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EXPOSURE DRAFT**Amusement, Events and Recreation Award 2016****Table of Contents****Part 1— Application and Operation of this Award**

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Part 1—Application and Operation**1. Title**

This award is the *Amusement, Events and Recreation Award 2010*.

2. Commencement and transitional

2.1 This award commences on 1 January 2010.

2.2 The monetary obligations imposed on employers by this award may be absorbed into overaward payments. Nothing in this award requires an employer to maintain or increase any overaward payment.

2.3 This award contains transitional arrangements which specify when particular parts of the award come into effect. Some of the transitional arrangements are in clauses in the main part of the award. There are also transitional arrangements in Schedule A. The arrangements in Schedule A deal with:

- minimum wages and piecework rates
- casual or part-time loadings
- Saturday, Sunday, public holiday, evening or other penalties
- shift allowances/penalties.

2.4 Neither the making of this award nor the operation of any transitional arrangements is intended to result in a reduction in the take-home pay of employees covered by the award. On application by or on behalf of an employee who suffers a reduction in take-home pay as a result of the making of this award or the operation of any transitional arrangements, the Fair Work Commission may make any order it considers appropriate to remedy the situation.

2.5 The Fair Work Commission may review the transitional arrangements in this award and make a determination varying the award.

2.6 The Fair Work Commission may review the transitional arrangements:

- (a) on its own initiative; or
- (b) on application by an employer, employee, organisation or outworker entity covered by the modern award; or
- (c) on application by an organisation that is entitled to represent the industrial interests of one or more employers or employees that are covered by the modern award; or
- (d) in relation to outworker arrangements, on application by an organisation that is entitled to represent the industrial interests of one or more outworkers to whom the arrangements relate.

Part 1—Application and Operation of this Award**1. Title and commencement**

1.1 This award is the *Amusement and Events and Recreational Award 2016*.

1.2 This modern award, as varied, commenced operation on 1 January 2010.

1.3 Neither the making of this award nor the operation of any transitional arrangements is intended to result in a reduction in the take-home pay of employees covered by the award. On application by or on behalf of an employee who suffers a reduction in take-home pay as a result of the making of this award or the operation of any transitional arrangements, the Fair Work Commission may make any order it considers appropriate to remedy the situation.

References to transitional arrangement removed - obsolete

3. Definitions and interpretation

3.1 In this award, unless the contrary intention appears:

Act means the *Fair Work Act 2009* (Cth)

adult apprentice means an apprentice who is 21 years of age or over at the commencement of their apprenticeship

agreement-based transitional instrument has the meaning in the *Fair Work (Transitional Provisions and Consequential Amendments) Act 2009* (Cth)

all-up casual loading means the all up casual loading payable to casual employees under the terms of the Notional Agreement Preserving the Theatrical Employees Recreation & Leisure Industry (NSW) State Award

award-based transitional instrument has the meaning in the *Fair Work (Transitional Provisions and Consequential Amendments) Act 2009* (Cth)

default fund employee means an employee who has no chosen fund within the meaning of the *Superannuation Guarantee (Administration) Act 1992* (Cth)

defined benefit member has the meaning given by the *Superannuation Guarantee (Administration) Act 1992* (Cth)

Division 2B State award has the meaning in Schedule 3A of the *Fair Work (Transitional Provisions and Consequential Amendments) Act 2009* (Cth)

Division 2B State employment agreement has the meaning in Schedule 3A of the *Fair Work (Transitional Provisions and Consequential Amendments) Act 2009* (Cth)

employee means national system employee within the meaning of the Act

employer means national system employer within the meaning of the Act

enterprise award-based instrument has the meaning in the *Fair Work (Transitional Provisions and Consequential Amendments) Act 2009* (Cth)

exempt public sector superannuation scheme has the meaning given by

2. Definitions

In this award, unless the contrary intention appears:

Act means the *Fair Work Act 2009* (Cth)

adult apprentice means an apprentice who is 21 years of age or over at the commencement of their apprenticeship

all purposes means the payment will be included in the rate of pay of an employee who is entitled to the allowance, when calculating any penalties or loadings or payment while they are on annual leave (see clause 17.2(a))

defined benefit member has the meaning given by the *Superannuation Guarantee (Administration) Act 1992* (Cth)

employee means national system employee within the meaning of the Act

employer means national system employer within the meaning of the Act

exempt public sector superannuation scheme has the meaning given by the *Superannuation Industry (Supervision) Act 1993* (Cth)

exhibition employees means employees of employers engaged in the supply, preparation, marking out, fabrication, installation, erection or dismantling of exhibition stands or associated componentry for the trades and public promotions industry

MySuper product has the meaning given by the *Superannuation Industry (Supervision) Act 1993* (Cth)

NES means the National Employment Standards as contained in sections 59 to 131 of the *Fair Work Act 2009* (Cth)

on-hire means the on-hire of an employee by their employer to a client, where such employee works under the general guidance and instruction of the client or a representative of the client

ordinary hourly rate means the minimum hourly rate for an employee's classification specified in clause 16.1 plus any all purpose allowance to which an employee is entitled

standard rate means the minimum weekly rate for a Grade 4 employee in

<p>the <i>Superannuation Industry (Supervision) Act 1993</i> (Cth)</p> <p>exhibition employees means employees of employers engaged in the supply, preparation, marking out, fabrication, installation, erection or dismantling of exhibition stands or associated componentry for the trades and public promotions industry</p> <p>MySuper product has the meaning given by the <i>Superannuation Industry (Supervision) Act 1993</i> (Cth)</p> <p>NES means the National Employment Standards as contained in sections 59 to 131 of the <i>Fair Work Act 2009</i> (Cth)</p> <p>on-hire means the on-hire of an employee by their employer to a client, where such employee works under the general guidance and instruction of the client or a representative of the client</p> <p>standard rate means the minimum wage for a Grade 4 employee in clause 14.1</p> <p>transitional minimum wage instrument has the meaning in the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth)</p>	<p>clause 16.1.</p> <p><i>Definitions relating to transitional instruments removed - obsolete</i></p>
<p>3.2 Where this award refers to a condition of employment provided for in the NES, the NES definition applies.</p>	<p>3.2 Where this award refers to a condition of employment provided for in the NES, the NES definition applies.</p>
<p>4. Coverage</p> <p>4.1 This industry award covers employers throughout Australia in the amusement, events and recreation industry and their employees in the classifications set out in this award to the exclusion of any other modern award.</p> <p>4.2 Definition of amusement, events and recreation industry</p> <p>(a) Amusement, events and recreation industry means the operation of:</p> <ul style="list-style-type: none"> (i) leisure and recreation facilities and centres; (ii) sporting, exhibition, convention and amusement complexes; (iii) theme parks; 	<p>4. Coverage</p> <p>4.1 This industry award covers employers throughout Australia in the amusement, events and recreation industry and their employees in the classifications set out in this award to the exclusion of any other modern award.</p> <p>4.2 Definition of amusement, events and recreation industry</p> <p>(a) Amusement, events and recreation industry means the operation of:</p> <ul style="list-style-type: none"> (i) leisure and recreation facilities and centres; (ii) sporting, exhibition, convention and amusement complexes; (iii) theme parks;

<p>(iv) heritage, tourism and cultural centres;</p> <p>(v) museums and galleries;</p> <p>(vi) zoos, animal parks and aquariums;</p> <p>(vii) agricultural and horticultural shows;</p> <p>(viii) carnivals and amusement parks;</p> <p>(ix) ten pin bowling venues;</p> <p>(x) go-kart racing venues; and</p> <p>(xi) amusement arcades, including video game and pinball parlours.</p> <p>(b) For the purposes of this clause, theme parks means locations or enterprises operating attractions or amusements (whether indoor or outdoor) open to the public through either paid or free admission.</p> <p>(c) For the purpose of this clause, the amusement, events and recreation industry also includes employers engaged in the supply, preparation, marking out, fabrication, installation, erection or dismantling of exhibition stands or associated componentry for the trades and public promotions industry.</p> <p>(d) For the purposes of this clause, the amusements, events and recreation industry also includes the provision of services within the primary venue such as photographic services, the sale of food, beverages and merchandising, and also activities undertaken by an employer covered by this Award which are ancillary to the conduct of the primary venue, such as road or water transport at, to or from, or away from, the primary venue, sightseeing tours, travel arrangements, and wildlife research, conservation and collection conducted away from the primary venue.</p> <p>4.3 Exclusions</p> <p>(a) This award does not cover employees of employers where the major and substantial activity is the provision of health and fitness services and classes.</p> <p>(b) The award does not cover an employee excluded from award coverage by the Act.</p>	<p>(iv) heritage, tourism and cultural centres;</p> <p>(v) museums and galleries;</p> <p>(vi) zoos, animal parks and aquariums;</p> <p>(vii) agricultural and horticultural shows;</p> <p>(viii) carnivals and amusement parks;</p> <p>(ix) ten pin bowling venues;</p> <p>(x) go-kart racing venues; and</p> <p>(xi) amusement arcades, including video game and pinball parlours.</p> <p>(b) For the purpose of clause 4.2(a), theme parks means locations or enterprises operating attractions or amusements (whether indoor or outdoor) open to the public through either paid or free admission.</p> <p>(c) For the purpose of clause 4.1, the amusement, events and recreation industry also includes:</p> <p>(i) employers engaged in the supply, preparation, marking out, fabrication, installation, erection or dismantling of exhibition stands or associated componentry for the trades and public promotions industry;</p> <p>(ii) the provision of services within the primary venue such as photographic services, the sale of food, beverages and merchandising; and</p> <p>(iii) activities undertaken by an employer covered by this award which are ancillary to the conduct of the primary venue, such as road or water transport at, to or from, or away from, the primary venue, sightseeing tours, travel arrangements, and wildlife research, conservation and collection conducted away from the primary venue.</p> <p>4.3 This award does not cover employees of employers where the major and substantial activity is the provision of health and fitness services and classes.</p>
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<p>(c) The award does not cover an employer bound by the:</p> <ul style="list-style-type: none"> (i) <i>Building and Construction General On-site Award 2010</i>; (ii) <i>Electrical, Electronic and Communications Contracting Award 2010</i>; (iii) <i>Joinery and Building Trades Award 2010</i>; (iv) <i>Travelling Shows Award 2010</i>; or (v) <i>Fitness Industry Award 2010</i>. <p>(d) The award does not cover employees who are covered by a modern enterprise award, or an enterprise instrument (within the meaning of the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth)), or employers in relation to those employees.</p> <p>(e) The award does not cover employees who are covered by a State reference public sector modern award, or a State reference public sector transitional award (within the meaning of the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth)), or employers in relation to those employees.</p> <p>4.4 This award covers any employer which supplies labour on an on-hire basis in the industry set out in clause 4.1 in respect of on-hire employees in classifications covered by this award, and those on-hire employees, while engaged in the performance of work for a business in that industry. This subclause operates subject to the exclusions from coverage in this award.</p> <p>4.5 This award covers employers which provide group training services for apprentices and trainees engaged in the industry and/or parts of industry set out at clause 4.1 and those apprentices and trainees engaged by a group training service hosted by a company to perform work at a location where the activities described herein are being performed. This subclause operates subject to the exclusions from coverage in this award.</p> <p>4.6 Where an employer is covered by more than one award, an employee of that employer is covered by the award classification which is most appropriate to the work performed by the employee and to the environment in which the employee normally performs the work.</p>	<p>4.4 The award does not cover an employer covered by the:</p> <ul style="list-style-type: none"> (a) <i>Building and Construction General On-site Award 2016</i>; (b) <i>Electrical, Electronic and Communications Contracting Award 2016</i>; (c) <i>Joinery and Building Trades Award 2016</i>; (d) <i>Travelling Shows Award 2016</i>; or (e) <i>Fitness Industry Award 2016</i>. <p>4.5 This award covers any employer which supplies labour on an on-hire basis in the industry set out in clauses 4.1 and 4.2 in respect of on-hire employees in classifications covered by this award, and those on-hire employees, while engaged in the performance of work for a business in that industry. This subclause operates subject to the exclusions from coverage in this award.</p> <p>4.6 This award covers employers which provide group training services for apprentices and trainees engaged in the industry and/or parts of industry set out at clauses 4.1 and 4.2 and those apprentices and trainees engaged by a group training service hosted by a company to perform work at a location where the activities described herein are being performed. This subclause operates subject to the exclusions from coverage in this award.</p> <p>4.7 This award does not cover:</p> <ul style="list-style-type: none"> (a) an employee excluded from award coverage by the Act; (b) employees who are covered by a modern enterprise award, or an enterprise instrument (within the meaning of the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth)), or employers in relation to those employees; or (c) employees who are covered by a State reference public sector modern award, or a State reference public sector transitional award (within the meaning of the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth)), or employers in relation to those employees. <p>4.8 Where an employer is covered by more than one award, an employee of that employer is covered by the award classification which is most appropriate to the work performed by the employee and to the environment in which the employee normally performs the work.</p>
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<p>NOTE: Where there is no classification for a particular employee in this award it is possible that the employer and that employee are covered by an award with occupational coverage.</p>	<p>NOTE: Where there is no classification for a particular employee in this award it is possible that the employer and that employee are covered by an award with occupational coverage.</p>						
<p><i>Clause inserted – proposed new provision</i></p>	<p>5. Effect of variations made by the Fair Work Commission A variation to this award does not affect any right, privilege, obligation or liability that a person acquired, accrued or incurred under the award as it existed prior to that variation.</p>						
<p>5. Access to the award and the National Employment Standards The employer must ensure that copies of this award and the NES are available to all employees to whom they apply either on a noticeboard which is conveniently located at or near the workplace or through electronic means, whichever makes them more accessible.</p>	<p>3. The National Employment Standards and this award 3.1 The NES and this award contain the minimum conditions of employment for employees covered by this award.</p>						
<p>6. The National Employment Standards and this award The NES and this award contain the minimum conditions of employment for employees covered by this award.</p>	<p>3.3 The employer must ensure that copies of the award and the NES are available to all employees to whom they apply, either on a notice board which is conveniently located at or near the workplace or through accessible electronic means.</p>						
<p>7. Award flexibility <i>Provision not reproduced - standard clause – no change</i></p>	<p>6. Award flexibility for individual arrangements <i>Provision not reproduced - standard clause – no change</i></p>						
<p><i>Clause inserted – proposed new provision</i></p>	<p>7. Facilitative provisions for flexible working practices 7.1 A facilitative provision provides that the standard approach in an award provision may be departed from by agreement between an employer and an individual employee, or an employer and the majority of employees in the enterprise or part of the enterprise concerned. 7.2 Facilitative provisions in this award are contained in the following clauses:</p> <table border="1" data-bbox="1223 1241 2112 1442"> <thead> <tr> <th data-bbox="1223 1241 1361 1361">Clause</th> <th data-bbox="1361 1241 1865 1361">Provision</th> <th data-bbox="1865 1241 2112 1361">Agreement between an employer and:</th> </tr> </thead> <tbody> <tr> <td data-bbox="1223 1361 1361 1442">11.6</td> <td data-bbox="1361 1361 1865 1442">Casual employees – minimum engagement</td> <td data-bbox="1865 1361 2112 1442">An individual</td> </tr> </tbody> </table>	Clause	Provision	Agreement between an employer and:	11.6	Casual employees – minimum engagement	An individual
Clause	Provision	Agreement between an employer and:					
11.6	Casual employees – minimum engagement	An individual					

		13.2	Ordinary hours of work	The majority of employees or an individual
		16.5(a)(ii)	Payment of wages – period of payment	The majority of employees
		19.7	Time off instead of payment for overtime	An individual
		20.2	Annual leave in advance	An individual
		20.3	Cashing out of annual leave	An individual
<p>Part 2—Consultation and Dispute Resolution</p> <p>8. Consultation</p> <p>8.1 Consultation regarding major workplace change</p> <p><i>Provision not reproduced - standard clause – no change other than renumbering and changes to clause titles</i></p>	<p>Part 7—Consultation and Dispute Resolution</p> <p>25. Consultation about major workplace change</p> <p>26. Consultation about changes to rosters or hours of work</p> <p><i>Provision not reproduced - standard clause – no change other than renumbering and changes to clause titles</i></p>			
<p>9. Dispute resolution</p> <p><i>Provision not reproduced - standard clause – no change</i></p>	<p>27. Dispute resolution</p> <p><i>Provision not reproduced - standard clause – no change</i></p>			
<p>Part 3—Types of Employment and Termination of Employment</p> <p>10. Types of employment</p> <p>10.1 Employees may be employed in one of the following categories:</p> <p>(a) full-time;</p> <p>(b) part-time; or</p> <p>(c) casual.</p>	<p>Part 2—Types of Employment and Classifications</p> <p>8. Types of employment</p> <p>8.1 Employees may be employed in one of the following categories:</p> <p>(a) full-time;</p> <p>(b) part-time; or</p> <p>(c) casual.</p>			
<p>10.2 Full-time employees</p> <p>A full-time employee is an employee who is engaged to work an average of 38 hours per week.</p>	<p>9. Full-time employees</p> <p>A full-time employee is engaged to work an average of 38 hours per week.</p>			

<p>10.3 Part-time employees</p> <p>(a) An employer may employ part-time employees in any classification in this award.</p> <p>(b) A part-time employee is an employee who:</p> <p>(i) works less than full-time hours of 38 per week;</p> <p>(ii) has reasonably predictable hours of work; and</p> <p>(iii) receives, on a pro rata basis, equivalent pay and conditions to those of full-time employees who do the same kind of work.</p> <p>(c) At the time of engagement, the employer and the part-time employee will agree in writing on a regular pattern of work, specifying at least the hours worked each day, which days of the week the employee will work and the actual starting and finishing times each day.</p> <p>(d) Any agreed variation to the regular pattern of work will be recorded in writing.</p> <p>(e) An employer is required to roster a part-time employee for a minimum of three consecutive hours on any shift.</p> <p>(f) An employee who does not meet the definition of a part-time employee and who is not a full-time employee will be paid as a casual employee in accordance with clause 10.4.</p> <p>(g) All time worked in excess of the ordinary hours as prescribed in clause 21—Ordinary hours of work and rostering will be overtime and paid for at the rates prescribed in clause 23—Overtime and penalty rates.</p> <p>(h) A part-time employee employed under the provisions of this clause must be paid for ordinary hours worked at the rate of 1/38th of the weekly rate prescribed for the class of work performed.</p>	<p>10. Part-time employees</p> <p>10.1 An employer may employ part-time employees in any classification in this award.</p> <p>10.2 A part-time employee:</p> <p>(a) works less than 38 hours per week;</p> <p>(b) has reasonably predictable hours of work; and</p> <p>(c) receives, on a pro rata basis, equivalent pay and conditions to those of full-time employees who do the same kind of work.</p> <p>10.3 At the time of engagement, the employer and the part-time employee will agree in writing on:</p> <p>(a) a regular pattern of work, specifying at least the hours worked each day;</p> <p>(b) which days of the week the employee will work; and</p> <p>(c) the actual starting and finishing times each day.</p> <p>10.4 Any agreed variation to the regular pattern of work in clause 10.3 will be recorded in writing.</p> <p>10.5 An employer is required to roster a part-time employee for a minimum of three consecutive hours on any shift.</p> <p>10.6 A part-time employee must be paid for ordinary hours worked at the ordinary hourly rate prescribed in clause 16—Minimum wages for the class of work performed.</p> <p>10.7 All time worked in excess of the ordinary hours as prescribed in clause 13—Ordinary hours of work will be overtime and paid for at the rates prescribed in clause 19—Overtime.</p> <p>10.8 An employee who does not meet the definition of a part-time employee and who is not a full-time employee will be paid as a casual employee in accordance with clause 11.</p>
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<p>10.4 Casual employees</p> <p>Employees may be engaged as casual employees subject to the following conditions:</p> <p>(a) A casual employee is engaged by the hour for not more than 38 ordinary hours per week Monday to Sunday.</p> <p>(b) A casual employee may leave the employer's service or be discharged without notice.</p> <p>(c) Casual employees may be employed for up to 10 ordinary hours each day, provided that all time worked in excess of ordinary working hours on any one day or in excess of 38 hours in any one week will be overtime.</p> <p>(d) Casual employees will be paid the hourly rates prescribed for the appropriate classification in clause 14—Minimum wages, plus an ordinary time loading of 25%.</p> <p>(e) A casual employee will be engaged for a minimum period of three hours work or receive a minimum payment of three hours per engagement, except where the parties otherwise mutually agree.</p>	<p>11. Casual employees</p> <p>11.1 Employees may be engaged as casual employees subject to the conditions in this clause.</p> <p>11.2 A casual employee is engaged by the hour for not more than 38 ordinary hours per week from Monday to Sunday.</p> <p>11.3 A casual employee's employment may be terminated without notice by the employee or employer.</p> <p>11.4 Casual employees may be employed for up to 10 ordinary hours each day, provided that all time worked in excess of ordinary working hours on any one day or in excess of 38 hours in any one week will be overtime.</p> <p>11.5 For each ordinary hour worked a casual employee will be paid:</p> <p>(a) the ordinary hourly rate for the classification in which they are employed in clause 16—Minimum wages; and</p> <p>(b) a loading of 25% of the ordinary hourly rate.</p> <p>11.6 A casual employee will be engaged for a minimum of three hours' work or receive a minimum payment of three hours per engagement, except where the parties otherwise mutually agree.</p>
<p>11. Termination of employment</p> <p><i>Provision not reproduced – standard clause – no change</i></p>	<p>Part 8— Termination of Employment and Redundancy</p> <p>28. Termination of employment</p> <p><i>Provision not reproduced – standard clause – no change</i></p>
<p>11.3 Job search entitlement</p> <p><i>Clause 11.3, now clause 32 of ED – combined with clause 12.4</i></p>	<p>32. Job search entitlement</p> <p><i>Clause 11.3, now clause 32 of ED – combined with clause 12.4</i></p>
<p>12. Redundancy</p> <p>12.2 Transfer to lower paid duties</p> <p>12.3 Employee leaving during notice period</p> <p><i>Provision not reproduced – no change other than renumbering of clause and clause titles</i></p>	<p>29. Redundancy</p> <p>30. Transfer to lower paid job on redundancy</p> <p>31. Employee leaving during redundancy notice period</p> <p><i>Provision not reproduced – no change other than renumbering of clause and clause titles</i></p>

<p>12.4 Job search entitlement <i>Provision not reproduced – no change other than renumbering of clause and clause titles</i></p>	<p>32.2 Job search entitlement—redundancy <i>Provision not reproduced – no change other than renumbering of clause and clause titles</i></p>																																																																								
<p>12.5 Transitional provisions – NAPSA employees 12.6 Transitional provisions – Division 2B State employees</p>	<p><i>Transitional provisions removed - obsolete</i></p>																																																																								
<p>Part 4—Minimum Wages and Related Matters 13. Classifications All employees covered by this award must be classified according to the structure and definitions set out in Schedule B—Classification Structure. Employers must advise their employees in writing of their classification upon commencement and of any subsequent changes to their classification.</p>	<p>12. Classifications 12.1 Employees covered by this award must be classified according to the structure and definitions set out in Schedule A—Classification Structure. 12.2 An employer must advise an employee in writing of their classification upon commencement and of any subsequent changes to their classification.</p>																																																																								
<p>14. Minimum wages 14.1 Adults Employees are entitled to the minimum wage prescribed for the classification in which they are employed as follows:</p> <table border="1" data-bbox="210 833 1057 1444"> <thead> <tr> <th>Classification</th> <th>Weekly</th> <th>Hourly</th> </tr> <tr> <td></td> <th>\$</th> <th>\$</th> </tr> </thead> <tbody> <tr> <td>Introductory level employee</td> <td>672.70</td> <td>17.70</td> </tr> <tr> <td>Grade 1</td> <td>692.10</td> <td>18.21</td> </tr> <tr> <td>Grade 2</td> <td>718.60</td> <td>18.91</td> </tr> <tr> <td>Grade 3</td> <td>743.30</td> <td>19.56</td> </tr> <tr> <td>Grade 4</td> <td>783.30</td> <td>20.61</td> </tr> <tr> <td>Grade 5</td> <td>807.70</td> <td>21.26</td> </tr> <tr> <td>Grade 6</td> <td>832.20</td> <td>21.90</td> </tr> <tr> <td>Grade 7</td> <td>854.60</td> <td>22.49</td> </tr> <tr> <td>Grade 8</td> <td>897.90</td> <td>23.63</td> </tr> <tr> <td>Grade 9</td> <td>994.30</td> <td>26.17</td> </tr> </tbody> </table>	Classification	Weekly	Hourly		\$	\$	Introductory level employee	672.70	17.70	Grade 1	692.10	18.21	Grade 2	718.60	18.91	Grade 3	743.30	19.56	Grade 4	783.30	20.61	Grade 5	807.70	21.26	Grade 6	832.20	21.90	Grade 7	854.60	22.49	Grade 8	897.90	23.63	Grade 9	994.30	26.17	<p>Part 4—Wages and Allowances 16. Minimum wages 16.1 Adult employees An employer must pay adult employees the following minimum wages for ordinary hours worked by the employee:</p> <table border="1" data-bbox="1223 852 2110 1444"> <thead> <tr> <th>Classification</th> <th>Minimum weekly rate</th> <th>Minimum hourly rate</th> </tr> <tr> <td></td> <th>\$</th> <th>\$</th> </tr> </thead> <tbody> <tr> <td>Introductory level employee</td> <td>672.70</td> <td>17.70</td> </tr> <tr> <td>Grade 1</td> <td>692.10</td> <td>18.21</td> </tr> <tr> <td>Grade 2</td> <td>718.60</td> <td>18.91</td> </tr> <tr> <td>Grade 3</td> <td>743.30</td> <td>19.56</td> </tr> <tr> <td>Grade 4</td> <td>783.30</td> <td>20.61</td> </tr> <tr> <td>Grade 5</td> <td>807.70</td> <td>21.26</td> </tr> <tr> <td>Grade 6</td> <td>832.20</td> <td>21.90</td> </tr> <tr> <td>Grade 7</td> <td>854.60</td> <td>22.49</td> </tr> <tr> <td>Grade 8</td> <td>897.90</td> <td>23.63</td> </tr> <tr> <td>Grade 9</td> <td>994.30</td> <td>26.17</td> </tr> </tbody> </table>	Classification	Minimum weekly rate	Minimum hourly rate		\$	\$	Introductory level employee	672.70	17.70	Grade 1	692.10	18.21	Grade 2	718.60	18.91	Grade 3	743.30	19.56	Grade 4	783.30	20.61	Grade 5	807.70	21.26	Grade 6	832.20	21.90	Grade 7	854.60	22.49	Grade 8	897.90	23.63	Grade 9	994.30	26.17
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14.2 Juniors

The minimum wages for unapprenticed junior employees will be the following percentages of the adult rates prescribed for the classification appropriate to the work performed:

Age	% of minimum adult rate
Under 17 years	55
17 and under 18	65
18 and under 19	75
19 and under 20	85
20 years	100

16.2 Junior employees

The minimum wages for junior employees other than apprentices will be the following percentages of the adult rates prescribed for the classification appropriate to the work performed:

Age	% of minimum adult rate
Under 17 years	55
17 years	65
18 years	75
19 years	85

14.3 Apprentices

(a) An apprentice who commenced before 1 January 2014 must receive the following percentage of the minimum wage for Grade 4:

Year	%
1st year	47.5
2nd year	60
3rd year	75
4th year	95

(b) An apprentice who commenced on or after 1 January 2014 must receive the following percentage of the minimum wage for Grade 4:

Year	% for apprentices who have not completed Year 12	% for apprentices who have completed Year 12
1st year	50	55
2nd year	60	65
3rd year	75	75
4th year	95	95

16.3 Apprentices

(a) An apprentice who commenced their apprenticeship before 1 January 2014 must receive the following percentage of the minimum rate for Grade 4:

Year	% of Grade 4 rate
1st year	47.5
2nd year	60
3rd year	75
4th year	95

(b) An apprentice who commenced their apprenticeship on or after 1 January 2014 must receive the following percentage of the minimum rate for Grade 4:

Year	Apprentices who have not completed Year 12	Apprentices who have completed Year 12
% of Grade 4 rate		
1st year	50	55
2nd year	60	65
3rd year	75	75
4th year	95	95

<p>(c) The minimum rate for an adult apprentice who commenced on or after 1 January 2014 and is in the first year of their apprenticeship must be 80% of the minimum wage for Grade 4, or the rate prescribed by clause 14.3(b) for the relevant year of the apprenticeship, whichever is the greater</p>	<p>(c) The minimum rate for an adult apprentice who commenced their apprenticeship on or after 1 January 2014 and is in the first year of their apprenticeship must be 80% of the minimum wage for Grade 4, or the rate prescribed by clause 16.3(b) for the relevant year of the apprenticeship, whichever is the greater.</p>
<p>(d) The minimum rate for an adult apprentice who commenced on or after 1 January 2014 and is in the second and subsequent years of their apprenticeship must be the rate for the lowest adult classification in clause 14.1—Adults or the rate prescribed by clause 14.3(b) for the relevant year of the apprenticeship, whichever is the greater.</p> <p>(e) A person employed by an employer under this award immediately prior to entering into a training agreement as an adult apprentice with that employer must not suffer a reduction in their minimum wage by virtue of entering into the training agreement, provided that the person has been an employee in that enterprise for at least six months as a full-time employee or twelve months as a part-time or regular and systematic casual employee immediately prior to commencing the apprenticeship. For the purpose only of fixing a minimum wage, the adult apprentice must continue to receive the minimum wage that applies to the classification specified in clause 14.1—Adults in which the adult apprentice was engaged immediately prior to entering into the training agreement.</p> <p>(f) Except as provided in this clause or where otherwise stated, all conditions of employment specified in this award apply to apprentices.</p> <p>(g) Where an apprentice is required to attend block release training for training identified in or associated with their training contract, and such training requires an overnight stay, the employer must pay for the excess reasonable travel costs incurred by the apprentice in the course of travelling to and from such training. Provided that this clause will not apply where the apprentice could attend an alternative Registered Training Organisation (RTO) and the use of the more distant RTO is not agreed between the employer and the apprentice.</p>	<p>(d) The minimum rate for an adult apprentice who commenced their apprenticeship on or after 1 January 2014 and is in the second and subsequent years of their apprenticeship must be the rate for the lowest adult classification in clause 16.1—Adult employees or the rate prescribed by clause 16.3(b) for the relevant year of the apprenticeship, whichever is the greater.</p> <p>(e) A person employed by an employer under this award immediately prior to entering into a training agreement as an adult apprentice with that employer must not suffer a reduction in their minimum wage by virtue of entering into the training agreement, provided that the person has been an employee in that enterprise for at least six months as a full-time employee or twelve months as a part-time or regular and systematic casual employee immediately prior to commencing the apprenticeship. For the purpose only of fixing a minimum wage, the adult apprentice must continue to receive the minimum wage that applies to the classification specified in clause 16.1—Adult employees in which the adult apprentice was engaged immediately prior to entering into the training agreement.</p> <p>(f) Except as provided in clause 16.3 or where otherwise stated, all conditions of employment specified in this award apply to apprentices.</p> <p>(g) Where an apprentice is required to attend block release training for training identified in or associated with their training contract, and such training requires an overnight stay, the employer must pay for the excess reasonable travel costs incurred by the apprentice in the course of travelling to and from such training. Provided that this clause will not apply where the apprentice could attend an alternative Registered Training Organisation (RTO) and the use of the more distant RTO is not agreed between the employer and the apprentice.</p>

<p>(h) For the purposes of clause 14.3(g) above, excess reasonable travel costs include the total costs of reasonable transportation (including transportation of tools where required), accommodation costs incurred while travelling (where necessary) and reasonable expenses incurred while travelling, including meals, which exceed those incurred in travelling to and from work. For the purposes of this subclause, excess travel costs do not include payment for travelling time or expenses incurred while not travelling to and from block release training.</p> <p>(i) The amount payable by an employer under clause 14.3(g) may be reduced by an amount the apprentice is eligible to receive for travel costs to attend block release training under a Government apprentice assistance scheme. This will only apply if an apprentice has either received such assistance or their employer has advised them in writing of the availability of such assistance.</p> <p>(j) All training fees charged by an RTO for prescribed courses and the cost of all prescribed textbooks (excluding those textbooks which are available in the employer's technical library) for the apprenticeship, which are paid by an apprentice, shall be reimbursed by the employer within six months of the commencement of the apprenticeship or the relevant stage of the apprenticeship, or within three months of the commencement of the training provided by the RTO, whichever is the later, unless there is unsatisfactory progress.</p> <p>(k) An employer may meet its obligations under clause 14.3(j) by paying any fees and/or cost of textbooks directly to the RTO.</p> <p>(l) An apprentice is entitled to be released from work without loss of continuity of employment and to payment of the appropriate wages to attend any training and assessment specified in, or associated with, the training contract.</p>	<p>(h) For the purposes of clause 16.3(g), excess reasonable travel costs include the total costs of reasonable transportation (including transportation of tools where required), accommodation costs incurred while travelling (where necessary) and reasonable expenses incurred while travelling, including meals, which exceed those incurred in travelling to and from work. For the purposes of clause 16.3(h), excess travel costs do not include payment for travelling time or expenses incurred while not travelling to and from block release training.</p> <p>(i) The amount payable by an employer under clause 16.3(g) may be reduced by an amount the apprentice is eligible to receive for travel costs to attend block release training under a Government apprentice assistance scheme. This will only apply if an apprentice has either received such assistance or their employer has advised them in writing of the availability of such assistance.</p> <p>(j) All training fees charged by an RTO for prescribed courses and the cost of all prescribed textbooks (excluding those textbooks which are available in the employer's technical library) for the apprenticeship, which are paid by an apprentice, shall be reimbursed by the employer within six months of the commencement of the apprenticeship or the relevant stage of the apprenticeship, or within three months of the commencement of the training provided by the RTO, whichever is the later, unless there is unsatisfactory progress.</p> <p>(k) An employer may meet its obligations under clause 16.3(j) by paying any fees and/or cost of textbooks directly to the RTO.</p> <p>(l) An apprentice is entitled to be released from work without loss of continuity of employment and to payment of the appropriate wages to attend any training and assessment specified in, or associated with, the training contract.</p>
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<p>(m) Time spent by an apprentice in attending any training and/or assessment specified in, or associated with, the training contract is to be regarded as time worked for the employer for the purposes of calculating the apprentice’s wages and determining the apprentice’s employment conditions. This subclause operates subject to the provisions of Schedule E—School-based Apprentices.</p> <p>(n) No apprentice will, except in an emergency, work or be required to work overtime or shiftwork at times which would prevent their attendance at training consistent with their training contract.</p>	<p>(m) Time spent by an apprentice in attending any training and/or assessment specified in, or associated with, the training contract is to be regarded as time worked for the employer for the purposes of calculating the apprentice’s wages and determining the apprentice’s employment conditions. This subclause operates subject to provisions.</p> <p>(n) No apprentice will, except in an emergency, work or be required to work overtime or shiftwork at times which would prevent their attendance at training consistent with their training contract.</p>
<p><i>Clause inserted – proposed new provision</i></p>	<p>(o) For school-based apprentices, see Schedule G—School-based Apprentices.</p>
<p>14.4 Supported wage system See Schedule C</p> <p>14.5 National training wage See Schedule D</p> <p>14.6 School-based apprentices See Schedule E</p>	<p>16.6 Supported wage system For employees who because of the effects of a disability are eligible for a supported wage, see Schedule E—Supported Wage System.</p> <p>16.7 National training wage For employees undertaking a traineeship, see Schedule F—National Training Wage.</p> <p>16.8 School-based apprentices For school-based apprentices, see Schedule G—School-based Apprentices.</p>
<p>15. Allowances <i>Clauses inserted – proposed new provisions</i></p>	<p>17. Allowances</p> <p>17.1 Employers must pay to an employee the allowances the employee is entitled to under this clause. See Schedule D for a summary of monetary allowances and method of adjustment.</p> <p>17.2 Wage-related allowances</p> <p>(a) All purpose allowances</p> <p>Allowances paid for all purposes are included in the rate of pay of an employee who is entitled to the allowance, when calculating any penalties or loadings or payment while they are on annual leave. The following allowance is paid for all purposes under this award:</p> <p>(i) Special all purpose allowance for exhibition employees (clause 17.2(b)).</p>

<p>15.1 Tractor plant</p> <p>An employee in charge of a tractor plant must receive an additional payment of 3% of the standard rate, weekly or hourly as the case may be.</p>	<p>17.2 (e) Tractor plant</p> <p>An employee in charge of a tractor plant must receive an allowance of \$23.50 per week, or \$0.62 per hour.</p>
<p>15.2 Protective clothing and equipment</p> <p>Where an employee is required to wear protective clothing (e.g. oilskins, gumboots, overalls, goggles, safety boots, bowling shoes, etc.), the employer must reimburse the employee on proof of purchase for the cost of purchasing such special clothing and equipment. The employee is responsible for maintaining these items in a serviceable condition. The provisions of this subclause do not apply where the clothing and/or equipment is paid for by the employer.</p>	<p>17.3 Expense-related allowances</p> <p>(c) Protective clothing and equipment</p> <p>(i) Where an employee is required to wear protective clothing or equipment (e.g. oilskins, gumboots, overalls, goggles, safety boots, bowling shoes, etc.), the employer must reimburse the employee on proof of purchase for the cost of purchasing the protective clothing and equipment.</p> <p>(ii) The employee is responsible for maintaining protective clothing and equipment in a serviceable condition.</p> <p>(iii) The provisions of clause 17.3(c) do not apply where the protective clothing and/or equipment is paid for by the employer.</p>
<p>15.3 Accommodation</p> <p>Where an employee is required by the employer to live on the premises and is required to act as caretaker, the employee must be paid an allowance equal to the amount of the rental charged by the employer for the accommodation at the said premises.</p>	<p>17.3 (a) Accommodation</p> <p>An employee required by the employer to live on the premises and to act as caretaker must be paid an allowance equal to the amount of the rental charged by the employer for the accommodation at the premises.</p>
<p>15.4 Meal allowance</p> <p>An employee who is required to work overtime for two or more hours immediately after the completion of their ordinary hours of work on an ordinary working day must be paid a meal allowance of \$10.98 unless the employer provides a meal.</p>	<p>17.3 (b) Meal allowance</p> <p>An employee who is required to work overtime for two or more hours immediately after finishing their ordinary hours of work on an ordinary working day must be paid a meal allowance of \$10.98 unless the employer provides a meal.</p>
<p>15.5 First aid allowance</p> <p>Any employee holding a first aid qualification from St John Ambulance or a similar body and who is appointed by the employer to perform first aid duties must be paid for ordinary hours an allowance of 2% of the standard rate calculated weekly or hourly as the case may be.</p>	<p>17.2 (d) First aid allowance</p> <p>An employee who holds a first aid qualification from St John Ambulance or a similar body and is appointed by the employer to perform first aid duties must be paid for ordinary hours an allowance of \$15.67 per week or \$0.41 per hour.</p>

<p>15.6 Uniform allowance</p> <p>(a) Where the employer requires an employee to wear a uniform, the employer must reimburse the employee the cost of purchasing the uniform. The provisions of this clause do not apply where the uniform is supplied by the employer at the employer's expense. Where the uniform is supplied by the employer, it will remain the property of the employer and must be returned to the employer on the termination of the employee's employment.</p> <p>(b) If an employee is required to launder any garments that are part of a uniform, the employer will pay an allowance of \$1.32 per day up to \$6.62 per week. The provisions of this clause do not apply where the employer launders such garments.</p>	<p>17.3 (e) Uniform allowance</p> <p>(i) Where an employee is required to wear a uniform, the employer must reimburse the employee for the cost of purchasing the uniform. Clause 17.3(e)(i) does not apply where the uniform is supplied by the employer at the employer's expense.</p> <p>(ii) Where the uniform is supplied by the employer, it will remain the property of the employer and must be returned to the employer on the termination of the employee's employment.</p> <p>(iii) If an employee is required to launder any garments that are part of a uniform, the employer will pay an allowance of \$1.32 per day up to \$6.62 per week. Clause 17.3(e)(iii) does not apply where the employer launders the garments.</p>												
<p>15.7 Transport allowance</p> <p>Where an employee agrees to a request from their employer to use the employee's own motor vehicle for the purpose of travelling on the employer's business, the employer will pay the employee an allowance of \$0.78 per kilometre travelled.</p>	<p>17.3 (f) Vehicle allowance</p> <p>Where, on request from their employer, an employee agrees to use the employee's own motor vehicle for the purpose of travelling on the employer's business, the employer will pay the employee an allowance of \$0.78 per kilometre travelled.</p>												
<p>15.8 Tool allowance</p> <p>(a) Employees who are required to provide hand tools at their own expense will receive an allowance as follows:</p> <table border="1" data-bbox="282 1050 1043 1265"> <thead> <tr> <th></th> <th>\$ per week</th> </tr> </thead> <tbody> <tr> <td>Tradesperson (other than Carpenters)</td> <td>13.23</td> </tr> <tr> <td>Carpenters</td> <td>25.80</td> </tr> </tbody> </table> <p>(b) The above allowance will not apply where the employer supplies all tools without cost to the employee.</p>		\$ per week	Tradesperson (other than Carpenters)	13.23	Carpenters	25.80	<p>17.3 (d) Tool allowance</p> <p>(i) Employees who are required to provide hand tools at their own expense will receive an allowance as follows:</p> <table border="1" data-bbox="1384 1050 2112 1265"> <thead> <tr> <th></th> <th>\$ per week</th> </tr> </thead> <tbody> <tr> <td>Tradesperson (other than Carpenters)</td> <td>13.23</td> </tr> <tr> <td>Carpenters</td> <td>25.80</td> </tr> </tbody> </table> <p>(ii) The allowance in 17.3(d)(i) will not apply where the employer supplies all tools without cost to the employee.</p>		\$ per week	Tradesperson (other than Carpenters)	13.23	Carpenters	25.80
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<p>15.9 Cancellation allowance—casual employees</p> <p>A casual employee who reports for work and is not allowed to start will be paid for three hours at the minimum wage for the relevant classification.</p>	<p>17.2 (f) Cancellation allowance—casual employees</p> <p>A casual employee who reports for work when required and is not allowed to start will be paid for three hours at the minimum wage for the relevant classification.</p>																																						
<p>15.10 Employee in charge</p> <p>Where an employee is in charge of golf links with more than 18 holes or bowling greens or lawn tennis courts in an establishment covered by this award they will receive an extra 5.33% of the standard weekly rate per week.</p>	<p>17.2 (c) Employee in charge</p> <p>An employee in charge of golf links with more than 18 holes, bowling greens or lawn tennis courts in an establishment covered by this award will receive an allowance of \$41.75 per week.</p>																																						
<p>15.11 Special all purpose allowances for exhibition employees</p> <p>Full-time and part-time employees will be paid the following weekly allowances for all purposes of the award:</p> <table border="1" data-bbox="208 695 1057 1171"> <thead> <tr> <th rowspan="2">Classification</th> <th>Flexible loading allowance</th> <th>Supervisory loading allowance</th> </tr> <tr> <th>% of standard rate</th> <th>% of standard rate</th> </tr> </thead> <tbody> <tr> <td>General hand</td> <td>6.6</td> <td>N/A</td> </tr> <tr> <td>Exhibition technician</td> <td>7.1</td> <td>3.2</td> </tr> <tr> <td>Supervisory exhibition technician</td> <td>7.5</td> <td>6.4</td> </tr> </tbody> </table>	Classification	Flexible loading allowance	Supervisory loading allowance	% of standard rate	% of standard rate	General hand	6.6	N/A	Exhibition technician	7.1	3.2	Supervisory exhibition technician	7.5	6.4	<p>(b) Special all purpose allowances for exhibition employees</p> <p>Full-time and part-time employees will be paid the following allowances for all purposes of the award:</p> <table border="1" data-bbox="1296 695 2114 1171"> <thead> <tr> <th rowspan="2">Classification</th> <th colspan="2">Flexible loading allowance</th> <th colspan="2">Supervisory loading allowance</th> </tr> <tr> <th>\$ per week</th> <th>\$ per hour</th> <th>\$ per week</th> <th>\$ per hour</th> </tr> </thead> <tbody> <tr> <td>General hand</td> <td>51.70</td> <td>1.36</td> <td>N/A</td> <td>N/A</td> </tr> <tr> <td>Exhibition technician</td> <td>55.61</td> <td>1.46</td> <td>25.07</td> <td>0.66</td> </tr> <tr> <td>Supervisory exhibition technician</td> <td>58.75</td> <td>1.55</td> <td>50.13</td> <td>1.32</td> </tr> </tbody> </table>	Classification	Flexible loading allowance		Supervisory loading allowance		\$ per week	\$ per hour	\$ per week	\$ per hour	General hand	51.70	1.36	N/A	N/A	Exhibition technician	55.61	1.46	25.07	0.66	Supervisory exhibition technician	58.75	1.55	50.13	1.32
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Supervisory exhibition technician	58.75	1.55	50.13	1.32																																			
<p>15.12 Adjustment of expense related allowances</p> <p>(a) At the time of any adjustment to the standard rate, each expense related allowance will be increased by the relevant adjustment factor. The relevant adjustment factor for this purpose is the percentage movement in the applicable index figure most recently published by the Australian Bureau of Statistics since the allowance was last adjusted.</p>	<p>D.2.1 Adjustment of expense-related allowances</p> <p>(a) At the time of any adjustment to the standard rate, each expense-related allowance will be increased by the relevant adjustment factor. The relevant adjustment factor for this purpose is the percentage movement in the applicable index figure most recently published by the Australian Bureau of Statistics since the allowance was last adjusted.</p>																																						

<p>(b) The applicable index figure is the index figure published by the Australian Bureau of Statistics for the Eight Capitals Consumer Price Index (Cat No. 6401.0), as follows:</p> <table border="1" data-bbox="282 229 1019 746"> <thead> <tr> <th>Allowance</th> <th>Applicable Consumer Price Index figure</th> </tr> </thead> <tbody> <tr> <td>Meal allowance</td> <td>Take away and fast foods sub-group</td> </tr> <tr> <td>Laundry allowance</td> <td>Clothing and footwear group</td> </tr> <tr> <td>Tool allowance</td> <td>Tools and equipment for house and garden component of the household appliances, utensils and tools sub-group</td> </tr> <tr> <td>Transport allowance</td> <td>Private motoring sub-group</td> </tr> </tbody> </table>	Allowance	Applicable Consumer Price Index figure	Meal allowance	Take away and fast foods sub-group	Laundry allowance	Clothing and footwear group	Tool allowance	Tools and equipment for house and garden component of the household appliances, utensils and tools sub-group	Transport allowance	Private motoring sub-group	<p>(b) The applicable index figure is the index figure published by the Australian Bureau of Statistics for the Eight Capitals Consumer Price Index (Cat No. 6401.0), as follows:</p> <table border="1" data-bbox="1294 229 2112 683"> <thead> <tr> <th>Allowance</th> <th>Applicable Consumer Price Index figure</th> </tr> </thead> <tbody> <tr> <td>Meal allowance</td> <td>Take away and fast foods sub-group</td> </tr> <tr> <td>Laundry allowance</td> <td>Clothing and footwear group</td> </tr> <tr> <td>Tool allowance</td> <td>Tools and equipment for house and garden component of the household appliances, utensils and tools sub-group</td> </tr> <tr> <td>Transport allowance</td> <td>Private motoring sub-group</td> </tr> </tbody> </table>	Allowance	Applicable Consumer Price Index figure	Meal allowance	Take away and fast foods sub-group	Laundry allowance	Clothing and footwear group	Tool allowance	Tools and equipment for house and garden component of the household appliances, utensils and tools sub-group	Transport allowance	Private motoring sub-group
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<p>16. District allowances <i>Provisions not reproduced – clause removed – see AM2014/190</i></p>	<p><i>Transitional provision – clause removed – obsolete – see AM2014/190</i></p>																				
<p>17. Accident pay <i>Provisions not reproduced – clause removed – see AM2014/190</i></p>	<p><i>Transitional provision – clause removed – obsolete – see AM2014/190</i></p>																				
<p>18. Higher duties An employee who is required to do work for which a higher rate is fixed than that provided for their ordinary duties must, if such work exceeds a total of four hours on any day, be paid at the higher rate for all work done on such day. In all other cases the employee must be paid the higher rate for the actual time worked.</p>	<p>16.4 Higher duties</p> <p>(a) An employee required to perform work at a higher classification than their ordinary classification for more than four hours on any day must be paid at the higher rate for all hours worked on that day.</p> <p>(b) An employee required to perform work at a higher classification than their ordinary classification for up to four hours on any day must be paid at the higher rate for the actual time worked at the higher classification.</p>																				

<p>19. Payment of wages</p> <p>19.1 Period of payment</p> <p>(a) Wages may be paid weekly or fortnightly.</p> <p>(b) Wages will be paid no later than Thursday of the agreed pay period, unless the employer and the majority of employees agree to later payment.</p> <p>19.2 Method of payment</p> <p>Wages may be paid by cash, cheque or into a bank or financial institution account nominated by the employee. If payment is by cash or cheque, wages must be paid during ordinary working hours.</p>	<p>16.5 Payment of wages</p> <p>(a) Period of payment</p> <p>(i) Wages may be paid weekly or fortnightly.</p> <p>(ii) Wages will be paid no later than Thursday of the agreed pay period, unless the employer and the majority of employees agree to later payment.</p> <p>(b) Method of payment</p> <p>Wages may be paid by cash, cheque or into a bank or financial institution account nominated by the employee. If payment is by cash or cheque, wages must be paid during ordinary working hours.</p> <p>NOTE: Regulations 3.33(3) and 3.46(1)(g) of <i>Fair Work Regulations 2009</i> set out the requirements for pay records and the content of payslips including the requirement to separately identify any allowance paid.</p>
<p>20. Superannuation</p> <p><i>Provision not reproduced – no change</i></p>	<p>18. Superannuation</p> <p><i>Provision not reproduced – no change</i></p>
<p>Part 5—Hours of Work and Related Matters</p> <p>21. Ordinary hours of work and rostering</p> <p>21.1 The ordinary working hours for a full-time employee will not exceed an average of 38 hours per week in accordance with a roster that conforms with one of the following:</p> <p>(a) 38 hours in one week;</p> <p>(b) 76 hours in two weeks;</p> <p>(c) 114 hours in three weeks; or</p> <p>(d) 152 hours in four weeks.</p> <p>21.2 The ordinary hours of work for full-time and part-time employees will not exceed eight on any one day, provided that:</p>	<p>Part 3—Hours of work</p> <p>13. Ordinary hours of work</p> <p>13.1 The ordinary working hours for a full-time employee will not exceed an average of 38 hours per week in accordance with a roster that conforms with one of the following:</p> <p>(a) 38 hours in one week;</p> <p>(b) 76 hours in two weeks;</p> <p>(c) 114 hours in three weeks; or</p> <p>(d) 152 hours in four weeks.</p> <p>13.2 The ordinary hours of work for full-time and part-time employees will not exceed eight on any one day.</p>

<p>(a) the ordinary working hours may exceed eight up to a maximum of 10 on any one day by mutual agreement between the employer and the majority of employees involved; and</p> <p>(b) the employer and an individual employee may agree in writing to work shifts of up to 12 hours on any one day.</p> <p>21.3 Ordinary working hours for full-time employees will be worked continuously, except for meal breaks, on not more than 20 days in a 28 day period on any day Monday to Sunday inclusive.</p>	<p>13.3 By mutual agreement between the employer and the majority of employees involved the ordinary working hours may exceed eight up to a maximum of 10 on any one day.</p> <p>13.4 The employer and an individual employee may agree in writing to work shifts of up to 12 hours on any one day.</p> <p>13.5 Ordinary working hours for full-time employees will be worked continuously, except for meal breaks, on not more than 20 days in a 28 day period on any day of the week (Monday to Sunday).</p>
<p>21.4 Rosters</p> <p>(a) All employees must be notified by their employer of their working shifts. At least seven days' notice will be given to the employee should any alteration of the rostered shift be made.</p> <p>(b) Subject to the approval of the employer, employees may mutually arrange to temporarily change rosters. Rosters so changed will be paid for at the rates applicable to the original roster.</p>	<p>14. Rostering arrangements</p> <p>14.1 An employer must notify an employee of their working shifts. An employee will be given at least seven days' notice of a change in rostered shift, subject to clause 26—Consultation about changes to rosters or hours of work.</p> <p>14.2 Employees may arrange to temporarily change rosters, subject to the employer's approval. Rosters so changed will be paid for at the rates applicable to the original roster.</p>
<p>21.5 Special provisions for exhibition employees</p> <p>(a) Full-time and part-time employees</p> <p>(i) Ordinary hours may be worked on any day of the week subject to the provisions of this clause.</p> <p>(ii) The ordinary hours of work will be 76 worked over a two week roster period.</p> <p>(iii) The ordinary hours of work on a shift will be a minimum of four and a maximum of 12 hours, to be worked continuously except for meal breaks.</p> <p>(iv) The maximum ordinary hours of work for full-time and part-time employees in any week will be 56.</p> <p>(v) Each full-time and part-time employee will have two consecutive days off in any week if such is reasonably possible to arrange.</p>	<p>14.3 Special provisions for exhibition employees</p> <p>(a) Full-time and part-time employees</p> <p>(i) Ordinary hours may be worked on any day of the week subject to the provisions of this clause.</p> <p>(ii) The ordinary hours of work will be 76 hours worked over a two week roster period.</p> <p>(iii) The ordinary hours of work on a shift will be a minimum of four and a maximum of 12 hours, to be worked continuously except for meal breaks.</p> <p>(iv) The maximum ordinary hours of work for full-time and part-time employees in any week will be 56 hours.</p> <p>(v) Full-time and part-time employees will have two consecutive days off in any week if it is reasonably possible to arrange.</p>

<p>(b) Casual employees</p> <p>The ordinary hours of work for casual employees will be a minimum of four consecutive hours per shift to be worked continuously except for meal breaks, to be worked on any day of the week.</p>	<p>(b) Casual employees</p> <p>The ordinary hours of work for casual employees will be a minimum of four consecutive hours per shift to be worked continuously except for meal breaks, on any day of the week.</p>
<p>(c) All employees</p> <p>(i) Where possible, all employees will be notified of their roster in advance. Except in the case of circumstances outside the control of the employer, all employees will be notified prior to the conclusion of work on the previous shift of any change in the roster.</p> <p>(ii) Employees will, except where circumstances outside the control of the employer make it impracticable, be granted a 10 hour break without loss of pay from cessation of work on the one day and the commencement of work on the next day.</p>	<p>(c) All exhibition employees</p> <p>(i) Where possible, all employees will be notified of their roster in advance. Except in the case of circumstances outside the control of the employer, all employees will be notified before finishing work on the previous shift of any change in the roster, subject to clause 26—Consultation about changes to rosters or hours of work.</p> <p>(ii) Employees will, except where circumstances outside the control of the employer make it impracticable, be granted a 10 hour break without loss of pay from cessation of work on the one day and the commencement of work on the next day.</p>
<p>22. Breaks</p> <p>22.1 Meal breaks—other than casual employees</p> <p>(a) An employee other than a casual employee must be allowed a meal break of not less than 30 minutes and not more than 60 minutes, not later than five hours after commencing work.</p> <p>(b) Special meal break provisions</p> <p>Where an employee is instructed by their employer to remain on call during their meal period, that period will be paid for at the ordinary rate of pay.</p> <p>22.2 Rest breaks—casual employees</p> <p>(a) Casual employees engaged for a minimum of five hours must be allowed a rest break of 20 minutes without deduction of pay.</p> <p>(b) Casual employees required to continue working for a further five hours must be allowed a further rest break of 20 minutes without deduction of pay.</p>	<p>15. Breaks</p> <p>15.1 Meal breaks—other than casual employees</p> <p>(a) Unpaid meal break</p> <p>An employee, other than a casual employee, must be allowed a meal break of between 30 and 60 minutes, not later than five hours after starting work.</p> <p>(b) Paid meal break—employee on call</p> <p>Where an employee is instructed by their employer to remain on call during their meal break, that break will be paid for at the ordinary hourly rate.</p> <p>15.2 Paid rest breaks—casual employees</p> <p>(a) Casual employees engaged for a minimum of five hours must be allowed a rest break of 20 minutes without loss of pay.</p> <p>(b) Casual employees required to continue working for a further five hours must be allowed a further rest break of 20 minutes without loss of pay.</p>

<p>(c) Both of the above rest breaks must be taken at a time convenient to the employer but not at the beginning or the end of the period of duty.</p>	<p>(c) Rest breaks must be taken at a time convenient to the employer but not at the start or end of the period of duty.</p>
<p>22.3 Special provisions for exhibition employees</p> <p>(a) All employees will not, except where circumstances outside the control of the employer make it impracticable, be required to work continuously in excess of five hours without a meal break.</p> <p>(b) Meal breaks will be at least half an hour, but no more than one and a half hours.</p> <p>(c) No part of the time that should be allowed as a meal break will be counted as part of the ordinary hours of work within the meaning of clause 21—Ordinary hours of work and rostering.</p>	<p>15.3 Special provisions for exhibition employees</p> <p>(a) Employees will not be required to work continuously for more than five hours without a meal break, except where circumstances outside the control of the employer make it impracticable.</p> <p>(b) Meal breaks will be between 30 and 90 minutes.</p> <p>(c) Time that should be allowed as a meal break will not count as ordinary hours of work within the meaning of clause 13—Ordinary hours of work.</p>
<p>23. Overtime and penalty rates</p> <p>23.1 All time worked by any full-time, part-time or casual employee in excess of the rostered working hours as provided on any one day, or in excess of an average of 38 hours per week in any rostered workcycle as provided for in clause 21.1, will be deemed to be overtime and will be paid for at the rate of time and a half for the first three hours and at the rate of double time after that.</p> <p>23.2 Employees will be entitled to a minimum period of 10 hours break between shifts. Should an employee be required by the employer to resume work without having a break of at least 10 hours between rostered shifts, they will be paid at the rate of double time for all time worked until they have had a break from work of at least 10 hours, or eight hours by agreement.</p>	<p>Part 5—Overtime and Penalty Rates</p> <p>19. Overtime</p> <p>19.1 All time worked by any full-time or part-time employee in excess of the rostered working hours on any one day, or in excess of an average of 38 hours per week in any roster cycle as provided for in clause 13.1, will be overtime. In accordance with clause 11.4, all time worked by a casual employee in excess of 10 hours in one day or 38 hours in one week will be overtime.</p> <p>19.2 Overtime as defined in clause 19.1 will be paid as follows:</p> <p>(a) 150% of the ordinary hourly rate for the first three hours; and</p> <p>(b) 200% of the ordinary hourly rate after three hours.</p> <p>19.3 Employees will be entitled to a break of at least 10 hours between shifts.</p> <p>19.4 Where an employee is required by the employer to resume work without having a break of at least 10 hours between shifts, they will be paid 200% of the ordinary hourly rate for all time worked until they have had a break from work of at least 10 hours, or eight hours by agreement.</p>

<p>23.3 Sundays and public holidays</p> <ul style="list-style-type: none"> (a) All time worked on a Sunday will be paid for at time and a half. (b) All time worked on a public holiday will be paid for at double time and a half. (c) The minimum payment for work performed on a Sunday or a public holiday will be as for four hours worked. <p>23.4 Special provisions for exhibition employees</p> <ul style="list-style-type: none"> (a) Clauses 23.1, 23.2 and 23.3 will not apply to exhibition employees. (b) For all work performed in excess of 12 hours in a shift, or 56 hours in a week, the employee will be paid double the ordinary rate of pay. (c) All hours worked in excess of 76 in a two week roster cycle will be paid at the rate of one and a half times the ordinary rate of pay for the first 24 hours so worked and double the ordinary rate of pay for all such hours thereafter. (d) Casual employees Casual employees will receive overtime for all work performed in excess of 12 hours on a shift, paid at the rate of double the ordinary rate of pay for such hours worked (calculated to the nearest quarter of an hour). 	<p>19.5 Sunday and public holiday work</p> <ul style="list-style-type: none"> (a) All time worked on a Sunday will be paid for at 150% of the ordinary hourly rate. (b) All time worked on a public holiday will be paid for at 250% of the ordinary hourly rate. (c) A minimum payment of four hours' will apply for work performed on a Sunday or a public holiday. <p>19.6 Special provisions for exhibition employees</p> <ul style="list-style-type: none"> (a) Clauses 19.1, 19.2, 19.3, 19.4 and 19.5 will not apply to exhibition employees. (b) For all work performed in excess of 12 hours in a shift, or 56 hours in a week, an exhibition employee will be paid 200% of the ordinary hourly rate. (c) All hours worked in excess of 76 in a two week roster cycle will be paid for at 150% of the ordinary hourly rate for the first 24 hours worked and 200% of the ordinary hourly rate thereafter. (d) Casual employees <ul style="list-style-type: none"> (i) Casual employees will be paid overtime for all work performed in excess of 12 hours on a shift. (ii) Overtime as defined in clause 19.6(d)(i) will be paid at 200% of the ordinary hourly rate, calculated to the nearest 15 minutes.
<p>23.5 Time off instead of payment for overtime</p> <p><i>Provision not reproduced – no change</i></p>	<p>19.7 Time off instead of payment for overtime</p> <p><i>Provision not reproduced – no change</i></p>
<p>Part 6—Leave and Public Holidays</p> <p>24. Annual leave</p> <p>24.1 Annual leave is provided for in the NES.</p>	<p>Part 6—Leave and Public Holidays</p> <p>20. Annual leave</p> <p>20.1 Annual leave is provided for in the NES.</p>

<p>24.2 Annual leave in advance <i>Provision not reproduced – standard clause – no change</i></p>	<p>20.2 Annual leave in advance <i>Provision not reproduced – standard clause – no change</i></p>
<p>24.3 Cashing out of annual leave <i>Provision not reproduced – standard clause – no change</i></p>	<p>20.3 Cashing out of annual leave <i>Provision not reproduced – standard clause – no change</i></p>
<p>24.4 Excessive leave accruals: general provision <i>Provision not reproduced – standard clause – no change</i></p>	<p>20.4 Excessive leave accruals: general provision <i>Provision not reproduced – standard clause – no change</i></p>
<p>24.5 Excessive leave accruals: direction by employer that leave be taken <i>Provision not reproduced – standard clause – no change</i></p>	<p>20.5 Excessive leave accruals: direction by employer that leave be taken <i>Provision not reproduced – standard clause – no change</i></p>
<p>24.6 Excessive leave accruals: request by employee for leave <i>Provision not reproduced – standard clause – no change</i></p>	<p>20.6 Excessive leave accruals: request by employee for leave <i>Provision not reproduced – standard clause – no change</i></p>
<p>25. Personal/carer's leave and compassionate leave Personal/carer's leave and compassionate leave are provided for in the NES.</p>	<p>21. Personal/carer's leave and compassionate leave Personal/carer's leave and compassionate leave are provided for in the NES.</p>
<p><i>Clause inserted – proposed new provision</i></p>	<p>21. Personal/carer's leave and compassionate leave Parental leave and related entitlements are provided for in the NES.</p>
<p>26. Community service leave Community service leave is provided for in the NES.</p>	<p>24. Community service leave Community service leave is provided for in the NES.</p>
<p>27. Public holidays 27.1 Public holidays are provided for in the NES. 27.2 Special provisions for exhibition employees (a) Work on a public holiday (i) If a full-time or part-time employee is required to work on a day to be observed as a public holiday, the employee will be paid at the rate of double time for the hours worked.</p>	<p>23. Public holidays 23.1 Public holiday entitlements are provided for in the NES. 23.2 Special provisions for exhibition employees (a) Work on a public holiday (i) If a full-time or part-time employee is required to work on a day to be observed as a public holiday, the employee will be paid 200% of the ordinary hourly rate for the hours worked.</p>

<p>(ii) At the election of the employer, a full-time or part-time employee who works on a public holiday may be paid the ordinary rate of pay for the hours worked on that public holiday, and in addition be granted time off on the basis of one hour off for each hour worked, without loss of pay.</p> <p>(b) Rostered day off falls on a public holiday</p> <p>A full-time or part-time employee whose rostered time off falls on a public holiday will be allowed an additional day off at a time to be agreed upon by the employer and the employee or the employee will be paid an additional day's pay instead within seven days of the said public holiday.</p> <p>(c) Casual employees</p> <p>Casual employees who work on a public holiday will be paid at double the minimum full-time rate for such hours worked (calculated to the nearest quarter of an hour).</p>	<p>(ii) At the election of the employer, a full-time or part-time employee who works on a public holiday may be paid the ordinary hourly rate for the hours worked on that public holiday, and in addition be given time off on the basis of one hour off for each hour worked, without loss of pay.</p> <p>(b) Rostered day off falls on a public holiday</p> <p>A full-time or part-time employee whose rostered day off falls on a public holiday will either be allowed an additional day off at a time to be agreed with the employer or will be paid an additional day's pay within seven days of the public holiday.</p> <p>(c) Casual employees</p> <p>Casual employees who work on a public holiday will be paid at 200% of the ordinary hourly rate for hours worked (calculated to the nearest 15 minutes).</p>
<p><i>Clauses inserted – proposed new provisions</i></p>	<p>23.3 Employees other than exhibition employees required to work on a public holiday will be paid in accordance with clause 19.5.</p> <p>23.4 Part-day Public Holidays</p> <p>For provisions relating to part-day public holidays see Schedule K—2016 Part-day Public Holidays.</p>
<p>Schedule A—Transitional Provisions</p> <p><i>Transitional provision – clause removed - obsolete</i></p>	<p><i>Transitional provision – clause removed - obsolete</i></p>
<p>Schedule B—Classification Structure</p> <p><i>Provision not reproduced – no changes except ‘waitering’ in clause B.3.3(k) changed to ‘wait staff duties’ in exposure draft clause A.3.3(k)</i></p>	<p>Schedule A—Classification Structure</p> <p><i>Provision not reproduced – no changes except ‘waitering’ in clause B.3.3(k) changed to ‘wait staff duties’ in exposure draft clause A.3.3(k)</i></p>
<p><i>Clause inserted – proposed new provision</i></p>	<p>Schedule B—Summary of Hourly Rates of Pay—other than Exhibition Employees</p> <p><i>Provision not reproduced</i></p>

<i>Clause inserted – proposed new provision</i>	Schedule C—Summary of Hourly Rates of Pay—Exhibition Employees <i>Provision not reproduced</i>
<i>Clause inserted – proposed new provision</i>	Schedule D—Summary of Monetary Allowances <i>Provision not reproduced</i>
Schedule C—Supported Wage System <i>Provision not reproduced – standard clause – no change</i>	Schedule E—Supported Wage System <i>Provision not reproduced – standard clause – no change</i>
Schedule D—National Training Wage Appendix D1: Allocation of Traineeships to Wage Levels <i>Provision not reproduced – standard clause – no change</i>	Schedule F—National Training Wage F.7: Allocation of Traineeships to Wage Levels <i>Current clause D.3.3 has been amended to remove the reference to training programs from 25 June 1997.</i> Link to comparison document
Schedule E—School-based Apprentices <i>Provision not reproduced – standard clause – no change</i>	Schedule G—School-based Apprentices <i>Provision not reproduced – standard clause – no change</i>
Schedule F—2016 Part-day Public Holidays <i>Provision not reproduced – standard clause – no change</i>	Schedule K—2016 Part-day Public Holidays <i>Provision not reproduced – standard clause – no change</i>
Schedule G—Agreement to Take Annual Leave in Advance <i>Provision not reproduced – standard clause – no change</i>	Schedule I—Agreement to Take Annual Leave in Advance <i>Provision not reproduced – standard clause – no change</i>
Schedule H—Agreement to Cash Out Annual Leave <i>Provision not reproduced – standard clause – no change</i>	Schedule J—Agreement to Cash Out Annual Leave <i>Provision not reproduced – standard clause – no change</i>
Schedule I—Agreement for Time Off Instead of Payment for Overtime <i>Provision not reproduced – standard clause – no change</i>	Schedule H—Agreement for Time Off Instead of Payment for Overtime <i>Provision not reproduced – standard clause – no change</i>