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TELEPHONE WAGELINE

1300 655 266

IMPORTANT INFORMATION

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

Any employers who are uncertain whether their business is affected by the federal changes, should contact their employer association, Wageline on 1300 655 266 or the Workplace Infoline on 1300 363 264.

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

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

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

Award Name:		Hairdressers Award		38 hr week	
Effective from:		(1) Effective on and from the commencement of the first pay period on or after 1 July 2008 (Order No. 115/2007) – State Wage Case Decision			
		WEEKLY	HOURLY	CASUAL (20% Loading)	
Principal		\$744.60	\$19.59	\$23.51	
Seniors		\$716.30	\$18.85	\$22.62	
APPRENTICES					
4 Year Term	3 Year Term	% of Senior	WEEKLY	HOURLY	
1st 6 Months		35%	\$250.71	\$6.60	
2nd 6 Months		40%	\$286.52	\$7.54	
2nd Year	1st Year	50%	\$358.15	\$9.43	
3rd Year	2nd Year	70%	\$501.41	\$13.20	
4th Year	3rd Year	85%	\$608.86	\$16.02	
ADULT APPRENTICES					
Apprentices aged 21 and above receive the minimum adult wage of \$488.40 per week or the prescribed apprenticeship rate, WHICHEVER IS THE HIGHER , for ordinary hours of work. This rate is payable on superannuation and during any period of paid leave prescribed by this award. Where in the Award an additional rate is expressed as a percentage, fraction, multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this Award for the actual year of apprenticeship.					
In addition to the weekly wage a tool allowance of \$7.20 per week shall be payable to full time seniors, part time seniors, indentured apprentices, and probationary apprentices.					

Hairdressers Award

Classifications: There are four categories of employees in this award: full time, part time, casual and apprentices (including probationary apprentices). An employee's category depends entirely upon what basis he or she is employed. It does not depend upon the number of hours worked. There are restrictions on the employment of apprentices and part time and casual employees and it is the employer's responsibility to decide on what basis an employee is to be engaged, to ensure that the employee is aware of the nature of his/her employment and to ensure that the obligations in respect of the engagement of apprentices and part time or casual employees are complied with.

Part time workers: Part time workers are engaged on a weekly basis to work on any day, Monday to Saturday for a minimum of 12 hours per fortnight and for a maximum of 64 hours per fortnight, to be worked on not more than 10 days in any one fortnight. A minimum of three consecutive hours and a maximum of nine and a half consecutive hours shall be worked on any day except for late night trading when the maximum shall be eleven and a half hours. Part time employees are paid an hourly rate and are entitled to paid annual leave, paid sick leave and paid public holidays in proportion to the number of ordinary hours worked each week.

Casual workers: Casual workers are engaged by the hour for a minimum of 3 consecutive hours on any day and for a maximum 32 ordinary hours in any week with not more than 10 days start per fortnight. Provided that a casual may be engaged for 38 ordinary hours per week for a period not exceeding 4 consecutive weeks. Casual workers are paid on an hourly basis, their employment can be terminated or worker may leave at a moments notice, and do not receive paid annual leave, paid sick leave or paid public holidays. A casual worker receives a loading of 20% on the ordinary hourly rate for a full time employee.

Full time workers: Full time workers (including apprentices and probationary apprentices) are employed and paid for 38 ordinary hours each week (or 76 per fortnight). It is essential employers note that a full time employee can work ordinary hours on only 10 days per fortnight. Any hours worked in excess of 76 per fortnight or on more than 10 days per fortnight are payable at overtime rates.

Apprentices: Apprentices may be taken to the trade of hairdressing in the ratio of one apprentice for every two or fraction of two (the fraction being not less than one) tradesperson employed and shall not be taken in excess of that ratio unless -
(a) the Union so agrees; or
(b) the Commission so determines.

Junior Employees: This clause provides the conditions of employment and the relevant percentage of the adult wage for junior employees. For further information relating to this clause please see full copy of the award available from www.wairc.wa.gov.au.

Spread Of Hours: Employees may only work ordinary hours between 8am and 6pm Monday to Friday and between 8am and 5pm on Saturdays. For the purpose of late night trading, hours are to be worked between 8am and 9pm. Employees may work for up to 9.5 ordinary hours on any day, provided that this may be up to 11.5 ordinary hours on the night of late night trading.

Late Night Trading And Saturday Loadings: The total rate of pay listed above INCLUDES a 10% all purpose loading in lieu of penalty rates which used to apply for Thursday late night trading and Saturday trading. In addition a meal allowance of \$10.55 is payable to all employees required to work late night trading who commences work prior to 12.30pm and work beyond 7pm.

Rosters: The employer shall post in a conspicuous place in each establishment a roster for all employees which shall be published 2 weeks in advance, contain the name of the worker, the days to be worked each cycle, the starting & finishing times of work each day and the meal interval and shall not be altered except because of the sickness or absence of a worker or by mutual agreement with the employee.

Overtime: All time worked in excess of 76 hours per fortnight, or on a rostered day off is paid for at overtime rates. Overtime rates are time and a half for the first 2 hours and double time thereafter, but work performed on a rostered day off Monday to Saturday inclusive is paid for at the rate of double time. Work performed on Sunday will be paid at double time with minimum payment of four hours. Work performed on a public holiday is paid for at the rate of double time and a half.

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

Carer's Leave: The *Minimum Conditions of Employment Act 1993* permits an employee to take paid carer's leave in certain circumstances. Such leave is to be deducted from an employee's personal leave (commonly known as sick leave); it is not a separate leave entitlement. There is also an entitlement to unpaid carer's leave in certain circumstances. **For further information regarding carer's leave, please contact Wageline on 1300 655 266.**

Annual Leave: Full time and part time employees are entitled to 4 weeks paid annual leave (plus a loading of 17.5%) per 12 month period. Annual leave accrues weekly at the rate of 2.923 hours per completed week of service for a full time employee, and on a proportionate basis for a part time employee. Full time and part time employees who leave their employment, or are terminated, may be entitled to be paid their unused annual leave. This includes annual leave accrued in an incomplete year of service. **For further information regarding annual leave entitlements, please contact Wageline on 1300 655 266.**

Contract Of Service: Where an **employer** terminates the employment of a full time or part time employee, the following period of notice (or payment in lieu) shall be provided:

<u>Period of Continuous Service</u>	<u>Period of Notice</u>
Less than 2 months during probationary period	No notice required
2 months or more but less than 1 year -	1 week
1 year or more but less than 3 years -	2 weeks
3 years or more but less than 5 years-	3 weeks
5 years or more -	4 weeks

Employees over 45 years of age with 2 or more years continuous service at the time of termination, shall receive an additional week's notice.

Casual employment may be terminated by either party at any time and no period of notice is required.

Apprentices cannot resign or be terminated without the express permission of the Department of Education and Training who may be contacted on (08) 9229 5450.

Except in the first 2 months' probationary period, 1 week's notice shall be necessary for an **employee** to terminate his or her engagement or the forfeiture of 1 week's pay by the employee to his or her employer in lieu of notice provided that an employee with in excess of five years' service shall be required to provide two weeks' notice to terminate his or her engagement or forfeit two weeks' pay in lieu of notice. During the two month probationary period, an employee may terminate his or her employment at any time and no period of notice is required.

For employers the notice provisions of the award must be read in conjunction with those in the *Workplace Relations Act 1996*, as a greater period of notice may be required. **For further advice regarding minimum periods of notice on termination, contact Wageline on 1300 655 266.**

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

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

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

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

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

Parental Leave: Parental leave entitlements will be governed by the *Minimum Conditions of Employment Act 1993* .

Superannuation: The federal Government's *Superannuation Guarantee Charge Act 1992* requires that all employers (including companies) shall make superannuation contributions, at least quarterly, to an approved fund for most employees with gross earnings of more than \$450 per month. The current rate of contribution is 9% of your earnings base. Further information is available from the Superannuation Helpline on 13 10 20. For further information regarding choice of fund provisions, telephone **Wageline on 1300 655 266**.

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

Area and Scope: This Award shall have effect throughout the State of Western Australia and shall apply to all employees employed in the classifications provided in Clause 11. - Wages of this award employed in hairdressing establishments.

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

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

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

Registration: Only employees registered by the Hairdressers Registration Board of Western Australia for the particular class of hairdressing being done shall be employed in the industry as a hairdresser. This clause shall not apply to apprentices.

Meal Times and Break Periods: A meal break must be taken in accordance with the provisions contained in this clause.

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

Posting of Award: A copy of this award shall be kept in a conveniently conspicuous place in the staff room of the employer's premises.

Meal Money: When an employee is required to continue working after the usual finishing time for more than one hour he/she shall be paid \$10.55 for the purchase of any meal required.

Staff Room: The employer shall provide a suitable room or accommodation for employees in which to change and keep their clothes while on duty.

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

Premiums: No person shall request or permit any other person to pay or give, or receive any premiums, bonuses, or payment for employing or teaching the callings to which this award applies.

Proportion: The maximum number of apprentices allowed to any employer in the industry shall be in the proportion of two to every one fully qualified senior hairdresser.

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

Board of Reference: The Board of Reference may adjust any matters of difference, which may arise from time to time or deal with any other matter which the Commission may refer.

Uniforms: In the event of an employee being required to wear a special uniform or costume, such special uniform or costume must be provided by the employer.

Compassionate Leave: On the death of a wife, husband, father, mother, brother, sister, child, stepchild, or grandparents, an employee shall be entitled to paid leave for a period of up to 2 ordinary working days. **The provisions of this clause will need to be read in conjunction with the *Minimum Conditions of Employment Act 1993*.**

Payment of Wages: An employee must be paid within three trading days from the last day of the pay period in cash, by cheque or by means of a credit transfer to a bank account.

First Aid Allowance: An employee holding either a Red Cross or St. John Senior First Aid Certificate of at least 'A' level who is appointed by the employer to perform first aid duties shall be paid \$8.60 per week in addition to the employee's ordinary rate.

Enterprising Bargaining: The provisions of this clause outline the procedure enabling employers, employees and the union to negotiate enterprise agreements.

Consultative Procedures: The parties to this Award will co-operate in the establishment of Consultative Committees at an enterprise level to consult and negotiate on matters affecting the efficiency and productivity of the enterprise which are not the subject of this Award.

Introduction of Change: An employer must notify and discuss with employees the likely “ significant effects” that will potentially occur as a result of the introduction of major changes in production, programme, organisation, structure or technology. **Note: This clause is to be read in conjunction with the Termination, Change and Redundancy General Order of the Western Australian Industrial Relations Commission.**

Dispute Procedure: Sets out a procedure for the settlement of a dispute.

First Schedule – Respondents

The Master Ladies' Hairdressers Industrial Union of Employers of W.A.

Telephone: (08) 9421 1715

Second Schedule – Named Union Party

SDAEA - The Shop, Distributive and Allied Employees' Association of Western Australia.

Contact Details

Telephone (08) 9221 4321

Facsimile (08) 9221 2774

Email sda@sdawa.asn.au

The Master Ladies' Hairdressers Industrial Union of Employers of W.A.

Contact Details

Telephone - (08) 9421 1715

Appendix – S.49B – Inspection Of Records Requirements