



DETERMINATION

Fair Work Act 2009

s.156—4 yearly review of modern awards

4 yearly review of modern awards—Penalty rates (AM2017/40)

HAIR AND BEAUTY INDUSTRY AWARD 2010 [MA000005]

Hair and beauty

VICE PRESIDENT CATANZARITI
DEPUTY PRESIDENT ASBURY
COMMISSIONER LEE

SYDNEY, 7 OCTOBER 2021

4 yearly review of modern awards – Hair and Beauty Industry Award 2010 – award specific penalty rates claims.

A. Further to the decision issued by the Full Bench of the Fair Work Commission on 7 October 2021 [[2021] FWCFB 6019] the above award is varied as follows:

1. By deleting clause 31.2(d) and inserting the following:

(d) Saturday work

- (i)** For all ordinary hours worked on a Saturday within the spread of hours specified in clause 28.2(a), full-time and part-time employees will be paid at 133% of the ordinary hourly rate for a full-time employee.
- (ii)** For all ordinary hours worked on a Saturday within the spread of hours specified in clause 28.2(a), casual employees will be paid at 158% (including casual loading) of the ordinary hourly rate for a full-time employee, subject to clause 31.2(f)(i).

2. By deleting clause 31.2(e) and inserting the following:

(e) Sunday work

- (i)** For all ordinary and overtime hours worked on a Sunday, full-time and part-time employees will be paid at the rate of 200% of the ordinary hourly rate for a full-time employee.

(ii) For all ordinary and overtime hours worked on a Sunday, casual employees will be paid at the rate of 225% (including casual loading) of the ordinary hourly rate for a full-time employee, subject to clause 31.2(f)(ii).

- 3. By renumbering clause 31.2(f) as clause 31.2(g).
- 4. By inserting a new clause 31.2(f) as follows:

(f) Phased-in implementation of weekend penalty rates for casual employees

(i) The Saturday penalty rate for casual employees referred to in clause 31.2(d)(ii) is subject to a phased-in implementation timetable as follows:

Date	Saturday penalty rate % of ordinary hourly rate for a full-time employee
3 November 2021 to 30 January 2022	133%
31 January 2022 to 29 April 2022	138%
30 April 2022 to 30 December 2022	143%
31 December 2022 to 29 April 2023	148%
30 April 2023 to 30 December 2023	153%
From 31 December 2023	158%

(ii) The Sunday penalty rate for casual employees referred to in clause 31.2(e)(ii) is subject to a phased-in implementation timetable as follows:

Date	Sunday penalty rate % of ordinary hourly rate for a full-time employee
3 November 2021 to 30 January 2022	200%
31 January 2022 to 29 April 2022	205%
30 April 2022 to 30 December 2022	210%
31 December 2022 to 29 April 2023	215%
30 April 2023 to 30 December 2023	220%
From 31 December 2023	225%

B. This determination comes into operation on 3 November 2021. In accordance with s.165(3) of the *Fair Work Act 2009* this determination does not take effect in relation to a

particular employee until the start of the employee's first full pay period that starts on or after 3 November 2021.



VICE PRESIDENT

Printed by authority of the Commonwealth Government Printer