clerks Commercial, Social and Professional Services) Award?</p>	<p>The Clerks (Commercial, Social and Professional Services) Award sets pay rates, working hours and other employment arrangements for employees working as receptionists and in clerical, secretarial and administrative roles in a wide variety of businesses.</p>



Employers covered by this WA Award are legally required to keep employment records. Employers can be fined up to \$5,000 for not keeping employment records, for keeping inadequate or fraudulent records, or for not providing records to Industrial Inspectors when required to do so. Page 7 details record keeping requirements.

The Clerks (Commercial, Social and Professional Services) Award is a legal document that outlines the minimum wages and condition of employment that must be provided to employees who are covered by the award. Employers and employees cannot agree to lesser conditions.

Industrial Inspectors at the Department of Mines, Industry Regulation and Safety have statutory powers to investigate employee complaints about underpayment of wages or leave entitlements under this WA Award and state employment laws. The Department can prosecute employers in the Industrial Magistrates Court for not paying the rates of pay, including overtime, penalty rates and allowances required by this WA Award.

Employees who believe that they have been underpaid should visit the [Making a complaint about underpayment of wages or entitlements](#) page for more information.



## Rates of pay

All rates of pay are gross rates (before tax) and current rates applied from the first pay period on or after **1 July 2019**. See pages 11 - 15 for descriptions of each grade.

<b>Grade 1</b>		<b>Adult</b>	<b>20 years</b> (90% of adult rate)	<b>19 years</b> (80%)	<b>18 years</b> (70%)	<b>17 years</b> (60%)
1st year of experience at this grade	Weekly	\$783.20	\$704.90	\$626.60	\$548.20	\$469.90
	Hourly	\$20.61	\$18.55	\$16.49	\$14.43	\$12.37
	Casual	\$25.76	\$23.19	\$20.61	\$18.03	\$15.46
2nd year of experience at this grade	Weekly	\$798.10	\$718.30	\$638.50	\$558.70	\$478.90
	Hourly	\$21.00	\$18.90	\$16.80	\$14.70	\$12.60
	Casual	\$26.25	\$23.63	\$21.00	\$18.38	\$15.75
3rd year of experience and after that	Weekly	\$810.70	\$729.60	\$648.60	\$567.50	\$486.40
	Hourly	\$21.33	\$19.20	\$17.07	\$14.93	\$12.80
	Casual	\$26.67	\$24.00	\$21.34	\$18.67	\$16.00
<b>Grade 2</b>		<b>Adult</b>	<b>20 years</b> (90%)	<b>19 years</b> (80%)	<b>18 years</b> (70%)	<b>17 years</b> (60%)
1st year of experience at this grade	Weekly	\$822.10	\$739.90	\$657.70	\$575.50	\$493.30
	Hourly	\$21.63	\$19.47	\$17.31	\$15.14	\$12.98
	Casual	\$27.04	\$24.34	\$21.63	\$18.93	\$16.23
2nd year of experience at this grade	Weekly	\$826.50	\$743.90	\$661.20	\$578.60	\$495.90
	Hourly	\$21.75	\$19.58	\$17.40	\$15.23	\$13.05
	Casual	\$27.19	\$24.47	\$21.75	\$19.03	\$16.31
3rd year of experience and thereafter	Weekly	\$832.90	\$749.60	\$666.30	\$583.00	\$499.70
	Hourly	\$21.92	\$19.73	\$17.53	\$15.34	\$13.15
	Casual	\$27.40	\$24.66	\$21.92	\$19.18	\$16.44
<b>Grade 3</b>		<b>Adult</b>	<b>20 years</b> (90%)	<b>19 years</b> (80%)	<b>18 years</b> (70%)	<b>17 years</b> (60%)
1st year of experience at this grade	Weekly	\$841.10	\$757.00	\$672.90	\$588.80	\$504.70
	Hourly	\$22.13	\$19.92	\$17.71	\$15.49	\$13.28
	Casual	\$27.67	\$24.90	\$22.13	\$19.37	\$16.60
2nd year of experience and thereafter	Weekly	\$850.90	\$765.80	\$680.70	\$595.60	\$510.50
	Hourly	\$22.39	\$20.15	\$17.91	\$15.67	\$13.43
	Casual	\$27.99	\$25.19	\$22.39	\$19.59	\$16.79
<b>Grade 4</b>		<b>Adult</b>	<b>20 years</b> (90%)	<b>19 years</b> (80%)	<b>18 years</b> (70%)	<b>17 years</b> (60%)
	Weekly	\$881.80	\$793.60	\$705.40	\$617.30	\$529.10
	Hourly	\$23.21	\$20.88	\$18.56	\$16.24	\$13.92
	Casual	\$29.01	\$26.11	\$23.20	\$20.31	\$17.40
<b>Grade 5</b>		<b>Adult</b>	<b>20 years</b> (90%)	<b>19 years</b> (80%)	<b>18 years</b> (70%)	<b>17 years</b> (60%)
	Weekly	\$918.40	\$826.60	\$734.70	\$642.90	\$551.00
	Hourly	\$24.17	\$21.75	\$19.33	\$16.92	\$14.50
	Casual	\$30.21	\$27.19	\$24.17	\$21.15	\$18.13
<b>Grade 6</b>		<b>Adult</b>	<b>20 years</b> (90%)	<b>19 years</b> (80%)	<b>18 years</b> (70%)	<b>17 years</b> (60%)
	Weekly	\$962.90	\$866.60	\$770.30	\$674.00	\$577.70
	Hourly	\$25.34	\$22.81	\$20.27	\$17.74	\$15.20
	Casual	\$31.67	\$28.51	\$25.34	\$22.17	\$19.00



## Trainees

For pay rates for registered trainees working under the Clerks (Commercial, Social and Professional Services) Award, please contact Wageline on 1300 655 266.



To receive email updates when WA award pay rates change, subscribe to [Wageline News](#).



## 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, except if the child is working as part of a school program or in a family business.
- School aged children must not be employed in school hours, unless participating in a school program.
- Visit the [When children can work in Western Australia](#) page for more information.



## Ordinary working hours, penalty rates and overtime – full time employees

- Full time employees are engaged in ongoing employment and work 38 hours per week.

### Ordinary hours of work

- The ordinary hours for full time employees is as follows:
  - not exceeding 38 hours per week or eight hours in any day
  - at the employer's discretion, may be worked in a five or five and a half day week Monday to Saturday
  - in businesses where hours are worked over 19 days in a four week cycle, forty hours may be worked in any three weeks of each cycle.

### Overtime and penalty rates

When penalty rates apply for a full time employee	Penalty rates
Ordinary hours worked prior to 7:00am or after 7:00pm on any day Monday to Friday	Ordinary rate plus 20% for every hour so worked
Ordinary hours worked on a Saturday <i>prior</i> to 12:00pm	Time and a quarter
Ordinary hours worked on a Saturday <i>after</i> 12:00pm	Time and a half
Time worked on a public holiday or substituted day	Double time and a half
When overtime applies for a full time employee	Overtime rates
All time worked in excess of eight hours in any one day.	Time and a half for the first two hours and double time after that
Time worked <i>after</i> 12 noon on a Saturday	Double time
Time worked on a Sunday	Double time
When the employee elects to work on a rostered day off	Double time, minimum of four hours
If employee is required to work through the meal break	Overtime rates until meal break allowed

- An employee and an employer may agree to time off in lieu of payment of overtime in which case the time off must be equivalent to the overtime rate that otherwise would have been paid.
- Any employee receiving a salary that is 20 percent per week or more above the rate for a Clerical Officer Grade 3 Year 1 is not entitled to overtime rates for any overtime worked.
- An employee classified at Level 4 or above may agree with their employer to be paid an annualised salary. More details can be found in Clause 36 of the Clerks (Commercial Social and Professional Services) Award at the WA Industrial Relations Commission website [www.wairc.wa.gov.au](http://www.wairc.wa.gov.au)



## Ordinary working hours, penalty rates and overtime – part time employees

- Part time employees are engaged in ongoing employment and regularly work no more than 32 ordinary hours per week.
- When a part time employee commences employment, the employer and employee must agree to the number of ordinary hours to be worked in each week, and this can be varied by giving one week's notice.
- Part time employees receive the same wages and conditions as full time employees but on a proportionate basis to the number of hours they work.

### Ordinary hours of work

- The ordinary hours for part time employees is as follows:
  - maximum of 32 hours per week.
  - not exceeding eight hours in any day.
  - at the employer's discretion, may be worked in a five or five and a half day week Monday to Saturday.

### Overtime and penalty rates

When penalty rates apply for a part time employee	Penalty rates
Employees who are required to work any ordinary hours prior to 7:00am or after 7:00pm on any day Monday to Friday	Ordinary rate plus 20% for every hour so worked
Ordinary hours worked on a Saturday <i>prior</i> to 12:00pm	Time and a quarter
Ordinary hours worked on a Saturday <i>after</i> 12:00pm	Time and a half
Time worked on a public holiday or substituted day	Double time and a half
When overtime applies for a part time employee	Overtime rates
All time worked in excess of eight hours in any one day	Time and a half for the first two hours and double time after that
Time worked <i>after</i> 12 noon on a Saturday	Double time
Time worked on a Sunday	Double time
When the employee elects to work on a rostered day off	Double time minimum of 4 hours
Where an employee is required by the employer to work through the meal break	Overtime rates must be paid until the meal period is allowed

- An employee and an employer may agree to time off in lieu of payment of overtime in which case the time off must be equivalent to the overtime rate that otherwise would have been paid.



## Ordinary working hours, penalty rates and overtime – casual employees

- Casual employees may be employed on an hourly rate for a period of less than four weeks, or up 13 weeks if employed to cover for another employee who is on long service leave, annual leave, sick leave, workers compensation or authorised unpaid leave.

### Ordinary hours of work

- The ordinary hours for casual employees are:
  - a minimum shift of four hours, maximum of eight hours.
  - at the employer's discretion, may be worked in a five or five and a half day week Monday to Saturday.

### Overtime and penalty rates

When penalty rates apply for a casual employee	Penalty rates
Employees who are required to work any ordinary hours prior to 7:00am or after 7:00pm on any day Monday to Friday	An extra 20% on their ordinary rate for every hour so worked
Ordinary hours worked on a Saturday <i>prior</i> to 12:00pm	Time and a quarter
Ordinary hours worked on a Saturday <i>after</i> 12:00pm	Time and a half

When penalty rates apply for a casual employee	Penalty rates
Time worked on a public holiday or substituted day	Double time and a half
When overtime applies for a casual employee	Overtime rates
All time worked in excess of eight hours in any one day	Time and a half for the first two hours and double time after that
Time worked <i>after</i> 12 noon on a Saturday	Double time
Time worked on a Sunday	Double time
Where an employee is required by the employer to work through the meal break	Overtime rates must be paid until the meal period is allowed

- An employee and an employer may agree to time off in lieu of payment of overtime in which case the time off must be equivalent to the overtime rate that otherwise would have been paid.

### COVID-19 JobKeeper General Order

The COVID-19 JobKeeper General Order issued by the Western Australian Industrial Relations Commission on 15 May 2020 has introduced temporary provisions for employers and employees who are participating in the Commonwealth JobKeeper scheme.

The state system JobKeeper provisions allow employers to give certain directions to employees and make certain requests of them, including provisions that allow employers to:

- issue a 'JobKeeper enabling direction' to temporarily alter or reduce an employee's working hours (which may be reduced to nil), change an employee's duties and change their location of work; and
- request that an employee change their days/times of work.

There are a range of specific rules and requirements about the state system JobKeeper provisions. The [State system COVID-19 JobKeeper provisions](#) page of the Wageline website has detailed information.

These new provisions apply from 15 May 2020 until 28 September 2020, unless extended.



### Allowances

Allowance	When allowance is paid	Rate
Meal Allowance	If an employee: <ul style="list-style-type: none"> <li>works two hours or more overtime, after the completion of the ordinary hours on any day or</li> <li>works until after 1:00pm on a Sunday or a public holiday.</li> </ul>	Meal allowance of <b>\$8.10</b> or the employer may supply the employee with a suitable meal in lieu of allowance
Location Allowance	Where working in certain regional towns in Western Australia (paid on a proportionate basis to casual/part time employees and apprentices).	Visit the <a href="#">Location Allowance</a> page for the amount payable for each town or Clause 27 of the Award



### Meal breaks

- After no more than five hours work, a meal break must be taken at a time mutually arranged between the employer and the employee. The meal break must be one hour, except where the employer and the employee agree that the meal break must be for a lesser period not shorter than 30 minutes.



## Employment records

---

- Employers are legally required to keep employment records which demonstrate that employees have been paid all entitlements under the Clerks (Commercial, Social and Professional Services) Award and relevant legislation.
- Employers must keep all employment records for at least seven years after they are made for both current and past employees. Records relating to long service leave must be kept for seven years from the date employment ends.
- Employers can be fined up to \$5,000 by the Industrial Magistrates Court for not keeping employment records or for keeping inadequate or fraudulent records. A common requirement that employers fail to observe is a lack of detail in keeping employment records.
- Employers must keep records that detail:
  - Employee's name
  - Date of birth if under 21 years of age
  - Date employee commenced with the employer
  - Total number of hours worked each week
  - The gross and net amounts paid to the employee
  - All information required to calculate long service leave entitlements and payment
  - All pay deductions and reasons for them
  - Name of WA award that applies
  - Daily start and finish time and meal breaks taken
  - Employment status (full time, part time, casual)
  - Employee's classification under the award
  - All leave taken, whether paid, partly paid or unpaid
  - Any other information necessary to prove that the wages received by an employee comply with the requirements of the Clerks (Commercial, Social and Professional Services) Award, such as overtime hours worked and allowances paid. Contact [Wageline](#) or view the full Clerks (Commercial, Social and Professional Services) Award on the WA Industrial Relations Commission website [www.wairc.wa.gov.au](http://www.wairc.wa.gov.au) for details.
- Employment records can be written or electronic as long as they are in a form that can be printed. Time and wage books can be used to keep employment records, however, it is the employer's responsibility to ensure the time and wage book includes all of the required information.
- The records must be in English.
- Wageline's [Employment record obligations for WA award employers](#) publication helps state system employers keep correct employment records. The publication features helpful step by step guides to record keeping and Wageline's new look [record keeping templates](#).



## Payslips

- An employer must give an employee a payslip which includes the number of hours worked per pay period, wages and allowances paid and any deductions made.
- Wageline's [Employment record obligations for WA award employers](#) publication includes a payslip template.



## Deductions from pay

---

An employer may deduct from an employee's pay an amount:

- the employer is authorised, in writing, by the employee to deduct and pay on behalf of the employee
- the employer is authorised to deduct and pay on behalf of the employee under the relevant WA award
- an amount the employer is authorised or required to deduct by law or a court order.



## Public holidays

- A full time employee is entitled to public holidays (or days substituted for public holidays) without deduction of pay. A part time employee is entitled to a public holiday (or day substituted for a public holiday) without deduction of pay if they would ordinarily be required to work on that day if it was not a public holiday.
- 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 this WA award.
- Visit the [Public Holidays in Western Australia](#) page to view the public holiday dates.



## Leave entitlements

### Quick reference guide

Leave entitlement	Full time	Part time	Casual
Annual leave	✓	✓	✗
Sick and carer's leave	✓	✓	✗
Unpaid carer's leave	✓	✓	✓
Bereavement leave	✓	✓	✓
Unpaid parental leave	✓	✓	✓
Long service leave	✓	✓	✓
Unpaid pandemic leave	✓	✓	✓

This WA Award summary covers the basic leave entitlements for employees covered by the Clerks (Commercial, Social and Professional Services) Award but does not include all details on leave obligations and entitlements. Full details of conditions are contained in the Clerks (Commercial, Social and Professional Services) Award on the WA Industrial Relations Commission website [www.wairc.wa.gov.au](http://www.wairc.wa.gov.au), the *Minimum Conditions of Employment Act 1993* and the *Long Service Leave Act 1958*.



### Annual leave

- Full time employees are entitled to a minimum of four weeks of paid annual leave for each year of completed service, up to 152 hours. Part time employees are entitled to a minimum of four weeks of paid annual leave per year paid on a pro rata basis according to the number of hours they are required ordinarily to work in a four week period. Casual employees are not entitled to annual leave.
- Annual leave is a minimum entitlement in the *Minimum Conditions of Employment Act* and the Clerks (Commercial, Social and Professional Services) Award sets out additional requirements regarding annual leave and annual leave loading.
- During a period of annual leave an employee must be paid annual leave loading of 17.5%. On termination, annual leave loading of 17.5% is paid out on fully accrued annual leave entitlements for completed years of employment. Annual leave loading is not paid on proportionate leave (leave accrued in an incomplete year of employment) on termination.
- Annual leave accrues on a weekly basis:
  - A full time employee accrues 2.923 hours of annual leave for each completed week of work.
  - A part time employee accrues the relevant proportion of 2.923 hours annual leave for each completed week of work.
  - Visit Wageline's [Annual leave calculation guide](#) to help work out annual leave entitlements.
  - Wageline's [Employment record obligations for WA award employers](#) publication includes a leave record template.



- The COVID-19 General Order has implemented new annual leave flexibility provisions enabling employers and employees to agree to an employee taking twice as much annual leave at half pay or to agree for the employee to take annual leave in advance.
- These provisions apply to all full time and part time employees covered by this WA award effective from 14 April 2020 until 31 July 2020, unless extended.
- The annual leave at half pay provisions in the COVID-19 General Order are:
  - Instead of an employee taking paid annual leave at full pay, the employee and their employer may agree to the employee taking twice as much leave at half pay.  
Example: Instead of an employee taking one week's annual leave at full pay, the employee and their employer may agree to the employee taking two weeks' annual leave at half pay. In this example:
    - the employee's pay for the two weeks' leave is the same as the pay the employee would have been entitled to for one week's leave at full pay; and
    - one week of leave is deducted from the employee's annual leave accrual.
  - Any agreement to take twice as much annual leave at half pay must be recorded in writing and signed by the employee (and a parent/guardian if the employee is under 18).
  - The employer must keep the written agreement as part of the employee's employment record.
  - The agreed period of leave must start before 31 July 2020, but may end after that date.
- The granting annual leave in advance provisions in the COVID-19 General Order are:
  - An employee and employer may agree to an employee taking a period of annual leave in advance of the entitlement being accrued if all of the following conditions are met:
    - any agreement to annual leave in advance must be recorded in writing and signed by the employee (and a parent/guardian if the employee is under 18); and
    - the written agreement must state the amount of leave to be taken in advance and the date on which the leave will commence; and
    - the employer must keep the written agreement as part of the employee's employment record.
  - If, on the termination of the employee's employment, the employee has not accrued an entitlement to all of the period of paid annual leave taken in advance, the employer may deduct from any money due to the employee on termination an amount equal to the amount that was paid to the employee in respect of any part of the period of annual leave taken in advance to which an entitlement has not been accrued. This provision will continue to apply notwithstanding the expiration of the General Order.
  - Where an agreement has been reached under this clause and the leave commenced before the expiration of the General Order, then the arrangement may continue to operate for the period agreed between the parties.



### Sick and carer's leave

- Sick and carer's leave entitles a full time or part time employee to paid time off work due to either illness or injury to themselves (sick leave), or because they have to care for an ill or injured family or household member (carer's leave).
- Full time and part time employees are entitled to paid sick and carer's leave equal to the number of hours they would ordinarily work in a two week period, up to 76 hours per year. Sick and carer's leave is a cumulative entitlement, and any leave not taken in one year can be carried over to the next year.
- Sick and carer's leave accrues on a weekly basis for full and part time employees.
- In the first year of employment, a full time or part time employee can use any paid sick and carer's leave that they have accrued to date for caring purposes.
- In the second and subsequent years of employment, a full time employee can only use a maximum of 76 hours of their accrued sick leave entitlement for caring purposes, or a part time employee the relevant proportion of 76 hours based on their ordinary hours of work.
- An employee is entitled to up to two days of unpaid carer's leave per occasion if an employee does not have sufficient paid leave accrued or has exceeded the maximum amount of carer's leave that can be taken in any 12 month period.

- Casual employees are not entitled to paid sick leave or paid carer's leave. Casual employees can access up to two day's unpaid carer's leave per occasion.
- Sick and carer's leave is a minimum entitlement from the *Minimum Conditions of Employment Act 1993*.
- Wageline's [Sick leave calculation guide](#) can assist with calculating sick and carer's leave entitlements.
- Wageline's [Employment record obligations for WA award employers](#) publication includes a leave record template.



### Bereavement leave

- All employees, including casual employees, are entitled to two days paid bereavement leave on the death of a spouse, de facto partner, parent, step-parent, grandparent, child, step-child, grandchild, sibling or any other member of the employee's household. The two days need not be consecutive.
- Bereavement leave is a minimum entitlement from the *Minimum Conditions of Employment Act 1993*.



### Parental leave

- Employees, including eligible casual employees, are entitled to the unpaid parental leave entitlements in the National Employment Standards of the *Fair Work Act 2009*, as well as a number of more beneficial conditions contained in the *Minimum Conditions of Employment Act 1993* (a return to work after parental leave on a modified basis and a reversion to pre-parental leave working conditions). Visit the [Parental leave](#) page for more details.



### Unpaid pandemic leave

- The COVID-19 General Order has implemented a new entitlement to unpaid pandemic leave for all employees working under this WA award. The new provision is effective from 14 April 2020 and applies until 31 July 2020 unless extended.
- The unpaid pandemic leave provisions in the COVID-19 General Order are:
  - (1) Subject to subclauses (2) and (3), an employee is entitled to take up to two weeks' unpaid leave if the employee is required, by government or medical authorities or acting on the advice of a medical practitioner, to self-isolate or is otherwise prevented from working by measures taken by government or medical authorities in response to the COVID-19 pandemic. An employer and employee may agree that the employee may take more than two weeks' unpaid pandemic leave.
  - (2) The employee must give their employer notice of the taking of leave under subclause (1) and of the reason the employee requires the leave, as soon as practicable. This may be a time after the leave has started.
  - (3) The employee who has given their employer notice of taking leave under subclause (1) must, if required by the employer, give the employer evidence that would satisfy a reasonable person that the leave is taken for a reason given in subclause (1).
  - (4) Leave taken under subclause (1) does not affect any other paid or unpaid leave entitlement of the employee and counts as service for the purposes of entitlements.
  - (5) Such leave:
    - (a) is available in full immediately rather than accruing progressively during any period of service;
    - (b) will be available until 31 July 2020 (unless extended by further variation depending on the duration of the COVID-19 pandemic);
    - (c) will be available to full time, part time and casual employees (it is not pro rata); and
    - (d) must start before 31 July 2020, but may end after that date.
  - (6) It is not necessary for employees to exhaust their paid leave entitlements before accessing unpaid pandemic leave.
  - (7) Such unpaid leave does not operate on a 'per occasion' basis and is available once for those employees compelled to self-isolate, even if they are required to self-isolate on more than one occasion.
  - (8) Those caring for others who are compelled to self-isolate are not entitled to unpaid pandemic leave.



## Long service leave

- Long service leave is a paid leave entitlement for employees who have continuous employment with 'one and the same employer' for a specified period. Full time, part time and casual employees are entitled to long service leave under the *Long Service Leave Act 1958*.
- To be entitled to long service leave an employee's employment with their employer must be continuous. The amount of their long service leave is determined by the employee's period of continuous employment.
- There are a range of paid and unpaid absences or interruptions to an employee's employment that count towards the employee's period of employment for the purposes of accruing long service leave. Some other types of absences do not break an employee's continuous employment, but do not count towards an employee's period of employment for the purposes of accruing long service leave. See the [Long service leave – What is continuous employment](#) page for more information.
- 'The one and the same employer' also includes employers who previously owned a business, where there has been a transmission of business. This means an employer who buys or otherwise acquires a business or part of a business will take on the long service leave obligations for existing employees if there has been a transmission of business. This applies regardless of anything written in a sale of business contract.

### Taking long service leave

The long service leave entitlement for full time, part time and casual employees is:

- after 10 years of continuous employment with the one and the same employer –  $8^{2/3}$  (8.667) weeks of leave on ordinary pay;
- for every 5 years of continuous employment with the one and the same employer after the initial 10 years –  $4^{1/3}$  (4.333) weeks of leave on ordinary pay.

### When employment ceases

Employee with between 7 and 10 years of continuous employment

When an employee with at least 7 but less than 10 years of continuous employment resigns or is terminated, they are entitled to pro rata long service leave on the basis of  $8^{2/3}$  (8.667) weeks for 10 years of continuous employment. This entitlement:

- is calculated on the employee's entire period of employment; that is, years, months, weeks and days
- applies to employees who resign, are made redundant, die or whose employer has terminated them for any reason other than serious misconduct
- does not apply to an employee whose employer has terminated them for serious misconduct.

Employee with 10 or more years of continuous employment

#### **Full entitlement – 10 years or more of continuous employment**

An employee who resigns or whose employment is terminated for any reason is entitled to:

- $8^{2/3}$  (8.667) weeks of leave if they have completed 10 years of continuous employment
- an additional  $4^{1/3}$  (4.333) weeks of leave for each subsequent 5 years after the initial 10 years of continuous employment.

#### **Pro-rata entitlement – more than 10 years of continuous employment**

When an employee with more than 10 years but less than 15 years of continuous employment resigns or is terminated, they are entitled to pro rata leave. This entitlement:

- is calculated on the basis of  $8^{2/3}$  weeks for 10 years of continuous employment for each year of employment since they completed 10 years of continuous employment
- is calculated on completed years of employment only; that is, it does not include months, weeks or days
- does not apply to an employee whose employer has terminated them for serious misconduct.

This pro rata entitlement (calculated on the on the basis of  $8^{2/3}$  weeks for 10 years of continuous employment) will also apply to each year of employment since an employee completed 15, 20 25, 30, 35 years etc. of employment.

- The [Long service leave](#) pages of the Wageline website contain extensive information on:
  - What counts as continuous employment, including details on the impact of various types of paid and unpaid absences or interruptions on continuous employment
  - What happens when business ownership changes
- The [WA long service leave calculator](#) can provide an estimate of an employee's long service leave entitlement when employment ends as a result of resignation, dismissal, death or redundancy. The WA long service leave calculator is available at [www.dmirs.wa.gov.au/lslcalculator](http://www.dmirs.wa.gov.au/lslcalculator).



## Resignation, termination and redundancy

### Resignation by the employee

- Full time and part time employees must provide one week's notice.
- A casual employee can resign by giving one hour's notice.

### Termination

- An employer can terminate the employment of a casual employee by providing one hour's notice or pay in lieu of notice.
- Except in cases of serious misconduct, an employer is required to give full time and part time employees the following period of notice of termination (or payment in lieu):

Period of continuous service	Notice period
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 must receive an additional week's notice.
- These obligations are in the *Fair Work Act 2009* which applies rather than the notice provisions in the Clerks (Commercial, Social and Professional Services) Award.

### Redundancy

- An employee is redundant when their employer has made a definite decision that they no longer wish the job the employee has been doing to be done by anyone.
- An employer has a number of obligations in redundancy situations and may be required to pay severance pay. Visit the [Redundancy](#) page for redundancy obligations.

### Dismissal requirements

- Under State laws, employees cannot be dismissed if to do so would be harsh, unfair or oppressive. There must be a valid and fair reason for dismissal, such as:
  - consistent unsatisfactory work performance (which has been raised with the employee and the employee given further training and an opportunity to improve their work performance)
  - inappropriate behaviour or actions or
  - serious misconduct.
- The [Dismissal information](#) page outlines obligations and requirements when an employee is terminated.



## Grading structure

---

All employees must be graded according to the award grading structure. Employers must advise their employees in writing of their grading and of any changes to their grading.

### Grade 1 clerical assistant

Employees in this grade perform and are accountable for clerical and office tasks as directed within the skill levels set out. They work within established routines, methods and procedures. Supervision is routine or direct.

- **Machine operation - skill level 1**
  - Operate telephone/intercom systems (eg Commander type), telephone answering machines, fax machines, photocopiers, franking machines, guillotines, calculator and adding machines, paging system.
- **Computer - skill level 1**
  - Use knowledge of keyboard and basic menu-driven options and function keys to enter, retrieve and print data; use printer. Use of safe and correct opening and closing down procedures.
- **Information handling skills - skill level 1**
  - Receive, sort, open, and distribute incoming mail, process outgoing mail, receive incoming and despatch outgoing courier mail, deliver messages and documents to appropriate persons/locations.
  - Work with established filing/records system in accordance with set procedures including creating and indexing new files, distributing files/publications within the organisation as requested; monitoring file locations.
  - Prepare and collate documents, take telephone messages.
  - Transcribe information into records, sort and file documents/records accurately in correct locations/sequence using an established filing system.
- **Enterprise/industry, specialist skills - skill level 1**
  - Acquire and apply a limited knowledge of office procedures and requirements.
  - Relay internal information.
- **Business/Financial - skills level 1**
  - Sort, process and record original source financial documents (e.g. invoices, cheques, correspondence) on a daily basis.

### Grade two clerical officer

Employees in this grade perform clerical and office tasks using a more extensive range of skills and knowledge at a level higher than required in Grade 1. They are responsible and accountable for their own work, which is performed within established routines, methods and procedures. Supervision is general.

#### Technical skills

- **Machine Operation - skill level 2**
  - Operate switchboard (PABX system).
- **Keyboard Typing - skill level 1**
  - Produce documents using standard formats at 25 wpm with 98% accuracy.
- **Computer - skill level 2**
  - Manipulate previously created data bases, spreadsheets/worksheets; calculate alpha-numerical and related information to perform routine tasks and generate simple reports.
- **Word Processing - skill level 1**
  - Produce simple and routine documents using keyboard skills within designated timeframes.
- **Information handling skills - skill level 2**
  - Maintain mail register and records. Use and maintain established filing/records systems in accordance with set procedures including creating and indexing new files, distributing files within the organisation as requested, monitoring file locations.
- **Enterprise/industry, specialist skills - skill level 2**
  - Acquire and apply a working knowledge of office or sectional operating procedures and requirements.
  - Interpret and action information supplied.

- Acquire and apply a working knowledge of the organisation's structure and personnel in order to deal with inquiries at first instance, locate appropriate staff in different sections, relay internal information, respond to or redirect inquiries, greet visitors.
- **Business/financial skills - skill level 1**
  - Assist in the maintenance of financial records and journals, including cheques and authorisation.
  - Maintain and record petty cash, prepare bank deposits and withdrawals banking.
  - Check time and wage records.

### Grade 3 clerical officer

Employees in this grade perform clerical and office tasks using a more extensive range of skills and knowledge at a level higher than required in Grade 2. They are responsible and accountable for their own work, which is performed within established guidelines and they exercise limited discretion within the range of their skill and knowledge. Supervision is limited.

Employees holding a Certificate of Office & Secretarial Studies (TAFE) or accredited equivalent and who are required to use skills and perform tasks within the range of skills in Grade 3 shall be graded at Grade 3 or above.

#### Technical skills

- **Machine Operation - skill level 3**
  - Operate computerised radio telephone equipment, dictaphone equipment or other equipment of equal complexity.
- **Computer - skill level 3**
  - Use one or more software application package(s) to operate and populate a database, spreadsheet/ worksheet to achieve a desired result; graph previously prepared spreadsheet; use simple menu utilities.
  - Following standard procedures to template for the preceding functions using existing models/fields of information.
  - Create, maintain and generate simple reports.
- **Keyboard Typing - skill level 2**
  - Accurately produce documents and correspondence using knowledge of standard formats, touch type, audio type within established procedures.
  - Copy type at 40 wpm with 98% accuracy.
- **Word Processing - skill level 2**
  - Use one or more software packages to create format, edit, proof read, spell check, print and save text documents, e.g. standard correspondence and business documents.
  - Apply additional functions such as search and replace, variable fonts, moving and merging across documents and simple maths.
- **Secretarial - skill level 1**
  - Take shorthand notes at 80 words per minute and transcribe with 98% accuracy. Arrange travel bookings and itineraries, make appointments.
- **Enterprise/industry, specialist skills - skill level 3**
  - Apply a working knowledge of the organisation's products/services, functions, locations and clients. Respond to and act upon most internal/external inquiries in own function area.
- **Information handling skills - skill level 3**
  - Oversee record management systems including review and analysis.
- **Business/financial skills - skill level 2**
  - Maintain financial records and journals, maintain payroll records, prepare accounts payable for payment.

### Grade four clerical officer

Employees in this grade perform clerical and office tasks using a more extensive range of skills and knowledge at a level higher than required in Grade 3. They are responsible and accountable for their own work, and exercise discretion and initiative in the organisation of work within prescribed limits. Supervision is limited.

- **Keyboard typing - skill level 3**
  - Format complex documents including technical data, technical language, tables, graphs, text design, indexing, variable type face; produce documents requiring specified form or to comply with regulations or standards.

- **Word processing - skill level 2**
  - Use one or more software packages to apply advanced functions such as text columns, money columns, tables, e.g. to produce financial statements, printed forms, sorting, boxes, create displays of charts or graphs in report format, select style sheets appropriate to final presentation.
- **Secretarial - skill level 2**
  - Take shorthand notes at 100 words per minute and transcribe at 95% accuracy; manage executive appointments; respond to invitations; organise internal meetings on behalf of executive; establish and maintain reference lists/personal contact systems for executives.
- **Supervisory - skill level 1**
  - Allocate work tasks to individuals, check work progress and correct errors.
- **Computer - skill level 3**
  - Apply knowledge of intermediate functions to manipulate data, i.e. modify fields of information, develop new basic databases or spreadsheet models; spreadsheet, perform reconciliation.
- **Enterprise/industry, specialist skills - skill level 4**
  - Provide detailed advice and information on the organisation's products and services; respond to client/public/supplier and internal organisation inquiries, within own function area, using such techniques as personal interview and liaison; explain organisation's viewpoint to clients and appropriate persons; using knowledge of internal/external regulatory requirements related to own function area.
  - Acquire and use specialist vocabulary, i.e. technical/medical/legal within the scope of this grade.
- **Information handling skills - skill level 4**
  - Create new forms of files and records as required using computer-based records systems; e.g. customer/client/supplier and subscription lists. Access, identify, and extract information as required from external sources, e.g. databases, libraries, local authorities.
- **Business/financial skills - skill level 3**
  - Prepare cash payment summaries and banking reports; apply purchasing and inventory control requirements; reconcile debtors, creditors and general ledger accounts to balance; follow-up unpaid accounts by telephone liaison/interview; prepare documentation on overdue accounts for senior officers or referral to debt recovery processes; calculate wage and salary requirements including tax, superannuation and other deductions and transfer payments for authorisation; calculate stock valuations; prepare bank reconciliation; calculate costing using established formula for all inputs and margins.

### Grade 5 administrative officer

Employees in this grade perform clerical and administrative duties using a more extensive range of skills and knowledge at a level higher than required in Grade 4. They are responsible and accountable for their own work, and may have limited responsibility for the work of others. They exercise initiative, discretion and judgement within the range of their skills and knowledge. Supervision is minimal.

- **Computer - skill level 4**
  - Use a variety of application software packages within a micro/personal computer network including importing data from one package to another. Evaluate usefulness or applicability of software programs (using existing software programs) and recommend preferred solutions to meet new or different application requirements. Use advanced spreadsheet functions (e.g. Macro functions etc.) to enhance operation of the spreadsheet. Use a central computer resource to an equivalent standard.
- **Word processing - skill level 3**
  - Use all preceding word processing functions and integrate word processing software with other application software packages to produce complex text and data documents. Apply knowledge of desktop publishing to integrate complex documents. Apply advanced functions including Macros, moving columns for complex formatting of documents such as multi-column reports and presentations, including booklets. Apply complex maths functions.
- **Secretarial - skill level 3**
  - Take shorthand notes at 120 words per minute and transcribe at 95% accuracy; attend executive/organisational meetings and take minutes; answer executive correspondence from verbal or rough hand-written instructions; organise teleconferences.

- **Enterprise industry, specialist skills - skill level 5**
  - Apply detailed knowledge of the industry in which the organisation operates to complex issues/arrangements in such areas as consumer/client services, special products/service knowledge, and respond within established internal/external regulatory parameters and policies. Indicative specialist skills include; apply detailed knowledge of customs law and regulations to overseas sales and ordering. Apply detailed knowledge of inventory/stock requirements to obtain competitive quotations and initiate purchasing. Apply detailed knowledge of internal/external regulatory parameters and policies relating to industrial employment law, occupational health and safety, workers compensation claims procedures, superannuation requirements.
- **Information handling skills - skill level 5**
  - Develop, plan and implement new paper based/manual filing records systems for the enterprise; assist in separate undertaking research (locate/solicit, summarise/extract and interpret information) related to function areas.
- **Business/financial skills - skill level 4**
  - Post transactions to ledger and prepare a trial balance; prepare end of the period adjustments and transfers using general journal; prepare financial/tax schedules for periodic tax requirements such as payroll, sales and group tax returns reconcile general ledger accounts; determine costing by calculating input costs and margins.
  - Apply detailed knowledge of organisations credit terms to new accounts and to following up significant debtors, prepare periodic debtor statements.
- **Supervisory - skill level 2**
  - Resolve operational problems for staff in lower grades, co-ordinate work flow within a section or unit, and counsel and advise staff who are under routine supervision.

#### Grade 6 administrative officer

Employees in this grade perform clerical and administrative duties using a more extensive range of skills and knowledge at a level higher than required in Grade 5. They are responsible and accountable for their own work, and may have responsibility for the work of a section or unit. They exercise initiative, discretion and judgement within the range of their skills and knowledge. Supervision is by means of reporting to more senior staff as required.

- **Computer - skill level 5**
  - Operating/co-ordinating a group of computers such as a small multi-user system or a large group of personal computers which may include operating a help desk, running and monitoring batch jobs and performing regular back-ups and restores.
- **Enterprise/industry, specialist skills - skill level 6**
  - Apply knowledge of the organisation's objectives and performance, and apply specialist knowledge, in areas such as projected growth, product trends and general industry conditions, examples include: knowledge of competitors and major client's market structure in the performance of own responsibilities; import/export activities. Indicative specialist skills include: use knowledge of basic statistics to interpret data from spreadsheets, statistical tables, graphs and frequency tables in the performance of own responsibilities. Administration of workers compensation claims, insurance and disputed claims.
- **Supervisory - skill level 3**
  - Plan and organise work priorities of a unit or section; re-schedule workloads as necessary and resolve operational problems for unit or section; monitor work quality of those supervised; use observations, diagnosis and intervention skills to ensure unit/section meets objectives; organise and chair necessary work meetings/conferences; assist in planning future sectional/office organisational resources and equipment needs.
- **Business/financial skills - skill level 5**
  - Administer individual salary packages, travel expenses, allowances and company transport. Administer specialist salary and payroll requirements, e.g. Eligible Termination Payments, Superannuation Trust Deed Requirements, Redundancy Calculations, Maintenance Support Schemes, etc.



- **Secretarial - skill level 4**

- As well as having shorthand skills of Skill Level 3, arrange conferences and external meetings, including venues, agendas, documentation, audio-visual requirements, catering, transport and accommodation; originate executive correspondence; assist executive in preparing, attending and following up appointments, interviews, meetings, etc.; assume responsibility for designated areas of executive's work, on delegated authority.

### **Supervision**

The five defined levels of supervision which can be generally categorised as follows:

- **Direct** - the employee receives detailed instructions on work to be performed and is subject to frequent personal progress checks.
- **Routine** - the employee receives broad instructions on work to be performed except when new or unusual features require more specific instructions. Work in progress is checked intermittently while all work is checked on completion.
- **General** - the employee receives specific instructions only when new procedures or tasks are involved. Work is checked on completion.
- **Limited** - the employee is subject to work checks which are generally confined to establishing that satisfactory progress is being made. Work is reviewed on completion.
- **Minimal** - the employee is subject to final review/report back on work and may receive assistance with specific problems.

*NB. Supervision is not a criteria for determining classification levels but should be used as a guide in determining the overall level of responsibility and autonomy expected of the principal functions of the job.*

### **Disclaimer**

---

The Department of Mines, Industry Regulation and Safety has prepared this WA award summary to provide information on pay rates and major award provisions. It is provided as a general guide only and is not designed to be comprehensive or to provide legal advice. The Department does not accept liability for any claim which may arise from any person acting on, or refraining from acting on, this information.