



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

WA award summary

# Meat Industry Award

**1 July 2019**

About this award summary

This WA award summary is a summary of the state Meat Industry Award and does not include all obligations required by the award. It is important that you also refer to the full Meat Industry 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 (and their employees) that operate as:</p> <ul style="list-style-type: none"> <li>✓ <b>sole traders</b> (e.g. Jane Smith trading as Jane’s Butcher’s)</li> <li>✓ <b>unincorporated partnerships</b> (e.g. Jane and Bob Smith trading as Jane’s Butcher’s)</li> <li>✓ <b>unincorporated trust arrangements</b> (Jane and Bob Smith as trustees for Jane’s Butcher’s)</li> </ul> <p>This information does <b>not</b> cover businesses and organisations in the national ‘fair work’ industrial relations system which operate as:</p> <ul style="list-style-type: none"> <li>✗ <b>Pty Ltd businesses</b> that are trading or financial corporations (e.g. Smith Pty Ltd trading as Jane’s Butcher’s)</li> <li>✗ <b>incorporated partnerships or incorporated trusts</b></li> <li>✗ <b>incorporated associations and other non-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>
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<p><b>Step 2</b> - is the business covered by the Meat Industry Award?</p>	<p>The Meat Industry Award covers many types of businesses in the state industrial relations system. Businesses covered include:</p> <ul style="list-style-type: none"> <li>✓ Butcher shops</li> <li>✓ Meat processing</li> </ul>
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<p><b>Step 3</b> - is the employee’s job covered by the Meat Industry Award?</p>	<p>The Meat Industry Award sets pay rates, working hours and other employment arrangements for employees working as:</p> <ul style="list-style-type: none"> <li>✓ Butchers</li> <li>✓ Process workers</li> <li>✓ Retail workers</li> </ul>
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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 6 details record keeping requirements.

The Meat Industry Award is a legal document that outlines the minimum wages and conditions 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). Current rates applied from the first pay period on or after **1 July 2019**.



### Adult rates of pay

Classification (see classifications on page 9)	Weekly	Hourly	Casual (includes 25% loading)
<b>Process Workers - Non Retail Establishment</b>			
Level 1	\$746.90	\$19.66	\$24.57
Level 2	\$752.60	\$19.81	\$24.76
Level 3	\$783.50	\$20.62	\$25.77
Level 4	\$809.70	\$21.31	\$26.63
Level 5	\$850.90	\$22.39	\$27.99
Level 6	\$909.20	\$23.93	\$29.91
<b>Retail Workers - Retail Establishment</b>			
Level 1	\$746.90	\$19.66	\$24.57
Level 2	\$752.60	\$19.81	\$24.76
Level 3	\$783.50	\$20.62	\$25.77
Level 4	\$809.70	\$21.31	\$26.63
Level 5	\$850.90	\$22.39	\$27.99
Level 6	\$880.20	\$23.16	\$28.95



### Apprentice rates of pay

3 Year Term	% of Level 5	Weekly	Hourly
1st year (under 21 years of age)	50%	\$425.50	\$11.20
1st year – 21 or over – Adult apprentice	N/A	\$638.20	\$16.79
2nd year	75%	\$638.20	\$16.79
3rd year	95%	\$808.40	\$21.27



### Junior rates of pay

Junior employees (except motor vehicle drivers) receive the percentages listed below of the adult rate of pay for the classification in which they are employed:

Age	% of adult
Under 18 years of age	60%
18 years of age	70%
19 years of age	80%
20 years of age	90%

- Page 8 details the restrictions on employment of children in this industry.
- Junior employees who are employed as motor vehicle drivers must be paid a percentage of the rates for the classification level of process worker which applies based on the size of the vehicle being driven – please see the Meat Industry Award on the WA Industrial Relations Commission website [www.wairc.wa.gov.au](http://www.wairc.wa.gov.au)



## Piece Rates

Employees engaged as boners and/or slicers or as slaughter persons may be engaged on piece rates (unit rates). Please refer to the Meat Industry Award on the WA Industrial Relations Commission website [www.wairc.wa.gov.au](http://www.wairc.wa.gov.au) for further details on rates of pay applicable to piece rate employees.



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



## Hours and overtime

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### Ordinary hours - general establishments

The ordinary working hours must not exceed 38 hours in any one week or 8 hours on any day, Monday to Friday (exclusive of meal breaks). These hours must be worked Monday to Friday inclusive (except in the case of smallgoods establishments) between 6:00am and 6:00pm. The ordinary working hours of smallgoods establishments must not be earlier than 6:00am or later than 6:00pm, Monday to Saturday inclusive.

### Ordinary hours - retail establishments

The ordinary hours of work must be 38 hours per week or an average of 38 hours per week to be worked in accordance with one of the options prescribed in the award. Ordinary hours are no more than 8 consecutive hours a day (exclusive of meal breaks).

The ordinary hours of work are to be worked between the hours of:

- 6:00am and 6:00pm on Monday, Tuesday, Wednesday and Friday
- 6:00am and 9:00pm on Thursday
- 6:00am and 6:00pm Saturday.

Additional rates of pay for Thursday evening and Saturday are as follows:

- The ordinary hours which extend beyond 6:00pm Thursday and ordinary hours falling prior to 1:00pm Saturday, must be paid for at the rate of time and a quarter
- All ordinary hours worked after 1:00pm on Saturday must be paid for at the rate of time and one half.

### Weekend work

All **ordinary hours worked** Saturday prior to 1:00pm is paid at the rate of time and a quarter. All work after 1:00pm on Saturday is paid at the rate of time and a half.

### Overtime

- Work performed one and a half hours before the employee's usual starting time, and between their usual finishing time and midnight, is paid at time and a half for the first two hours, and double time after that.
- Work performed after midnight on any day, when the time so worked commenced before that time or if it commenced at or after midnight but before one and a half hours of the employee's usual starting time is paid at a rate of double time.
- Work commenced after midnight on Friday and before 6:00am Saturday is paid at double time. Double time will continue until work is completed.
- Work performed outside the ordinary working hours must be paid for at the rate of time and a half for the first two hours and double time after that with a minimum payment for three hours if otherwise worked on a Saturday. In the calculating of overtime, each day stands alone.
- All work on a Sunday must be paid at the rate of double time, with a minimum payment for three hours.

## 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.



### Meal breaks

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An employee is entitled to a meal break of not less than 30 minutes and not more than an hour after not more than five hours. If an employee is required to work during their normal meal break, they must be paid at the rate of double time until such a break is given.



### Deductions from pay

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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; and
- the employer is authorised or required to deduct by law or a court order.



### Allowances

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#### Meal allowance

An employee required to work overtime for more than two hours prior to their normal starting time or after their normal finishing time on any day must be supplied with a meal or be paid **\$8.40** by the employer for their meal. If the amount of overtime necessitates a second or subsequent meal the employer must provide a meal or pay the employee **\$5.70** for each such second or subsequent meal.

#### Location allowance

An employee working in specified regional towns in Western Australia is entitled to a weekly location allowance. Visit the [Location Allowance](#) page for details.

#### Other allowances

The Meat Industry Award contains a range of other allowances which may apply in certain circumstances. Please consult the award, available on the WA Industrial Relations Commission website [www.wairc.wa.gov.au](http://www.wairc.wa.gov.au) for full details.



## Employment records

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- Employers are legally required to keep employment records which demonstrate that employees have been paid all entitlements under the Meat Industry 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 Meat Industry Award, such as overtime hours worked and allowances paid. Contact [Wageline](#) or view the full Meat Industry 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](#).



## Public holidays

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- 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.
- All time worked on a public holiday must be paid for at the rate of double time and a half, with a minimum payment for three hours.
- 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 Meat Industry Award but does **not** include all details on leave obligations and entitlements. Full details of conditions are contained in the Meat Industry 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 annual leave of four weeks 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 1993* and the Meat Industry 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%. If the employee is a shift worker, the employee must receive any allowance to which the employee is entitled for shift work as prescribed by the award, or a loading of 17.5%, whichever is the greater.
- 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 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.





## 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).



### Bereavement leave

- All employees, including casual employees, are entitled to two days paid bereavement leave per occasion 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.



## Employment of children

- Under the *Children and Community Services Act 2004*, it is illegal to employ children under the age of 13 in this industry except if the child is working as part of a school program or in a family business.
- Children aged 13 or 14 years may be employed in the industry **only where they are considered to be working in a shop or retail outlet**. Children aged 13 and 14 years may not work after 10:00pm or before 6:00am and the employer must have the written permission of the parent or guardian of the child.
- School aged children must not be employed during school hours, unless participating in a school program.
- The [Employment of children laws in WA – shop, restaurant, fast food or takeaway food businesses](#) page has more information about employing children under the age of 15 years and includes a template for written parental permission.



## Resignation, termination and redundancy

### Resignation by the employee

- The notice of termination required to be given by an employee is the same as that required of the employer as outlined in the table below, except that there is no additional notice based on the age of the employee.
- A casual employee can resign by providing one hour's notice to the employer.

### Termination

- An employer is required to give a casual employee one hour's notice of termination.
- Prior to terminating an apprentice, an employer must contact the Department of Training and Workforce Development Apprenticeship Office on 13 19 54 to discuss any proposed termination of an apprentice.
- 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.

### 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. Refer to clause 15 of the Meat Industry Award and the [Redundancy](#) page for further information on 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.



Classification descriptions for process workers are detailed in the Meat Industry Award, available on the WA Industrial Relations Commission website [www.wairc.wa.gov.au](http://www.wairc.wa.gov.au)

### Classifications – retail workers

#### Retail worker - level 1

An employee at this level shall undertake structured on and / or off the job training for a period of not more than 3 months. At this level an employee performs routine duties essentially of a manual nature and to the level of their training -

##### Skills / Duties

- Works under direct supervision.
- Exercises minimal judgement.
- Works to defined procedures.
- May perform general labouring and cleaning duties.
- Is undertaking on the job training that shall include basic hygiene requirements, health and safety requirements as well as basic safe working practices and basic industrial relations procedures, for an initial period not exceeding three months.

##### Job Description

The following indicative tasks are indicative of the tasks which an employee at this level may be required to perform -

- Labourer with less than 3 months service.

#### Retail worker - level 2

An employee at this level shall undertake structured on and / or off the job training for a period of not more than 3 months to enable the employee to perform work within the scope of this level. At this level an employee performs work above and beyond the skills of an employee at Level 1 and to the level of their training -

##### Skills / Duties

In addition to the skills / duties required at Level 1, the following skills are required at this level -

- Shall have less than twelve months experience in a retail establishment.
- Performs routine duties, essentially of a manual nature.
- Works under routine supervision either individually or in a team environment.
- Exercises discretion within their level of skills and training.
- Possess a greater knowledge of hygiene requirements and may also use a range of basic hand tools.

##### Job Description

The following indicative tasks are indicative of the tasks which an employee at this level may be required to perform -

- Cleaner.
- Counter hand undergoing training.
- Wrapper / packer undergoing training.

#### Retail worker - level 3

An employee at this level shall undertake structured on and / or off the job training so as to enable the employee to perform work within the scope of this level, or has prior experience to allow the performance of work within the scope of this level. At this level an employee performs work above and beyond the skills of an employee at Level 2 and to the level of their training -

##### Skills / Duties

In addition to the skills / duties required at Level 2, the following skills are required at this level -

- Shall have more than twelve months experience in a retail establishment.
- Exercise discretion within the scope of this level.

- Possess and utilise numeracy and literacy skills.
- Have responsibility for the quality of their work subject to routine supervision.
- Possess limited customer service skills.
- Have a sound understanding of hygiene requirements.
- Is receiving training to develop skills in wrapping, weighing, packing, sealing, labelling and slicing.
- Is receiving training on basic packaging machinery/equipment.

#### **Retail worker - level 4**

An employee at this level shall undertake structured on and / or off the job training so as to enable the employee to perform work within the scope of this level, or has prior experience to allow the performance of work within the scope of this level. At this level an employee performs work above and beyond the skills of an employee at Level 3 and to the level of their training -

##### **Skills / Duties**

In addition to the skills / duties required at Level 3, the following skills are required at this level -

- Exercise discretion within the scope of this level.
- Possess and utilise numeracy and literacy skills.
- Have responsibility for the quality of their work.
- Possess effective interpersonal skills in providing advice to customers.
- Have a sound understanding of hygiene requirements.
- Have skills in wrapping, weighing, packing, sealing, labelling and slicing.
- Can competently operate relevant packing machinery/equipment.
- Has a superior knowledge of hygiene requirements.
- Has a sound knowledge of customer enquiries by explaining product feature/benefits and cooking information.

##### **Job Description**

The following indicative tasks are indicative of the tasks which an employee at this level may be required to perform -

- Wrapper / packer with customer service skills.
- Skilled counter hand.

#### **Retail worker - level 5**

An employee at this level shall undertake structured on and / or off the job training so as to enable the employee to perform work within the scope of this level, which may include the attainment of a relevant trade qualification or has prior experience to allow the performance of work within the scope of this level. At this level an employee performs work above and beyond the skills of an employee at Level 4 and to the level of their training -

##### **Skills / Duties**

In addition to the skills / duties required at Level 4, the following skills are required at this level -

- Shall be responsible for assessing the quality of their own and others work.
- Works under little supervision.
- Assists in the provision of on the job training to a limited degree.
- Have a detailed knowledge of quality assurance and customer specifications.
- Possess and utilise numeracy and literacy skills.
- Completed an apprenticeship or equivalent.
- Possess and utilise superior knife skills.

##### **Job Description**

The following indicative tasks are indicative of the tasks which an employee at this level may be required to perform -

- Trades person Butcher.

### **Retail worker - level 6**

An employee at this level shall undertake structured on and / or off the job training so as to enable the employee to perform work within the scope of this level and holds an appropriate trade qualification. At this level an employee performs work above and beyond the skills of an employee at Level 5 and to the level of their training -

#### **Skills / Duties**

In addition to the skills / duties required at Level 5, the following skills are required at this level -

- Train other employees.
- Has obtained appropriate and relevant quality assurance accreditation and detailed knowledge of quality assurance and customer specification.

#### **Job Description**

The following indicative tasks are indicative of the tasks which an employee at this level may be required to perform -

- First shop person.

### **Disclaimer**

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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.

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