

**COMPARISON DOCUMENT – Restaurant Industry Award 2010 / Plain Language Exposure Draft – Restaurant Industry Award 2017**

This comparison document follows the sequence of the Plain Language Exposure Draft (21 April 2017) (2<sup>nd</sup> column).

This comparison contains plain language award specific clauses.

Plain language versions of standard provisions are subject to broader consultation. The plain language drafts of these clauses are not reproduced in this comparison document.

The Schedules have not all been reproduced in this comparison document.

<b>Current award – Restaurant Industry Award 2010</b>	<b>Plain Language ED – Restaurant Industry Award 2017</b>
<b>Table of Contents</b>	<b>Table of Contents</b>
<b>Part 1— Application and Operation</b>	<b>Part 1— Application and Operation of this Award</b>
1. Title	1. Title and commencement
2. Commencement and transitional	2. Definitions
3. Definitions and interpretation	3. The National Employment Standards and this award
4. Coverage	4. Coverage
5. Access to the award and the National Employment Standards	5. Effect of variations made by the Fair Work Commission
6. The National Employment Standards and this award	6. Individual flexibility arrangements
7. Award flexibility	7. Facilitative provisions for flexible working practices
<b>Part 2— Consultation and Dispute Resolution</b>	<b>Part 2— Types of Employment and Classifications</b>
8. Consultation	8. Types of employment
9. Dispute resolution	9. Full-time employment
<b>Part 3— Types of Employment and Termination of Employment</b>	10. Part-time employment
10. Types of employment	11. Casual employment
11. Full-time employment	12. Apprentices
12. Part-time employment	13. Junior employees
13. Casual employment	14. Classifications
14. Apprentices	<b>Part 3— Hours of Work</b>
15. Junior employees	15. Ordinary hours of work
16. Termination of employment	16. Breaks
17. Redundancy	<b>Part 4— Wages and Allowances</b>
<b>Part 4— Classifications and Minimum Wage Rates</b>	17. Work organisation
18. Work organisation	18. Minimum rates
19. Classifications	19. Higher duties
20. Minimum wages	20. Payment of wages
21. Supported wage system	21. Annualised salary arrangements

Current award – Restaurant Industry Award 2010	Plain Language ED – Restaurant Industry Award 2017
<p>22. National training wage</p> <p>23. School-based apprentices</p> <p>24. Allowances</p> <p>25. Districe Allowances</p> <p>26. Accident pay</p> <p>27. Payment of wages</p> <p>28. Annualised salary arrangements</p> <p>29. Higher duties</p> <p>30. Superannuation</p> <p><b>Part 5— Hours of Work and Related Matters</b></p> <p>31. Hours of work</p> <p>32. Breaks</p> <p>33. Overtime</p> <p>34. Penalty rates</p> <p><b>Part 6— Leave and Public Holidays</b></p> <p>35. Annual leave</p> <p>36. Personal/carer’s leave and compassionate leave</p> <p>37. Community service leave</p> <p>38. Public holidays</p> <p><b>Part 7— Industry Specific Provisions</b></p> <p>39. No deduction for breakages or cashiering underings</p> <p><b>Schedule A —Transitional Provisions</b></p> <p><b>Schedule B —Classification Structure and Definitions</b></p> <p><b>Schedule C —Supported Wage System</b></p> <p><b>Schedule D —National Training Wage</b></p> <p><b>Appendix D1: Allocation of Traineeships to Wage Levels</b></p> <p><b>Schedule E —School-based Apprenticeship</b></p> <p><b>Schedule F —2016 Part-day Public Holidays</b></p> <p><b>Schedule G —Agreement to Take Annual Leave in Advance</b></p> <p><b>Schedule H —Agreement to Cash Out Annual Leave</b></p>	<p>22. Allowances</p> <p>23. Superannuation</p> <p><b>Part 5— Overtime and Penalty Rates</b></p> <p>24. Overtime</p> <p>25. Penalty rates</p> <p><b>Part 6— Leave and Public Holidays</b></p> <p>26. Annual leave</p> <p>27. Personal/carer’s leave and compassionate leave</p> <p>28. Community service leave</p> <p>29. Public holidays</p> <p><b>Part 7— Industry Specific Provisions</b></p> <p>30. No deduction for breakages or cashiering underings</p> <p><b>Part 8— Consultation and Dispute Resolution</b></p> <p>31. Consultation about major workplace change</p> <p>32. Consultation about changes to rosters or hours of work</p> <p>33. Dispute resolution</p> <p><b>Part 9— Termination of Employment and Redundancy</b></p> <p>34. Termination of employment</p> <p>35. Redundancy</p> <p>36. Transfer to lower paid job on redundancy</p> <p>37. Employee leaving during redundancy notice period</p> <p>38. Job search entitlement</p> <p><b>Schedule A —Classification Structure and Definitions</b></p> <p><b>Schedule B —Summary of Hourly Rates of Pay</b></p> <p><b>Schedule C —Summary of Monetary Allowances</b></p> <p><b>Schedule D —School-based Apprentices</b></p> <p><b>Schedule E — Supported Wage System</b></p> <p><b>Schedule F —National Training Wage</b></p> <p><b>Schedule G —2017 Part-day Public Holidays</b></p> <p><b>Schedule H —Agreement to Take Annual Leave in Advance</b></p> <p><b>Schedule I —Agreement to Cash Out Annual Leave</b></p>

Current award – Restaurant Industry Award 2010	Plain Language ED – Restaurant Industry Award 2017
<p><b>Part 1—Application and Operation</b></p> <p><b>1. Title</b> This award is the <i>Restaurant Industry Award 2010</i>.</p> <p><b>2. Commencement and transitional</b></p> <p><b>2.1</b> This award commences on 1 January 2010.</p> <p><b>2.2</b> 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.</p> <p><b>2.3</b> 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:</p> <ul style="list-style-type: none"> <li>• minimum wages and piecework rates</li> <li>• casual or part-time loadings</li> <li>• Saturday, Sunday, public holiday, evening or other penalties</li> <li>• shift allowances/penalties.</li> </ul> <p><b>2.4</b> 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.</p> <p><b>2.5</b> The Fair Work Commission may review the transitional arrangements in this award and make a determination varying the award.</p> <p><b>2.6</b> The Fair Work Commission may review the transitional arrangements:</p> <ul style="list-style-type: none"> <li>(a) on its own initiative; or</li> <li>(b) on application by an employer, employee, organisation or outworker entity covered by the modern award; or</li> <li>(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</li> <li>(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.</li> </ul>	<p><b>Part 1—Application and Operation of this Award</b></p> <p><b>Part 1—Application and Operation of this Award</b></p> <p><b>1. Title and commencement</b></p> <p><b>1.1</b> This is the <i>Restaurant Industry Award [2017]</i>.</p> <p><b>1.2</b> This modern award, as varied, commenced operation on 1 January 2010.</p> <p><b>1.3</b> 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 this award.</p> <p><b>1.4</b> 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.</p> <p><i>Note: some transitional arrangements have been removed — obsolete</i></p>
<p><b>3. Definitions and interpretation</b></p> <p><b>3.1 In this award, unless the contrary intention appears:</b></p> <p><b>Act</b> means the <i>Fair Work Act 2009</i> (Cth)</p> <p><b>adult apprentice</b> means an apprentice who is 21 years of age or over at the commencement of their apprenticeship</p> <p><b>agreement-based transitional instrument</b> has the meaning in the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth)</p> <p><b>appropriate level of training</b> means that an employee:</p>	<p><b>2. Definitions</b></p> <p>In this award:</p> <p><b>Act</b> means the <i>Fair Work Act 2009</i> (Cth).</p> <p><b>adult apprentice</b> means an apprentice who is 21 years of age or over at the start of their apprenticeship.</p> <p><b>adult employee</b> means an employee who is 21 years of age or over.</p> <p><b>appropriate level of training</b>, in relation to an employee, means that the employee:</p> <ul style="list-style-type: none"> <li>(a) has completed an appropriate training program that meets the training and assessment requirements of a qualification or one or more appropriate units of competency forming part of a training package; or</li> </ul>

Current award – Restaurant Industry Award 2010	Plain Language ED – Restaurant Industry Award 2017
<p>(a) has completed an appropriate training program that meets the training and assessment requirements of a qualification or one or more designated units of competency from a Training Package;</p> <p>(b) has been assessed by a qualified skills assessor to have skills at least equivalent to those attained in an appropriate training course; and/or</p> <p>(c) at 31 December 2009 (except for a Food and beverage attendant grade 2 as defined in Schedule B—Classification Structure and Definitions) has been doing the work of a particular classification for a period of at least three months,</p> <p>(however, to avoid doubt, the minimum classification rate for an employee who has completed AQF Certificate III or higher qualifications relevant to the classification in which they are employed is Level 4 in clause 20.1. For Food and beverage attendants grade 2, classification at grade 3 is subject to the employee having completed AQF Certificate II qualifications relevant to the grade 3 classification)</p> <p><b>award-based transitional instrument</b> has the meaning in the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth)</p> <p><b>catering by a restaurant business</b> means the provision by a restaurant of catering services for any social or business function where such services are incidental to the major business of the restaurant</p> <p><b>default fund employee</b> means an employee who has no chosen fund within the meaning of the <i>Superannuation Guarantee (Administration) Act 1992</i> (Cth)</p> <p><b>defined benefit member</b> has the meaning given by the <i>Superannuation Guarantee (Administration) Act 1992</i> (Cth)</p> <p><b>Division 2B State award</b> has the meaning in Schedule 3A of the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth)</p> <p><b>Division 2B State employment agreement</b> has the meaning in Schedule 3A of the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth)</p> <p><b>employee</b> means national system employee within the meaning of the Act</p> <p><b>employer</b> means national system employer within the meaning of the Act</p> <p><b>enterprise award-based instrument</b> has the meaning in the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth)</p> <p><b>exempt public sector superannuation scheme</b> has the meaning given by the <i>Superannuation Industry (Supervision) Act 1993</i> (Cth)</p> <p><b>MySuper product</b> has the meaning given by the <i>Superannuation Industry (Supervision) Act 1993</i> (Cth)</p> <p><b>NES</b> means the National Employment Standards as contained in sections 59 to 131 of the <i>Fair Work Act 2009</i> (Cth)</p> <p><b>on-hire</b> 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><b>relevant apprenticeship legislation</b> means any awards and/or regulations made by any State Apprenticeship Authority</p> <p><b>restaurant industry</b> means restaurants, reception centres, night clubs, cafes and roadhouses, and includes any tea room, café, and catering by a restaurant business but does not include a restaurant operated in or in connection with premises owned or operated by employers covered by any of the following awards:</p> <p>(a) <i>Hospitality Industry (General) Award 2010</i>;</p> <p>(b) <i>Registered and Licensed Clubs Award 2010</i>; or</p>	<p>(b) has been assessed by a qualified skills assessor as having skills at least equivalent to those attained in an appropriate training program; or</p> <p>(c) other than a Food and beverage attendant grade 2 as defined in Schedule A—Classification Structure and Definitions, as at 31 December 2009, had been doing the work of a particular classification for a period of at least 3 months.</p> <p>NOTE 1: The minimum classification level for an employee who has completed AQF Certificate III or higher qualifications relevant to the classification in which they are employed and who makes use of skills and knowledge derived from Certificate III competencies relevant to the work undertaken is Level 4 specified in clause 18.1 (Minimum rates). Any dispute about an employee’s entitlement to be paid at Level 4 must be dealt with in accordance with clause 33—Dispute resolution.</p> <p>NOTE 2: In order for a Food and beverage attendant grade 2 to be classified at grade 3, the employee must have completed AQF Certificate II qualifications relevant to the grade 3 classification.</p> <p><b>catering by a restaurant business</b> means the provision by a restaurant of catering services for any social or business function where those services are incidental to the major business of the restaurant.</p> <p><b>defined benefit member</b> has the meaning given by the <i>Superannuation Guarantee (Administration) Act 1992</i> (Cth).</p> <p><b>employee</b> means a national system employee as defined by section 13 of the Act.</p> <p><b>employer</b> means a national system employer as defined by section 14 of the Act.</p> <p><b>enterprise instrument</b> has the meaning given by subitem 2(1) of Schedule 6 to the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth).</p> <p><b>exempt public sector superannuation scheme</b> has the meaning given by the <i>Superannuation Industry (Supervision) Act 1993</i> (Cth).</p> <p><b>junior employee</b> means an employee who is less than 21 years of age.</p> <p><b>liquor service employee</b> means a person employed to sell or dispense liquor in bars, bottle departments or shops and includes a cellar employee.</p> <p><b>long term casual employee</b> has the meaning given by section 12 of the Act.</p> <p><b>MySuper product</b> has the meaning given by the <i>Superannuation Industry (Supervision) Act 1993</i> (Cth).</p> <p><b>National Employment Standards</b>, see Part 2-2 of the Act. Divisions 3 to 12 of Part 2-2 of the Act constitute the <i>National Employment Standards</i>. An extract of section 61 of the Act is reproduced below.</p> <p>The National Employment Standards are minimum standards applying to employment of employees. The minimum standards relate to the following matters:</p> <p>(a) maximum weekly hours (Division 3);</p> <p>(b) requests for flexible working arrangements (Division 4);</p> <p>(c) parental leave and related entitlements (Division 5);</p> <p>(d) annual leave (Division 6);</p> <p>(e) personal/carer's leave and compassionate leave (Division 7);</p> <p>(f) community service leave (Division 8);</p> <p>(g) long service leave (Division 9);</p> <p>(h) public holidays (Division 10);</p>

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<p>(c) <i>Fast Food Industry Award 2010</i></p> <p><b>spread of hours</b> means the period of time elapsing from the time an employee commences duty to the time the employee ceases duty within any period of 24 hours</p> <p><b>standard hourly rate</b> means the minimum hourly wage for a Level 4 classification (Cook grade 3 (tradesperson)) in clause 20.1</p> <p><b>standard rate</b> means the minimum wage for a Level 4 classification (Cook grade 3 (tradesperson)) in clause 20.1</p> <p><b>standard weekly rate</b> means the minimum weekly wage for a Level 4 classification (Cook grade 3 (tradesperson)) in clause 20.1</p> <p><b>transitional minimum wage instrument</b> has the meaning in the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth)</p> <p>3.2 Where this award refers to a condition of employment provided for in the NES, the NES definition applies</p>	<p>(i) notice of termination and redundancy pay (Division 11);</p> <p>(j) Fair Work Information Statement (Division 12).</p> <p><b>on-hire</b> means the on-hire of an employee by their employer to a client, where the employee works under the general guidance and instruction of the client or a representative of the client.</p> <p><b>restaurant industry</b> means restaurants, reception centres, night clubs, cafés or roadhouses and includes catering by a restaurant business and a tea room operated in, or in connection with, a restaurant business but does not include a restaurant operated in, or in connection with, premises owned or operated by an employer covered by any of the following awards:</p> <p>(a) <i>Hospitality Industry (General) Award [2017]</i>; or</p> <p>(b) <i>Registered and Licensed Clubs Award 2010</i>; or</p> <p>(c) <i>Fast Food Industry Award 2010</i>.</p> <p><b>rostered day off</b> means a continuous 24 hour period between the end of the last ordinary shift, and the start of the next ordinary shift, on which an employee is rostered for duty.</p> <p><b>shiftworker</b>, see clause 26.2 (Annual leave).</p> <p><b>spread of hours</b> means the period between when an employee starts and finishes work within any period of 24 hours.</p> <p><b>standard hourly rate</b> means the minimum hourly rate for a Level 4 classification (Cook grade 3 (tradesperson)) in Table 2—Minimum rates (see clause 18.1).</p> <p><b>standard rate</b> means the minimum rate for a Level 4 classification (Cook grade 3 (tradesperson)) in Table 2—Minimum rates (see clause 18.1).</p> <p><b>standard weekly rate</b> means the minimum weekly rate for a Level 4 classification (Cook grade 3 (tradesperson)) in Table 2—Minimum rates (see clause 18.1).</p> <p><b>State reference public sector modern award</b> has the meaning given by subitem 3(2) of Schedule 6A to the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth).</p> <p><b>State reference public sector transitional award</b> has the meaning given by subitem 2(1) of Schedule 6A to the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth).</p> <p><b>Table 1—Facilitative provisions</b> means the Table in clause 7.2.</p> <p><b>Table 2—Minimum rates</b> means the Table in clause 18.1.</p> <p><b>Table 3—Junior rates</b> means the Table in clause 18.2(a).</p> <p><b>Table 4—Apprentice minimum rates</b> means the Table in clause 18.3(a).</p> <p><b>Table 5—Overtime rates</b> means the Table in clause 24.3.</p> <p><b>Table 6—Penalty rates</b> means the Table in clause 25.2(c).</p>

Current award – Restaurant Industry Award 2010	Plain Language ED – Restaurant Industry Award 2017
<p><b>5. Access to the award and the National Employment Standards</b></p> <p>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><b>6. The National Employment Standards and this award</b></p> <p>The NES and this award combine to contain the minimum conditions of employment for employees covered by this award.</p>	<p><b>3. The National Employment Standards and this award</b></p> <p><b>3.1</b> The National Employment Standards (NES) and this award contain the minimum conditions of employment for employees covered by this award.</p> <p><b>3.2</b> Where this award refers to a condition of employment provided for in the NES, the NES definition applies.</p> <p><b>3.3</b> The employer must ensure that copies of this award and of the NES are available to all employees to whom they apply, either on a notice board conveniently located at or near the workplace or through accessible electronic means.</p>
<p><b>4. Coverage</b></p> <p><b>4.1</b> This industry award covers employers throughout Australia in the restaurant industry and their employees in the classifications listed in Schedule B—Classification Structure and Definitions to the exclusion of any other modern award.</p> <p><b>4.2</b> The award does not cover an employee excluded from award coverage by the Act.</p> <p><b>4.3</b> 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><b>4.4</b> 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><b>4.5</b> 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><b>4.6</b> 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><b>4.7</b> 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><b>4.8</b> This award does not cover employers in the following industries or activities or their employees:</p> <ul style="list-style-type: none"> <li>(a) contract caterers whose principal and substantial business activity is that of providing catering services and/or accommodation services on a contract or fee-for-service basis;</li> <li>(b) retail industry;</li> <li>(c) fast food industry;</li> <li>(d) in-flight catering for airlines;</li> <li>(e) catering services provided by aged care employers;</li> <li>(f) hotels, motels, hostels and boarding establishments;</li> <li>(g) clubs registered or recognised under State or Territory legislation;</li> </ul>	<p><b>4. Coverage</b></p> <p><b>4.1</b> This industry award covers, to the exclusion of any other modern award:</p> <ul style="list-style-type: none"> <li>(a) employers in the restaurant industry throughout Australia; and</li> <li>(b) employees (with a classification defined in Schedule A—Classification Structure and Definitions) of employers mentioned in paragraph (a).</li> </ul> <p><b>4.2</b> This industry award also covers:</p> <ul style="list-style-type: none"> <li>(a) on-hire employees working in the restaurant industry (with a classification defined in Schedule A—Classification Structure and Definitions) and the on-hire employers of those employees; and</li> <li>(b) apprentices or trainees employed by a group training employer and hosted by an employer covered by this award to work in the restaurant industry (with a classification defined in Schedule A—Classification Structure and Definitions) and the group training employers of those apprentices or trainees.</li> </ul> <p><b>4.3</b> However, this industry award does not cover any of the following:</p> <ul style="list-style-type: none"> <li>(a) employees excluded from award coverage by the Act; or NOTE: See section 143(7) of the Act.</li> <li>(b) employees covered by a modern enterprise award or an enterprise instrument or their employers; or</li> <li>(c) employees covered by a State reference public sector modern award or a State reference public sector transitional award or their employers; or</li> <li>(d) employers in the following industries or activities or their employees: <ul style="list-style-type: none"> <li>(i) contract caterers whose principal business activity is providing catering services or accommodation services on a contract or fee-for-service basis; and</li> <li>(ii) retail industry; and</li> <li>(iii) fast food industry; and</li> <li>(iv) in-flight catering for airlines; and</li> <li>(v) catering services provided by employers in the aged care industry; and</li> <li>(vi) boarding schools and residential colleges; and</li> <li>(vii) hospitals; and</li> </ul> </li> </ul>

Current award – Restaurant Industry Award 2010	Plain Language ED – Restaurant Industry Award 2017																								
<p>(h) boarding schools, residential colleges, hospitals or orphanages; or</p> <p>(i) restaurants operated in or in connection with hotels, motels, hostels and boarding establishments, and/or clubs registered or recognised under State or Territory legislation.</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>(viii) orphanages; and</p> <p>(ix) hotels, motels, hostels and boarding establishments; and</p> <p>(x) clubs registered or recognised under State or Territory legislation; and</p> <p>(xi) restaurants operated in or in connection with hotels, motels, hostels and boarding establishments, or clubs registered or recognised under State or Territory legislation.</p> <p>4.4 If an employer is covered by more than one award, an employee of that employer is covered by the award containing the classification that is most appropriate to the work performed by the employee and the industry in which they work.</p> <p>NOTE: An employee working in the restaurant industry who is not covered by this industry award may be covered by an award with occupational coverage.</p>																								
<p>No provision in current award</p>	<p><b>5. Effect of variations made by the Fair Work Commission</b></p> <p>A variation of this award made by the Fair Work Commission does not affect any right, privilege, obligation or liability acquired, accrued or incurred under this award as in force before that variation.</p>																								
<p><b>7. Award flexibility</b></p> <p>Standard clause - provision has not been reproduced</p>	<p><b>6. Individual flexibility arrangements</b></p> <p>Standard clause – not reproduced here. Standard clauses subject to conference on 11 April 2017. Please see Statement issued 27 March 2017 PR591212</p>																								
<p>No provision in current award</p>	<p><b>7. Facilitative provisions for flexible working practices</b></p> <p>7.1 This award contains facilitative provisions which allow agreement between an employer and an individual employee, or the majority of employees, on how specific award provisions are to apply at the workplace.</p> <p>7.2 The following clauses have facilitative provisions:</p> <p><b>Table 1—Facilitative provisions</b></p> <table border="1" data-bbox="1614 1209 2650 1913"> <thead> <tr> <th>Clause</th> <th>Provision</th> <th>Agreement between an employer and:</th> </tr> </thead> <tbody> <tr> <td>15.2(a)</td> <td>Make-up time (introduction of system of make-up time)</td> <td>the majority of employees</td> </tr> <tr> <td>15.2(b)</td> <td>Make-up time (agreement to take make-up time)</td> <td>an individual employee</td> </tr> <tr> <td>20.2</td> <td>Payment of wages</td> <td>the majority of employees</td> </tr> <tr> <td>24.4</td> <td>Time off instead of payment for overtime</td> <td>an individual employee</td> </tr> <tr> <td>26.8</td> <td>Annual leave in advance</td> <td>an individual employee</td> </tr> <tr> <td>26.9</td> <td>Cashing out of annual leave</td> <td>an individual employee</td> </tr> <tr> <td>29.2</td> <td>Substitution of public holidays by agreement</td> <td>the majority of employees</td> </tr> </tbody> </table> <p>7.3 The agreement must be kept by the employer as a time and wages record.</p>	Clause	Provision	Agreement between an employer and:	15.2(a)	Make-up time (introduction of system of make-up time)	the majority of employees	15.2(b)	Make-up time (agreement to take make-up time)	an individual employee	20.2	Payment of wages	the majority of employees	24.4	Time off instead of payment for overtime	an individual employee	26.8	Annual leave in advance	an individual employee	26.9	Cashing out of annual leave	an individual employee	29.2	Substitution of public holidays by agreement	the majority of employees
Clause	Provision	Agreement between an employer and:																							
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26.9	Cashing out of annual leave	an individual employee																							
29.2	Substitution of public holidays by agreement	the majority of employees																							

Current award – Restaurant Industry Award 2010	Plain Language ED – Restaurant Industry Award 2017
<p><b>Part 3—Types of Employment and Termination of Employment</b></p> <p><b>10. Types of employment</b></p> <p><b>10.1</b> Employees under this award will 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><b>10.2</b> At the time of engagement an employer will inform each employee of the terms of their engagement and in particular whether they are to be full-time, part-time or casual.</p>	<p><b>Part 2—Types of Employment and Classifications</b></p> <p><b>8. Types of employment</b></p> <p><b>8.1</b> An employee covered by this award must be one of the following:</p> <p>(a) a full-time employee; or</p> <p>(b) a part-time employee; or</p> <p>(c) a casual employee.</p> <p><b>8.2</b> At the time of engaging an employee, the employer must inform the employee of the terms of their engagement, including whether they are engaged as a full-time, part-time or casual employee.</p>
<p><b>11. Full-time employment</b></p> <p>A full-time employee is an employee who is engaged to work an average of 38 ordinary hours per week.</p>	<p><b>9. Full-time employment</b></p> <p>An employee who is engaged to work an average of 38 ordinary hours per week over a period of no more than 4 weeks is a full-time employee.</p>
<p><b>12. Part-time employment</b></p> <p><b>12.1</b> An employer may employ part-time employees in any classification in this award.</p> <p><b>12.2</b> A part-time employee is an employee who:</p> <p>(a) works less than full-time hours of 38 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><b>12.3</b> 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><b>12.4</b> Any agreed variation to the hours of work will be recorded in writing.</p> <p><b>12.5</b> An employer is required to roster a part-time employee for a minimum of three consecutive hours on any shift.</p> <p><b>12.6</b> 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 13—Casual employment.</p> <p><b>12.7</b> All time worked in excess of the hours as agreed under clause 12.3 or varied under clause 12.4 will be overtime and paid for at the rates prescribed in clause 33—Overtime.</p> <p><b>12.8</b> 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 in clause 20—Minimum wages, for the work performed.</p>	<p><b>10. Part-time employment</b></p> <p>Part-time employment provisions may be affected by AM2014/196</p> <p><b>10.1</b> An employee who is engaged to work for fewer than an average of 38 ordinary hours per week over a period of no more than 4 weeks and whose hours of work are reasonably predictable is a part-time employee.</p> <p><b>10.2</b> An employer may employ part-time employees with any classification defined in Schedule A—Classification Structure and Definitions.</p> <p><b>10.3</b> This award applies to a part-time employee in the same way that it applies to a full-time employee except as otherwise expressly provided by this award.</p> <p><b>10.4</b> A part-time employee is entitled to payments in respect of annual leave, personal/carer’s leave, compassionate leave or public holidays on a proportionate basis.</p> <p><b>10.5</b> At the time of engaging a part-time employee, the employer must agree in writing with the employee to all of the following:</p> <p>(a) the number of hours to be worked each day; and</p> <p>(b) the days of the week on which the employee will work; and</p> <p>(c) the times at which the employee will start and finish work each day.</p> <p><b>10.6</b> The employer and the employee may vary an agreement under clause 10.5. Any variation must be recorded in writing.</p> <p><b>10.7</b> An employer must roster a part-time employee to work on any shift for a minimum of 3 consecutive hours.</p> <p><b>10.8</b> A part-time employee must be paid in accordance with clause 18—Minimum rates for each ordinary hour worked.</p> <p><b>10.9</b> The employer must keep a copy of any agreement under clause 10.5, and any variation under clause 10.6, and give another copy to the employee.</p>



Current award – Restaurant Industry Award 2010	Plain Language ED – Restaurant Industry Award 2017
<p><b>13. Casual employment</b></p> <p><b>13.1</b> A casual employee is an employee engaged as such and must be paid a casual loading of 25%. The casual loading is paid as compensation for annual leave, unpaid personal/carer’s leave, notice of termination, redundancy benefits and the other entitlements of full-time or part-time employment.</p> <p><b>13.2</b> On each occasion a casual employee is required to attend work they are entitled to a minimum payment for two hours’ work.</p> <p><b>13.3</b> A casual employee must be paid at the termination of each engagement, but may agree to be paid weekly or fortnightly.</p>	<p><b>11. Casual employment</b></p> <p>Casual employment provisions may be affected by AM2014/197</p> <p><b>11.1</b> An employee who is not covered by clause 9—Full-time employment or clause 10—Part-time employment must be engaged and paid as a casual employee.</p> <p><b>11.2</b> An employer must pay a casual employee for each ordinary hour worked a loading of <b>25%</b> on top of the minimum hourly rate otherwise applicable under clause 18—Minimum rates.</p> <p>NOTE: The casual loading is payable instead of entitlements from which casuals are excluded by the terms of this award and the NES. See Part 2-2 of the Act.</p> <p><b>11.3</b> An employer must pay a casual employee for a minimum of 2 hours’ work on each occasion on which the casual employee is rostered to attend work even if the employee works for a shorter time.</p> <p><b>11.4</b> An employer must pay a casual employee at the end of each engagement unless the employer and the employee have agreed that the pay period of the employee is either weekly or fortnightly.</p>
<p><b>14. Apprentices</b></p> <p><b>14.1</b> Apprentices will be engaged in accordance with relevant apprenticeship legislation and be paid in accordance with clause 20.2.</p> <p><b>14.2</b> An apprentice under the age of 18 years must not, without their consent, be required to work overtime.</p> <p><b>14.3</b> 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><b>14.4</b> Except as provided in this clause or where otherwise stated, all conditions of employment specified in this award apply to apprentices.</p> <p><b>14.5</b> 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><b>14.6</b> For the purposes of clause 14.5, 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><b>14.7</b> The amount payable by an employer under clause 14.5 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><b>14.8</b> 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><b>14.9</b> An employer may meet its obligations under clause 14.8 by paying any fees and/or cost of textbooks directly to the RTO.</p> <p><b>14.10</b> 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</p>	<p><b>12. Apprentices</b></p> <p><b>12.1</b> An employer may engage apprentices.</p> <p><b>12.2</b> Any engagement must be in accordance with the law regulating apprenticeships in force in the place in which the apprentice is engaged.</p> <p><b>12.3</b> This award applies to an apprentice in the same way that it applies to a full-time employee except as otherwise expressly provided by this award.</p> <p><b>12.4</b> An employer must pay an apprentice in accordance with Table 4—Apprentice minimum rates (see clause 18.3(a)).</p> <p><b>12.5</b> An employer must not require an apprentice under the age of 18 to work overtime. However, such an apprentice may agree to work overtime if requested to do so.</p> <p><b>12.6</b> Except in an emergency, an employer must not require an apprentice to work overtime or shiftwork at any time that would prevent their attendance at training in accordance with their training contract.</p> <p><b>12.7 Training</b></p> <p>(a) An employer must release an apprentice from work to attend training or any assessment in accordance with their training contract without loss of pay or continuity of employment.</p> <p>(b) Subject to Schedule D—School-based Apprentices, time spent by an apprentice in attending training or any assessment in accordance with their training contract is to be regarded as time worked for the employer for the purpose of calculating the apprentice’s wages and determining the apprentice’s employment conditions.</p> <p>(c) An employer must reimburse an apprentice for all fees paid by the apprentice themselves to a registered training organisation (RTO) for courses that the apprentice is required to attend, and all costs incurred by the apprentice in purchasing textbooks (not provided or otherwise made available by the employer) that the apprentice is required to study, for the purposes of the apprenticeship.</p> <p>(d) The employer must make any reimbursement required under paragraph (c) by whichever of the following is the later:</p> <p>(i) 6 months after the start of the apprenticeship; or</p> <p>(ii) 6 months after the relevant stage of the apprenticeship; or</p> <p>(iii) 3 months after the start of the training provided by the RTO.</p>

Current award – Restaurant Industry Award 2010	Plain Language ED – Restaurant Industry Award 2017
<p>contract.</p> <p><b>14.11</b> 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>(e) Reimbursement under paragraph (c) is subject to the employer being satisfied that the apprentice is making satisfactory progress in the apprenticeship.</p> <p><b>12.8 Block release training</b></p> <p>(a) Clause 12.8 applies to an apprentice who is required to attend block release training in accordance with their training contract.</p> <p>(b) If the training requires an overnight stay, the employer must pay for the reasonable travel costs incurred by the apprentice in travelling to and from the training.</p> <p>(c) The employer is not obliged to pay costs under paragraph (b) if the apprentice could have attended training at a closer venue and attending the more distant training had not been agreed between the employer and the apprentice.</p> <p>(d) Reasonable travel costs in paragraph (b) include:</p> <p>(i) the total cost of reasonable transportation (including transportation of tools, where required) to and from the training; and</p> <p>(ii) accommodation costs; and</p> <p>(iii) reasonable expenses, including for meals, incurred which exceed those incurred in the normal course of travelling to and from the workplace.</p> <p>(e) Reasonable costs in paragraph (b) do not include payment for travelling time or expenses incurred while not travelling to and from the block release training.</p> <p>(f) The amount an employer must pay under paragraph (b) may be reduced by any amount that the apprentice has received, or was eligible to receive, for travel costs to attend block release training under a Government apprentice assistance scheme.</p> <p>(g) The employer may only make a reduction under paragraph (f) for an amount that an apprentice was eligible to receive, but did not receive, if the employer advised the apprentice in writing of the availability of the assistance and the apprentice choose not to seek it.</p>
<p><b>15. Junior employees</b></p> <p><b>15.1</b> Junior employees will be paid in accordance with clause 20.3. Where the law permits, junior employees may be employed in the bar or other places where liquor is sold. Junior employees working as liquor service employees must be paid at the adult rate of pay in clause 20.1 for the classification for the work being performed.</p> <p><b>15.2</b> An employer may at any time demand the production of a birth certificate or other satisfactory proof for the purpose of ascertaining the correct age of a junior employee. If a birth certificate is required, the cost of it must be borne by the employer.</p> <p><b>15.3</b> No employee under the age of 18 years will be required to work more than 10 hours in a shift.</p>	<p><b>13. Junior employees</b></p> <p>NOTE: Junior employee is defined in clause 2—Definitions.</p> <p><b>13.1</b> An employer may engage junior employees.</p> <p><b>13.2</b> An employer must pay a junior employee in accordance with Table 3—Junior rates (see clause 18.2(a)).</p> <p><b>13.3</b> An employer must not require an employee under 18 years of age to work more than 10 hours in a shift.</p> <p><b>13.4</b> If permitted under the law applying in the relevant place, junior employees may work in a bar or other place where liquor is sold or dispensed.</p> <p><b>13.5</b> Junior employees working as liquor service employees must be paid as an adult in accordance with Table 2—Minimum rates (see clause 18.1) at the classification rate for the work being performed.</p> <p><b>13.6</b> An employer may at any time demand that a junior employee produce a birth certificate or other satisfactory proof of age. If the employer demands a birth certificate, the employer must pay the cost of obtaining the certificate.</p>

Current award – Restaurant Industry Award 2010	Plain Language ED – Restaurant Industry Award 2017
<p><b>19. Classifications</b></p> <p>The definitions of the classification levels in clause 20—Minimum wages, are contained in Schedule B—Classification Structure and Definitions.</p>	<p><b>14. Classifications</b></p> <p>An employer must classify an employee covered by this award in accordance with Schedule A—Classification Structure and Definitions.</p> <p>NOTE: The minimum rates applicable to the classifications in this award are in Table 2—Minimum rates (see clause 18.1).</p>
<p><b>Part 5—Hours of Work and Related Matters</b></p> <p><b>31. Hours of work</b></p> <p><b>31.1</b> The hours of work of a full-time employee are an average of 38 per week over a period of no more than four weeks.</p> <p><b>31.2</b> The arrangement of ordinary hours must meet the following conditions:</p> <ul style="list-style-type: none"> <li>(a) a minimum of six hours and a maximum of 11 and a half hours may be worked on any one day. The daily minimum and maximum hours are exclusive of meal break intervals;</li> <li>(b) an employee cannot be rostered to work for more than 10 hours per day on more than three consecutive days without a break of at least 48 hours;</li> <li>(c) no more than eight days of more than 10 hours may be worked in a four week period;</li> <li>(d) an employee must be given a minimum break of 10 hours between the finish of ordinary hours of work on one day and the commencement of ordinary hours of work on the next day. In the case of a changeover of rosters the minimum break must be eight hours;</li> <li>(e) an employee must be given a minimum of eight full days off per four week period; or</li> <li>(f) an employee under the age of 18 years must not be required to work more than 10 hours in a shift.</li> </ul>	<p><b>Part 3—Hours of Work</b></p> <p><b>15. Ordinary hours of work</b></p> <p>NOTE: A full-time employee must work an average of 38 ordinary hours per week in a period of no more than 4 weeks. See clause 9—Full-time employment.</p> <p><b>15.1</b> An arrangement for working ordinary hours must satisfy all of the following conditions:</p> <ul style="list-style-type: none"> <li>(a) the minimum number of ordinary hours that may be worked by a full-time employee on any day is 6 (excluding meal breaks); and</li> <li>(b) the maximum number of ordinary hours that may be worked on any day is 11.5 (excluding meal breaks); and</li> <li>(c) an employee who is rostered to work more than 10 ordinary hours on more than 3 consecutive days is entitled to a break of at least 48 hours after the last consecutive day on which the employee works more than 10 ordinary hours; and</li> <li>(d) the maximum number of days on which an employee may work more than 10 ordinary hours in a 4 week cycle is 8; and</li> <li>(e) an employee (other than a casual employee) must have a minimum break of 10 hours between when the employee finishes work on one day and starts work on the next and a minimum break of 8 hours for a changeover of rosters; and</li> <li>(f) an employee must have a minimum of 8 full days off work in a 4 week period; and</li> <li>(g) the maximum spread of hours for an employee who works split shifts is 12.</li> </ul> <p>NOTE: An employee under the age of 18 years must not be required to work more than 10 hours in a shift. See clause 13.3 (Junior employees).</p>
<p><b>31.3 Make-up time</b> means an arrangement under which an employee takes time off during the employee’s ordinary hours of work and makes up that time later. The employer and a majority of employees in a workplace may agree to introduce make-up time subject to the following conditions:</p> <ul style="list-style-type: none"> <li>(a) subject to such agreement, an employee may elect, with the consent of the employer, to work make-up time;</li> <li>(b) make-up time arrangements must comply with the conditions set out in clause 32—Breaks and clause 34—Penalty rates;</li> <li>(c) the employer must record make-up time arrangements as time and wages records; and</li> <li>(d) any disputes in relation to the practical application of this clause may be dealt with in accordance with clause 9—Dispute resolution.</li> </ul> <p><b>31.4 Spread of hours</b></p> <p>Where broken shifts are worked the spread of hours can be no greater than 12 hours per day.</p> <p><b>31.5 Minimum break between shift</b></p> <p>The roster for all employees other than casuals will provide for a minimum 10 hour break between the finish of</p>	<p><b>15.2 Make-up time</b></p> <ul style="list-style-type: none"> <li>(a) The employer and a majority of the employees at a workplace may agree to introduce an arrangement at the workplace under which an employee takes time off during the employee’s ordinary hours of work and makes up that time later.</li> <li>(b) If an agreement under paragraph (a) has been made for a workplace, an employee may elect, with the consent of the employer, to take time off and make up that time later.</li> <li>(c) An employee working make-up time is entitled to breaks in accordance with clause 16—Breaks.</li> <li>(d) If make-up time is worked at a time when penalty rates are applicable under clause 25—Penalty rates, the employer must pay the employee in accordance with Table 6—Penalty rates (see clause 25.2(c)) for that time.</li> <li>(e) The employer must keep a record of make-up time arrangements as a time and wages record.</li> </ul>

Current award – Restaurant Industry Award 2010	Plain Language ED – Restaurant Industry Award 2017
ordinary hours on one day and the commencement of ordinary hours on the following day. In the case of changeover of rosters, eight hours will be substituted for 10 hours.	
<p><b>31.6 Roster</b></p> <p>(a) A roster for full-time and part-time employees showing normal starting and finishing times and the surname and initials of each employee will be prepared by the employer and will be posted in a conspicuous place accessible to the employees concerned.</p> <p>(b) The roster will be alterable by mutual consent at any time or by amendment of the roster on seven days' notice. Where practicable, two weeks' notice of rostered day or days off should be given provided that the days off may be changed by mutual consent or through sickness or other cause over which the employer has no control.</p>	<p><b>15.3 Rosters (Full-time and part-time employees)</b></p> <p>(a) The following rostering provisions apply to full-time and part-time employees.</p> <p>(b) The employer must prepare a roster showing for each employee their name and the times at which they start and finish work.</p> <p>(c) The employer must post the roster in a conspicuous place that is easily accessible by the employees.</p> <p>(d) The roster of an employee may be changed at any time by the employer and employee by mutual agreement or by the employer giving the employee 7 days' notice of the change.</p> <p><b>15.4 Notice of days off (including rostered days off)</b></p> <p>(a) An employer must, where practicable, give an employee a minimum of 2 weeks' notice of any rostered day off.</p> <p>(b) A rostered day off may be changed by the employer and employee by mutual agreement or for any reason beyond the control of the employer (including sickness).</p>
<p><b>32. Breaks</b></p> <p><b>32.1</b> If an employee, including a casual employee, is required to work for five or more hours in a day the employee must be given an unpaid meal break of no less than 30 minutes. The break must be given no earlier than one hour after starting work and no later than six hours after starting work.</p> <p><b>32.2</b> If the unpaid meal break is rostered to be taken after five hours of starting work, the employee must be given an additional 20 minute paid meal break. The employer must allow the employee to take this additional meal break no earlier than two hours after starting work and no later than five hours after starting work.</p> <p><b>32.3</b> If an employee is not given the unpaid meal break at the time the employer has told the employee it will be given, the employer must pay the employee 150% of the employee's ordinary base rate of pay from the time the meal break was to commence until either the meal break is given or the shift ends.</p> <p><b>32.4</b> If clause 32.3 does not apply and an employee is not given a meal break in accordance with clause 32.1 the employer must pay the employee 150% of the employee's ordinary base rate of pay from the end of six hours until either the meal break is given or the shift ends.</p> <p><b>32.5</b> If an employee is required to work more than five hours after the employee is given the unpaid meal break, the employee must be given an additional 20 minute paid break.</p> <p><b>32.6</b> If a full-time or regular part-time employee is required to work more than 10 ordinary hours in the day, the employee will be given two additional 20 minute paid breaks. In rostering for these breaks, the employer must make all reasonable efforts to ensure an even mix of work time and breaks.</p> <p><b>32.7</b> If an employee is required to work more than two hours' overtime after completion of the employee's rostered hours, the employee must be given an additional 20 minute paid break.</p>	<p><b>16. Breaks</b></p> <p><b>16.1</b> Clause 16 gives an employee an entitlement to meal breaks and rest breaks.</p> <p><b>16.2</b> An employee who is required to work for 5 hours or more in a day is entitled to an unpaid meal break of at least 30 minutes.</p> <p><b>16.3</b> An unpaid meal break must not be taken within the first hour of work or later than the first 6 hours of work.</p> <p><b>16.4</b> An employee who is rostered to take their unpaid meal break later than 5 hours after starting work is entitled to an additional paid meal break of 20 minutes (to be taken after the first 2 hours of work and within the first 5 hours of work).</p> <p><b>16.5</b> If an employee is not allowed to take an unpaid meal break at the rostered time, the employer must pay the employee at the rate of <b>150%</b> of the employee's minimum hourly rate from when the meal break was due to be taken until either the employee is allowed to take it or the shift ends.</p> <p><b>16.6</b> If there is no rostered time for an employee to take an unpaid meal break and the employee is not allowed to take a meal break in accordance with clause 16.3, the employer must pay the employee at the rate of <b>150%</b> of the employee's minimum hourly rate from the end of 6 hours after starting work until either the employee is allowed to take it or the shift ends.</p> <p><b>16.7 Additional rest break</b></p> <p>(a) An employer must give an employee an additional paid rest break of 20 minutes in any of the following circumstances:</p> <p>(i) the employee is required to work more than 5 continuous hours after an unpaid meal break; or</p> <p>(ii) the employee is required to work more than 2 hours overtime after finishing their rostered hours.</p> <p>(b) A full-time or part-time employee who is required to work more than 10 ordinary hours in the day is entitled to two additional paid rest breaks of 20 minutes.</p> <p>(c) In rostering for the two additional paid rest breaks of 20 minutes to which an employee is entitled under paragraph (b), the employer must seek to ensure that breaks are spread evenly across the shift.</p>

Current award – Restaurant Industry Award 2010	Plain Language ED – Restaurant Industry Award 2017																																																																																																																																																
<p><b>Part 4—Minimum Wages and Related Matters</b></p> <p><b>18. Work organisation</b></p> <p>Employees must undertake duties as directed within the limits of their competence and may undertake duties across the different streams contained in the classification definitions in Schedule B—Classification Structure and Definitions.</p>	<p><b>Part 4—Wages and Allowances</b></p> <p><b>17. Work organisation</b></p> <p>An employer may require an employee to perform duties across the different classification streams set out in Schedule A—Classification Structure and Definitions that they are competent to perform.</p>																																																																																																																																																
<p><b>20. Minimum wages</b></p> <p><b>20.1 General</b></p> <p>An adult employee within a level specified in the following table (other than an apprentice) will be paid not less than the rate per week assigned to the classification, as defined in Schedule B—Classification Structure and Definitions, for the area in which such employee is working.</p> <table border="1" data-bbox="240 657 1359 1976"> <thead> <tr> <th>Classification</th> <th>Minimum weekly wage</th> <th>Minimum hourly wage</th> </tr> <tr> <td></td> <td>\$</td> <td>\$</td> </tr> </thead> <tbody> <tr> <td>Introductory level</td> <td>672.70</td> <td>17.70</td> </tr> <tr> <td><b>Level 1:</b></td> <td>692.10</td> <td>18.21</td> </tr> <tr> <td>Food and beverage attendant grade 1</td> <td></td> <td></td> </tr> <tr> <td>Kitchen attendant grade 1</td> <td></td> <td></td> </tr> <tr> <td><b>Level 2:</b></td> <td>718.60</td> <td>18.91</td> </tr> <tr> <td>Food and beverage attendant grade 2</td> <td></td> <td></td> </tr> <tr> <td>Cook grade 1</td> <td></td> <td></td> </tr> <tr> <td>Kitchen attendant grade 2</td> <td></td> <td></td> </tr> <tr> <td>Clerical grade 1</td> <td></td> <td></td> </tr> <tr> <td>Storeperson grade 1</td> <td></td> <td></td> </tr> <tr> <td>Door person/security officer grade 1</td> <td></td> <td></td> </tr> <tr> <td><b>Level 3:</b></td> <td>743.30</td> <td>19.56</td> </tr> <tr> <td>Food and beverage attendant grade 3</td> <td></td> <td></td> </tr> <tr> <td>Cook grade 2</td> <td></td> <td></td> </tr> <tr> <td>Kitchen attendant grade 3</td> <td></td> <td></td> </tr> <tr> <td>Clerical grade 2</td> <td></td> <td></td> </tr> <tr> <td>Storeperson grade 2</td> <td></td> <td></td> </tr> <tr> <td>Timekeeper/security officer grade 2</td> <td></td> <td></td> </tr> <tr> <td>Handyperson</td> <td></td> <td></td> </tr> <tr> <td><b>Level 4:</b></td> <td>783.30</td> <td>20.61</td> </tr> <tr> <td>Food and beverage attendant grade 4 (tradesperson)</td> <td></td> <td></td> </tr> <tr> <td>Cook grade 3 (tradesperson)</td> <td></td> <td></td> </tr> <tr> <td>Clerical grade 3</td> <td></td> <td></td> </tr> <tr> <td>Storeperson grade 3</td> <td></td> <td></td> </tr> <tr> <td><b>Level 5:</b></td> <td>832.30</td> <td>21.90</td> </tr> </tbody> </table>	Classification	Minimum weekly wage	Minimum hourly wage		\$	\$	Introductory level	672.70	17.70	<b>Level 1:</b>	692.10	18.21	Food and beverage attendant grade 1			Kitchen attendant grade 1			<b>Level 2:</b>	718.60	18.91	Food and beverage attendant grade 2			Cook grade 1			Kitchen attendant grade 2			Clerical grade 1			Storeperson grade 1			Door person/security officer grade 1			<b>Level 3:</b>	743.30	19.56	Food and beverage attendant grade 3			Cook grade 2			Kitchen attendant grade 3			Clerical grade 2			Storeperson grade 2			Timekeeper/security officer grade 2			Handyperson			<b>Level 4:</b>	783.30	20.61	Food and beverage attendant grade 4 (tradesperson)			Cook grade 3 (tradesperson)			Clerical grade 3			Storeperson grade 3			<b>Level 5:</b>	832.30	21.90	<p><b>18. Minimum rates</b></p> <p><b>18.1</b> An employer must pay an adult employee (other than an apprentice) the minimum hourly rate specified in column 3 (or for a full-time employee the minimum weekly rate specified in column 2) in accordance with the employee classification specified in column 1 of Table 2—Minimum rates:</p> <p>NOTE 1: Adult employee is defined in clause 2—Definitions.</p> <p>NOTE 2: Provisions for calculating wages for a junior employee is at clause 18.2—Junior rates.</p> <p><b>Table 2—Minimum rates</b></p> <table border="1" data-bbox="1605 747 2635 1959"> <thead> <tr> <th>Column 1 Employee classification</th> <th>Column 2 Minimum weekly rate</th> <th>Column 3 Minimum hourly rate</th> </tr> </thead> <tbody> <tr> <td><b>Introductory level</b></td> <td>\$672.70</td> <td>\$17.70</td> </tr> <tr> <td><b>Level 1</b></td> <td>\$692.10</td> <td>\$18.21</td> </tr> <tr> <td>Food and beverage attendant grade 1</td> <td></td> <td></td> </tr> <tr> <td>Kitchen attendant grade 1</td> <td></td> <td></td> </tr> <tr> <td><b>Level 2</b></td> <td>\$718.60</td> <td>\$18.91</td> </tr> <tr> <td>Food and beverage attendant grade 2</td> <td></td> <td></td> </tr> <tr> <td>Cook grade 1</td> <td></td> <td></td> </tr> <tr> <td>Kitchen attendant grade 2</td> <td></td> <td></td> </tr> <tr> <td>Clerical grade 1</td> <td></td> <td></td> </tr> <tr> <td>Storeperson grade 1</td> <td></td> <td></td> </tr> <tr> <td>Door person/security officer grade 1</td> <td></td> <td></td> </tr> <tr> <td><b>Level 3</b></td> <td>\$743.30</td> <td>\$19.56</td> </tr> <tr> <td>Food and beverage attendant grade 3</td> <td></td> <td></td> </tr> <tr> <td>Cook grade 2</td> <td></td> <td></td> </tr> <tr> <td>Kitchen attendant grade 3</td> <td></td> <td></td> </tr> <tr> <td>Clerical grade 2</td> <td></td> <td></td> </tr> <tr> <td>Storeperson grade 2</td> <td></td> <td></td> </tr> <tr> <td>Timekeeper/security officer grade 2</td> <td></td> <td></td> </tr> <tr> <td>Handyperson</td> <td></td> <td></td> </tr> <tr> <td><b>Level 4</b></td> <td>\$783.30</td> <td>\$20.61</td> </tr> </tbody> </table>	Column 1 Employee classification	Column 2 Minimum weekly rate	Column 3 Minimum hourly rate	<b>Introductory level</b>	\$672.70	\$17.70	<b>Level 1</b>	\$692.10	\$18.21	Food and beverage attendant grade 1			Kitchen attendant grade 1			<b>Level 2</b>	\$718.60	\$18.91	Food and beverage attendant grade 2			Cook grade 1			Kitchen attendant grade 2			Clerical grade 1			Storeperson grade 1			Door person/security officer grade 1			<b>Level 3</b>	\$743.30	\$19.56	Food and beverage attendant grade 3			Cook grade 2			Kitchen attendant grade 3			Clerical grade 2			Storeperson grade 2			Timekeeper/security officer grade 2			Handyperson			<b>Level 4</b>	\$783.30	\$20.61
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<p><b>20.3 Juniors—minimum wages</b></p> <p>(a) The minimum rate of wages for junior employees will be the percentages as set out below of the rate prescribed for the adult classification appropriate to the work performed for the area in which the employee is working.</p> <table border="1"> <thead> <tr> <th>Age</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>16 years and under</td> <td>50</td> </tr> <tr> <td>17 years and under</td> <td>60</td> </tr> <tr> <td>18 years of age</td> <td>70</td> </tr> <tr> <td>19 years of age</td> <td>85</td> </tr> <tr> <td>20 years of age</td> <td>100</td> </tr> </tbody> </table> <p>(b) The wage will be calculated to the nearest \$0.10. Any broken part of \$0.10 in the result not exceeding \$0.05 is to be disregarded.</p>	Age	%	16 years and under	50	17 years and under	60	18 years of age	70	19 years of age	85	20 years of age	100	<p><b>18.2 Junior rates</b></p> <p>NOTE: Junior employee is defined in clause 2—Definitions.</p> <p>(a) An employer must pay a junior employee aged as specified in column 1 of Table 3—Junior rates the minimum percentage specified in column 2 of the minimum rate that would otherwise be applicable under Table 2—Minimum rates (see clause 18.1):</p> <p><b>Table 3—Junior rates</b></p> <table border="1"> <thead> <tr> <th>Column 1 Age</th> <th>Column 2 Minimum % of minimum rate</th> </tr> </thead> <tbody> <tr> <td>16 years of age and under</td> <td>50%</td> </tr> <tr> <td>17 years of age</td> <td>60%</td> </tr> <tr> <td>18 years of age</td> <td>70%</td> </tr> <tr> <td>19 years of age</td> <td>85%</td> </tr> <tr> <td>20 years of age</td> <td>100%</td> </tr> </tbody> </table> <p>(b) A minimum rate calculated in accordance with Table 3—Junior rates must be rounded to the nearest <b>\$0.10</b>.</p> <p>(c) An amount that is in dollars and a number of cents is rounded to the nearest <b>\$0.10</b>:</p> <ul style="list-style-type: none"> <li>(i) if the amount of cents is <b>\$0.06</b> or more, by increasing that amount to the next <b>\$0.10</b>; or</li> <li>(ii) if the number of cents is <b>\$0.05</b> or less, by deducting those cents from that amount.</li> </ul>	Column 1 Age	Column 2 Minimum % of minimum rate	16 years of age and under	50%	17 years of age	60%	18 years of age	70%	19 years of age	85%	20 years of age	100%																					
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**20.2 Apprentices**

**(a) Minimum wages**

	Percentage of the rate prescribed in clause 20.1 for a Cook grade 3	Minimum weekly wage	Minimum hourly wage
	%	\$	\$
1st year	55	430.82	11.34
2nd year	65	509.15	13.40
3rd year	80	626.64	16.49
4th year	95	744.14	19.58

**(b) Completion of full apprenticeship**

Any person who has completed a full apprenticeship as a qualified tradesperson must be paid not less than the standard rate.

**(c) Proficiency pay**

**(i) Application**

Proficiency pay as set out in this clause will apply to apprentices who have successfully completed their schooling in a given year.

**(ii) Payments**

Apprentices will receive the rate of pay of a qualified cook during the latter half of the fourth year of the apprenticeship where the standard of proficiency has been attained on one, two or three occasions on the following basis:

**• On one occasion only**

- the first nine months of the fourth year of the normal fourth year rate of pay;
- thereafter, the qualified cook’s award rate of pay.

**• On two occasions**

- for the first six months of the fourth year of apprenticeship, the normal year rate of pay;
- thereafter, the qualified cook’s award rate of pay.

**• On three occasions**

- for the entire fourth year, the qualified cook’s award rate of pay.

**18.3 Apprentice rates**

- (a) An employer must pay an apprentice the minimum hourly rate specified in column 4 (or for a full-time employee the minimum weekly rate specified in column 3) in accordance with the year of the apprenticeship specified in column 1 of Table 4—Apprentice minimum rates.

**Table 4—Apprentice minimum rates**

Column 1	Column 2	Column 3	Column 4
Year of apprenticeship	% of the standard rate	Minimum weekly rate	Minimum hourly rate
1st year	55%	\$430.82	\$11.34
2nd year	65%	\$509.15	\$13.40
3rd year	80%	\$626.64	\$16.49
4th year	95%	\$744.14	\$19.58

NOTE: The minimum rates are the percentage of the standard rate specified in column 2 of Table 4—Apprentice minimum rates.

- (b) An employer must pay an employee who has completed a full apprenticeship as a qualified tradesperson at not less than the standard rate.

**18.4 Proficiency payments**

An employer must pay a 4th year apprentice as follows:

- (a) at the 4th year apprentice rate specified in Table 4—Apprentice minimum rates (see clause 18.3(a)) for the first 9 months of the year and the standard rate for the rest of the year if the apprentice has successfully completed their schooling for a year on one occasion only;
- (b) at the 4th year apprentice rate specified in Table 4—Apprentice minimum rates (see clause 18.3(a)) for the first 6 months of the year and the standard rate for the rest of the year if the apprentice has successfully completed their schooling for a year on 2 occasions;
- (c) at the standard rate for the entire 4th year if the apprentice has successfully completed their schooling for a year on 3 occasions.

Current award – Restaurant Industry Award 2010	Plain Language ED – Restaurant Industry Award 2017
<p><b>(d) Adult apprentices</b></p> <p><b>(i)</b> The minimum wage of 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 rate prescribed for a Cook grade 3, or the rate prescribed by clause 20.2(a) for the relevant year of the apprenticeship, whichever is the greater.</p> <p><b>(ii)</b> The minimum wage of 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 20.1, or the rate prescribed by clause 20.2(a) for the relevant year of the apprenticeship, whichever is the greater.</p> <p><b>(iii)</b> 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 20.1 in which the adult apprentice was engaged immediately prior to entering into the training agreement.</p>	<p><b>18.5 Adult apprentices</b></p> <p>NOTE: Adult apprentice is defined in clause 2—Definitions.</p> <p><b>(a)</b> An employer must pay a first year adult apprentice who commenced on or after 1 January 2014 and is in the first year of their apprenticeship at not less than whichever of the following is the greater:</p> <p><b>(i)</b> 80% of the standard rate; or</p> <p><b>(ii)</b> the rate in Table 4—Apprentice minimum rates (see clause 18.3(a)) for the first year of the apprenticeship.</p> <p><b>(b)</b> An employer must pay an adult apprentice who commenced on or after 1 January 2014 and is in the second or a subsequent year of the apprenticeship at not less than whichever of the following is the greater:</p> <p><b>(i)</b> the lowest rate in Table 2—Minimum rates (see clause 18.1);</p> <p><b>(ii)</b> the rate in Table 4—Apprentice minimum rates (see clause 18.3(a)) for the relevant year of the apprenticeship.</p> <p><b>(c)</b> Paragraph (d) applies to an employee who, immediately before entering into a training agreement as an adult apprentice with an employer, had been employed by the employer as a full-time employee for not less than 6 months or as a part-time or long term casual employee for not less than 12 months.</p> <p><b>(d)</b> The minimum rate that was applicable to the employee immediately before the person entered into the training agreement continues to be applicable to the employee throughout the apprenticeship.</p>
<p><b>29. Higher duties</b></p> <p><b>29.1</b> Any employee who is employed for two or more hours of one day on duties carrying a higher rate than the employee’s ordinary classification must be paid the higher rate for each day.</p> <p><b>29.2</b> Any employee engaged for less than two hours on one day on duties carrying a higher rate than the employee’s ordinary classification must be paid at the higher rate for the time so worked.</p> <p><b>29.3</b> A higher paid employee must, when necessary, temporarily relieve a lower paid employee without loss of pay.</p>	<p><b>19. Higher duties</b></p> <p><b>19.1</b> An employer must pay an employee who performs for 2 or more hours on any particular day duties of a classification higher than the employee’s ordinary classification the minimum hourly rate specified in column 3 of Table 2—Minimum rates (see clause 18.1) for that higher classification for the whole of that day.</p> <p><b>19.2</b> An employer must pay an employee who performs for less than 2 hours on any particular day duties of a classification higher than the employee’s ordinary classification the minimum hourly rate specified in column 3 of Table 2—Minimum rates (see clause 18.1) for that higher classification for the time during which those duties were performed.</p> <p><b>19.3</b> An employer may require an employee to temporarily perform the duties of a classification lower than the employee’s ordinary classification without loss of pay.</p>
<p><b>27. Payment of wages</b></p> <p><b>27.1</b> Except upon the termination of employment, all wages including overtime must be paid on any day other than Friday, Saturday or Sunday in each week. However, by agreement between the employer and the majority of employees in the workplace, in a week where a holiday occurs payment of wages may be made on Friday.</p> <p><b>27.2</b> The employer will pay the employee’s wages, penalties and allowances weekly, fortnightly or, by agreement, monthly by cash, cheque or by electronic funds transfer into the employee’s nominated bank account, without cost to the employee.</p> <p><b>27.3</b> Employees whose rostered day off falls on pay day must be paid their wages, if they so desire, before going off duty on the working day prior to their day off. Provided that this provision will not apply to employees paid by electronic funds transfer.</p> <p><b>27.4</b> When notice of termination of employment has been given by an employee or an employee’s services have been terminated by an employer, payment of all wages due must be made during working time, prior to the employee leaving their employment.</p>	<p><b>20. Payment of wages</b></p> <p>This clause may be affected by AM2016/8</p> <p><b>20.1</b> The employer may determine the pay period of an employee as being either weekly or fortnightly. However, the employer and an individual employee may agree to a monthly pay period.</p> <p><b>20.2</b> Except on termination of employment, wages may be paid on any day of the week other than a Friday, Saturday or Sunday. However, if the employer and a majority of the employees at a workplace agree, wages may be paid on the Friday of a week during which there is a public holiday.</p> <p><b>20.3</b> Wages may be paid, without cost to the employee, by cash, cheque or electronic funds transfer into a bank account nominated by the employee.</p> <p><b>20.4</b> An employee paid by cash or cheque who has a rostered day off on a pay day is entitled to be paid on their last day at work before their rostered day off.</p> <p><b>20.5</b> On termination of employment (whether as a result of the employee giving notice of termination of employment or their employment being terminated by the employer) the employer must pay all wages due</p>



Current award – Restaurant Industry Award 2010	Plain Language ED – Restaurant Industry Award 2017
<p><b>27.5</b> Where an employee is dismissed for misconduct the employee must be paid within one hour of their dismissal or as soon as practicable thereafter.</p>	<p>during working hours before the employee leaves the workplace.</p> <p><b>20.6</b> However, if the employee is dismissed for misconduct, the employer must pay all wages due within one hour after the dismissal or as soon as practicable after that time.</p>
<p><b>28. Annualised salary arrangements</b></p> <p><b>28.1 Alternative method of payment—annual salary</b></p> <p>(a) As an alternative to being paid by the week, by agreement between the employer and an individual employee, an employee other than a casual, can be paid at a rate equivalent to an annual salary of at least 25% or more above the weekly rate prescribed in clause 20—Minimum wages, multiplied by 52 for the work being performed. In such cases, there is no requirement under clauses 24.2, 33—Overtime, 34.1 and 34.2 to pay overtime and penalty rates in addition to the weekly wage, provided that the salary paid over a year was sufficient to cover what the employee would have been entitled to if all award overtime and penalty rate payment obligations had been complied with.</p> <p>(b) Provided further that in the event of termination of employment prior to completion of a year, the salary paid during such period of employment must be sufficient to cover what the employee would have been entitled to if all award overtime and penalty rate payment obligations had been complied with.</p> <p>(c) An employee being paid according to this clause will be entitled to a minimum of eight days off per four week cycle. Further, if an employee covered by this clause is required to work on a public holiday, such employee will be entitled to a day off instead of public holidays or a day added to the annual leave entitlement.</p> <p><b>28.2</b> The employer must keep all records relating to the starting and finishing times of employees to whom this clause applies. This record must be signed weekly by the employee. This is to enable the employer to carry out a reconciliation at the end of each year comparing the employee’s ordinary wage under this award and the actual payment. Where such a comparison reveals a shortfall in the employee’s wages, then the employee must be paid the difference between the wages earned under the award and the actual amount paid.</p>	<p><b>21. Annualised salary arrangements</b></p> <p>This clause may be affected by AM2016/13</p> <p><b>21.1</b> Clause 21 applies to all employees other than casual employees.</p> <p><b>21.2</b> An individual employee may agree with their employer to be paid an annualised salary. An agreement must be one that is genuinely made without coercion or duress.</p> <p><b>21.3</b> An annualised salary must be at least <b>125%</b> of the minimum weekly rate that would otherwise be applicable under Table 2—Minimum rates (see clause 18.1) over the year.</p> <p><b>21.4</b> An annualised salary satisfies this award in relation to penalty rates and overtime.</p> <p><b>21.5</b> An annualised salary must not result in an employee being paid less over a year (or, if the employee’s employment is terminated before a year is completed, over the period of that employment) than would have been the case if an annualised salary had not been agreed and the employee had instead been paid their weekly rate and any other amounts satisfied by the annualised salary.</p> <p><b>21.6</b> An employee who has entered into an agreement under clause 21.2 must be rostered to have a minimum of 8 days off duty during each 4 week cycle of work.</p> <p><b>21.7</b> An employee who has entered into an agreement under clause 21.2 and who is required to work on a public holiday is entitled to paid time off of equal length to the time worked on the public holiday.</p> <p><b>21.8</b> The paid time off mentioned in clause 21.7 may be taken on another day agreed between the employee and the employer or added to the employee’s annual leave entitlement.</p> <p><b>21.9</b> The employer must keep a record of hours worked each day by an employee who has entered into an agreement under clause 21.2 showing the date and the times at which the employee started and finished work that day.</p> <p><b>21.10</b> A record mentioned in clause 21.9 must be countersigned weekly by the employee and kept at the place of employment for 7 years.</p> <p><b>21.11</b> If an annualised salary paid to an employee has the result mentioned in clause 21.5 at the end of a year or period of employment, the employer must pay the employee the difference.</p>
<p><b>24. Allowances</b></p>	<p><b>22. Allowances</b></p>
<p>To view the current monetary amounts of work-related allowances refer to the Allowances Sheet.</p>	
<p><b>24.1 Meal allowance</b></p> <p>(a) A full-time or part-time employee required to work overtime for more than two hours without being notified on the previous day or earlier that the employee will be so required to work will be supplied with a meal by the employer or paid a meal allowance of \$12.57.</p> <p>(b) If an employee pursuant to notice has provided a meal and is not required to work overtime or is required to work less than the amount advised, the employee will be paid as above prescribed for the meal which the employee has provided but which is surplus.</p>	<p><b>22.1</b> Clause 22 gives employees an entitlement to monetary allowances of specified kinds in specified circumstances.</p> <p>NOTE: Schedule C—Summary of Monetary Allowances contains a summary of monetary allowances and methods of adjustment.</p> <p><b>22.2 Meal allowance</b></p> <p>(a) Clause 22.2 applies to any full-time or part-time employee who:</p> <p>(i) is required to work overtime of more than 2 hours; and</p> <p>(ii) was not advised of that requirement on or before the previous day.</p> <p>(b) The employer must:</p> <p>(i) pay the employee a meal allowance of <b>\$12.57</b>; or</p>

Current award – Restaurant Industry Award 2010	Plain Language ED – Restaurant Industry Award 2017
	<ul style="list-style-type: none"> <li>(ii) supply the employee with a meal.</li> <li>(c) The employer must pay the employee a meal allowance of <b>\$12.57</b> if all of the following applies: <ul style="list-style-type: none"> <li>(i) the employee is advised of a requirement to work overtime; and</li> <li>(ii) the employee provides a meal; and</li> <li>(iii) after providing the meal, the employee is no longer required to work overtime at all or only to work overtime of 2 hours or less.</li> </ul> </li> </ul>
<p><b>24.2 Split shift allowance</b></p> <p>Full-time and part-time employees who have a broken work day will receive an additional allowance of 0.5% of the weekly standard rate for each separate work period of two hours or more.</p>	<p><b>22.3 Split shift allowance</b></p> <ul style="list-style-type: none"> <li>(a) Paragraph (b) applies to any full-time or part-time employee who has a broken working day.</li> <li>(b) The employer must pay the employee an allowance of <b>\$3.92</b> for each separate work period of 2 hours or more.</li> </ul>
<p><b>24.3 Clothing, equipment and tools allowance</b></p> <ul style="list-style-type: none"> <li>(a) Where an apprentice cook is required to use their own tools (and is not in receipt of a tool allowance), the employer must pay an allowance of \$1.69 per day or part thereof up to a maximum of \$8.31 per week.</li> <li>(b) Where the employer requires an employee to wear any special clothing such as coats, dresses, caps, aprons, cuffs and any other articles of clothing, the employer must reimburse the employee for the cost of purchasing such special clothing. The provisions of this clause do not apply where the special clothing is paid for by the employer.</li> <li>(c) Where the employee is responsible for laundering the special clothing, the employer must reimburse the employee for the demonstrated costs of laundering it.</li> <li>(d) The employer and the employee may agree on an arrangement under which the employee will wash and iron the special clothing for an agreed sum of money, which reflects the cost of laundering the items, to be paid by the employer to the employee each week.</li> <li>(e) For the purposes of this clause, black and white attire (not being dinner suit or evening dress), shoes, hose and/or socks are not special clothing.</li> <li>(f) Where it is necessary that an employee wear waterproof or other protective clothing such as waterproof boots, aprons or gloves, the employer must reimburse the employee for the cost of purchasing such clothing. The provisions of this clause do not apply where the protective clothing is paid for by the employer.</li> <li>(g) An employer may require an employee on commencing employment to sign a receipt for item/s of uniform and property. This receipt must list the item/s of uniform and property and the value of them. If, when an employee ceases employment, the employee does not return the item/s of uniform and property (or any of them) in accordance with the receipt, the employer will be entitled to deduct the value as stated on the receipt from the employee's wages.</li> <li>(h) In the case of genuine wear and tear, damage, loss or theft that is not the employee's fault the provisions of clause 24.3(g) will not apply.</li> <li>(i) Where the employer requires an employee to provide and use any towels, tools, knives, choppers, implements, utensils and materials, the employer must reimburse the employee for the cost of purchasing such equipment. The provisions of this clause do not apply where these items are paid for by the employer.</li> </ul>	<p><b>22.4 Tool and equipment allowance</b></p> <ul style="list-style-type: none"> <li>(a) The employer must pay an apprentice cook who is required to provide and use their own tools a daily tool and equipment allowance of <b>\$1.69</b> up to a maximum of <b>\$8.31</b> per week.</li> <li>(b) The employer must reimburse an employee for the cost of purchasing any towels, tools, knives, choppers, implements, utensils or other materials that the employee is required to provide and use and that are not supplied or paid for by the employer and in respect of which a tool and equipment allowance is not payable under paragraph (a).</li> </ul> <p><b>22.5 Special clothing allowance</b></p> <ul style="list-style-type: none"> <li>(a) In clause 22.5 <b>special clothing</b> means any article of clothing (including waterproof or other protective clothing) that the employer requires the employee to wear or that it is necessary for the employee to wear but does not include shoes, hosiery, socks and any easily obtainable black and white clothing that is not part of a uniform or formal clothing.</li> <li>(b) The employer must reimburse an employee who is required to wear special clothing for the cost of purchasing any such clothing that is not supplied or paid for by the employer.</li> <li>(c) If the employee is responsible for laundering any special clothing that is required to be worn by them, the employer must: <ul style="list-style-type: none"> <li>(i) pay the employee a weekly laundry allowance of an amount agreed between the employer and the employee; or</li> <li>(ii) in the absence of an agreement mentioned in subparagraph (i), reimburse the employee for the cost of laundering any item of special clothing. For this purpose the employer may require the employee to show evidence of that cost.</li> </ul> </li> <li>(d) The employer may require an employee on commencing employment to sign a receipt for any special clothing supplied or paid for by the employer that lists it and its value.</li> <li>(e) The employer is entitled to deduct from any wages owed to the employee on the employee ceasing employment the value (as stated on the receipt but allowing for fair wear and tear) of any item of special clothing not returned to the employer unless it was damaged, lost or stolen otherwise than because of the fault of the employee.</li> </ul>

Current award – Restaurant Industry Award 2010	Plain Language ED – Restaurant Industry Award 2017						
<p><b>24.4 Allowance for distant work</b></p> <p>(a) The special rate to be paid to employees who work away from their employer’s place of business for the time occupied in travelling between the employer’s place of business and work or between the employee’s residence and work will be at ordinary rates.</p> <p>(b) Where an employee is engaged for country or seaside work and has to travel 80 kilometres or more to take up service the employee will be paid for transport, both ways, if:</p> <p>(i) the employee has performed to the employer’s satisfaction for up to a period of four weeks; and</p> <p>(ii) the employee is willing to complete the full period of engagement.</p>	<p><b>22.6 Allowance for distance work</b></p> <p>Parties are asked to clarify the meaning of ‘ordinary rate of pay’ in clause 22.6(a). Does this include applicable penalties?</p> <p>(a) An employer must pay an employee who works away from their employer’s workplace at their ordinary rate of pay for time spent travelling both ways between the employee’s residence and their place of work.</p> <p>(b) Paragraph (c) applies to an employee to whom all of the following apply:</p> <p>(i) the employee is engaged for work that requires the employee to travel 80 kilometres from their usual place of work or more to take up the engagement; and</p> <p>(ii) the employee performs their work to the satisfaction of their employer for a period of up to 4 weeks; and</p> <p>(iii) the employee is willing to complete the full period of the engagement.</p> <p>(c) The employer must pay the employee for transport both ways between the employee’s residence and their place of work.</p>						
<p><b>24.5 Adjustment of expense related allowances</b></p> <p>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>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="246 1155 1041 1417"> <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>Tools allowance</td> <td>Tools and equipment for house and garden component of the household appliances, utensils and tools sub-group</td> </tr> </tbody> </table>	Allowance	Applicable Consumer Price Index figure	Meal allowance	Take away and fast foods sub-group	Tools allowance	Tools and equipment for house and garden component of the household appliances, utensils and tools sub-group	<p><i>This provision has been transferred to Schedule C—Summary of Monetary Allowances</i></p>
Allowance	Applicable Consumer Price Index figure						
Meal allowance	Take away and fast foods sub-group						
Tools allowance	Tools and equipment for house and garden component of the household appliances, utensils and tools sub-group						
<p><b>30. Superannuation</b></p> <p><i>This provision has not been reproduced here.</i></p>	<p><b>23. Superannuation</b></p> <p>This clause has not been drafted in plain language in accordance with section 156(2)(c) of the Act.</p> <p><i>This provision has not been reproduced here.</i></p>						
<p><b>33. Overtime</b></p> <p><b>33.1 Requirement to pay overtime rates</b></p> <p>(a) Full-time and part-time employees are paid at overtime rates for any work done outside of the spread of hours or rostered hours set out in clause 31—Hours of work.</p> <p>(b) In addition, part-time employees are paid at overtime rates in the circumstances specified in clause 12.7.</p> <p><b>33.2 Overtime rates</b></p> <p>The overtime rate payable to an employee depends on the time at which the overtime is worked.</p>	<p><b>Part 5—Overtime and Penalty Rates</b></p> <p><b>24. Overtime</b></p> <p>NOTE: Under the NES (see section 62 of the Act) an employee may refuse to work additional hours if they are unreasonable. Section 62 sets out factors to be taken into account in determining whether the additional hours are reasonable or unreasonable.</p> <p><b>24.1 Payment of overtime</b></p> <p>(a) An employer must pay a full-time employee at the overtime rate for any time worked:</p>						

Current award – Restaurant Industry Award 2010	Plain Language ED – Restaurant Industry Award 2017														
<p>(a) <b>Monday to Friday:</b> 150% of the employee’s ordinary base rate of pay for the first two hours of overtime then 200% of the employee’s ordinary base rate of pay for the rest of the overtime.</p> <p>(b) <b>Between midnight Friday and midnight Saturday:</b> 175% of the employee’s ordinary base rate of pay for the first two hours of overtime then 200% of the employee’s ordinary base rate of pay for the rest of the overtime.</p> <p>(c) <b>Between midnight Saturday and midnight Sunday:</b> 200% of the employee’s ordinary base rate of pay for all time worked.</p> <p>(d) <b>On a rostered day off:</b> 200% of the employee’s ordinary base rate of pay for all time worked. The employee must be paid for at least four hours even if the employee works for less than four hours.</p> <p><b>33.3</b> Overtime worked on any day stands alone.</p> <p><b>33.4 Breaks after working overtime</b></p> <p>If starting work at the employee’s next rostered starting time would mean that the employee did not receive a full eight hour break then:</p> <p>(a) the employee may, without loss of pay, start work at such a later time as is necessary to ensure that the employee receives a break of at least eight hours; or</p> <p>(b) the employer must pay the employee overtime rates for all work performed until the employee has received a break of at least eight hours.</p>	<p>(i) in excess of their ordinary hours; or</p> <p>(ii) outside a spread of 12 hours by an employee who works split shifts.</p> <p>(b) An employer must pay a part-time employee at the overtime rate for any time worked in excess of the number of ordinary hours agreed under clause 10.5 (Part-time employment), as varied under clause 10.6.</p> <p>(c) An employer must pay an employee at the overtime rate for any time that the employee is required to work on a rostered day off.</p> <p>(d) The employee is entitled to be paid for a minimum of 4 hours’ work on a rostered day off even if the employee is only required to work for a shorter time. However, this entitlement does not apply if the work is part of, or continuous on, a normal roster that started the day before.</p> <p><b>24.2 Break after working overtime</b></p> <p>(a) Clause 24.2 applies to an employee who works overtime and is next rostered to start work less than 8 hours after the employee finishes working overtime.</p> <p>(b) The employee may delay the start of their next rostered shift until 8 hours after the employee finished working overtime without loss of pay for the rostered ordinary hours not worked.</p> <p>(c) If the employee does not have an 8 hour break, the employer must pay the employee at the overtime rate until the employee has a break of at least 8 hours.</p> <p><b>24.3 Overtime rate</b></p> <p>The overtime rate mentioned in clauses 24.1 and 24.2(c) is the relevant percentage specified in column 2 of Table 5—Overtime rates (depending on when the overtime was worked as specified in column 1) of the employee’s minimum hourly rate.</p> <p><b>Table 5—Overtime rates</b></p> <table border="1" data-bbox="1602 1134 2493 1554"> <thead> <tr> <th>Column 1 For overtime worked on</th> <th>Column 2 Overtime rate (% of minimum hourly rate)</th> </tr> </thead> <tbody> <tr> <td>Monday to Friday—first 2 hours</td> <td>150%</td> </tr> <tr> <td>Monday to Friday—after 2 hours</td> <td>200%</td> </tr> <tr> <td>Saturday—first 2 hours</td> <td>175%</td> </tr> <tr> <td>Saturday—after 2 hours</td> <td>200%</td> </tr> <tr> <td>Sunday—all day</td> <td>200%</td> </tr> <tr> <td>Rostered day off</td> <td>200%</td> </tr> </tbody> </table>	Column 1 For overtime worked on	Column 2 Overtime rate (% of minimum hourly rate)	Monday to Friday—first 2 hours	150%	Monday to Friday—after 2 hours	200%	Saturday—first 2 hours	175%	Saturday—after 2 hours	200%	Sunday—all day	200%	Rostered day off	200%
Column 1 For overtime worked on	Column 2 Overtime rate (% of minimum hourly rate)														
Monday to Friday—first 2 hours	150%														
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Sunday—all day	200%														
Rostered day off	200%														
<p><b>33.5 Time off instead of payment for overtime</b></p> <p><i>This provision has not changed – it has not been reproduced here.</i></p>	<p><b>24.4 Time off instead of payment for overtime</b></p> <p><i>This provision has not changed – it has not been reproduced here.</i></p>														
<p><b>34. Penalty rates</b></p> <p><b>34.1 Penalty rates for work on weekends and public holidays</b></p> <p>An employee working ordinary time hours on the following days will be paid the following percentage of the minimum wage in clause 20—Minimum wages for the relevant classification:</p> <table border="1" data-bbox="237 1869 1454 1953"> <thead> <tr> <th>Type of employment</th> <th>Monday to Friday</th> <th>Saturday</th> <th>Sunday</th> <th>Public holidays</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Type of employment	Monday to Friday	Saturday	Sunday	Public holidays						<p><b>25. Penalty rates</b></p> <p>Clause 25 is subject to the outcome of the Penalty Rates Full Bench AM2014/305</p> <p><b>25.1</b> Clause 25 sets out penalty rates for hours worked at specified times or on specified days that are not required to be paid at the overtime rate mentioned in clause 24.1.</p> <p><b>25.2</b> An employer must pay an employee as follows for hours worked by the employee during a period, or on a day, specified in Column 1 of Table 6—Penalty rates (see clause 25.2(c)):</p>				
Type of employment	Monday to Friday	Saturday	Sunday	Public holidays											

**Current award – Restaurant Industry Award 2010**

	%	%	%	%
Full-time and part-time	100	125	150	250
Casual Introductory Level, Level 1, Level 2 (inclusive of 25% casual loading)	125	150	150	250
Casual Level 3 to Level 6 (inclusive of casual 25% loading)	125	150	175	250

**34.1A Special condition regarding existing employees**

No existing employee classified as Level 3 or above shall be moved down to pay grade Levels 1 or 2 or be discriminated against in the allocation of work as a result of the variation of clause 34.1 by the Full Bench of the Fair Work Commission in proceedings number C2013/6610.

**34.2 Additional payment for work done between the hours of 10.00 pm to 7.00 am on Monday to Friday**

(a) An employee, including a casual, who is required to work any of their ordinary hours between the hours of 10.00 pm and midnight Monday to Friday inclusive, or between midnight and 7.00 am Monday to Friday inclusive, must be paid an additional amount per hour calculated according to the following:

**(i) Between 10.00 pm and midnight**

- For each hour or part of an hour worked during such times—10% of the standard hourly rate per hour extra.

**(ii) Between midnight and 7.00 am**

- For each hour or part of an hour worked during such times—15% of the standard hourly rate per hour extra.

(b) For the purposes of this clause midnight will include midnight Sunday.

**34.3 Penalty rates not cumulative**

Except as provided in clause 32—Breaks, where time worked is required to be paid at more than the ordinary rate such time will not be subject to more than one penalty, but will be subjected to that penalty which is to the employee’s greatest advantage.

**Plain Language ED – Restaurant Industry Award 2017**

- (a) for a full-time or part-time employee, at the percentage specified in column 2 of that Table of the minimum hourly rate of the employee under Table 2—Minimum rates (see clause 18.1) plus the additional amount specified in that column for hours worked between 10.00 pm and 7.00 am on a Monday to Friday; or
- (b) for a casual employee (not classified at Level 3 to 6), at the percentage specified in column 3 of that Table of the minimum hourly rate of the employee under Table 2—Minimum rates (see clause 18.1) plus the additional amount specified in that column for hours worked between 10.00 pm and 7.00 am on a Monday to Friday; or
- (c) for a casual employee classified at Level 3 to 6, at the percentage specified in column 4 of that Table of the minimum hourly rate of the employee under Table 2—Minimum rates (see clause 18.1) plus the additional amount specified in that column for hours worked between 10.00 pm and 7.00 am on a Monday to Friday.

**Table 6—Penalty rates**

<b>Column 1</b> <b>Time of ordinary hours worked</b>	<b>Column 2</b> <b>Full-time and part-time employees</b>  <b>% of minimum hourly rate</b>	<b>Column 3</b> <b>Casual employees—other than Level 3 to Level 6</b>  <b>% of minimum hourly rate (inclusive of casual loading)</b>	<b>Column 4</b> <b>Casual employees – Level 3 to Level 6</b>  <b>% of minimum hourly rate (inclusive of casual loading)</b>
Monday to Friday—7.00 am to 10 pm	100%	125%	125%
Monday to Friday—10.00 pm to midnight	100% plus \$2.06 per hour or part of an hour	125% plus \$2.06 per hour or part of an hour	125% plus \$2.06 per hour or part of an hour
Monday to Friday—midnight to 7.00 am	100% plus \$3.09 per hour or part of an hour	125% plus \$3.09 per hour or part of an hour	125% plus \$3.09 per hour or part of an hour
Saturday	125%	150%	150%
Sunday	150%	150%	175%
Public holiday	250%	250%	250%

NOTE: Midnight to 7.00 am on a Monday is from midnight Sunday to 7.00 am Monday.

**25.3 Penalty rates not cumulative**

- (a) Clause 25.3 applies where, but for it, more than one penalty would be payable for hours worked at a particular time.
- (b) The employer must pay the employee the higher of the penalties but not more than one.
- (c) However, any penalty payable under clause 16.5 (Breaks) is payable in addition to the higher of any other penalties payable in accordance with paragraph (b).

Current award – Restaurant Industry Award 2010	Plain Language ED – Restaurant Industry Award 2017
<p><b>34.4 Additional provisions for work on public holidays</b></p> <p>(a) An employee other than a casual working on a public holiday must be paid for a minimum of four hours' work.</p> <p>(b) A casual employee working on a public holiday must be paid for a minimum of two hours' work.</p> <p>(c) Employees who work on a prescribed holiday may, by agreement, perform such work at a rate of 150% of the relevant minimum wage in clause 20—Minimum wages, rather than the penalty rate prescribed in clause 34.1, provided that equivalent paid time is added to the employee's annual leave or one day instead of such public holiday will be allowed to the employee during the week in which such holiday falls. Provided further that such holiday may be allowed to the employee within 28 days of such holiday falling due.</p> <p>(d) An employee other than a casual working on Christmas Day when it falls on a weekend and it is not a prescribed public holiday must be paid an additional loading of 50% of their ordinary time rate for the hours worked on that day and will also be entitled to the benefit of a substitute day.</p>	<p><b>25.4 Additional provisions for work on public holidays</b></p> <p>This provision is subject to application AM2014/301</p> <p>(a) A full-time or part-time employee who works on a public holiday is entitled to be paid for a minimum of 4 hours' work even if the employee works for a shorter time.</p> <p>(b) A casual employee who works on a public holiday is entitled to be paid for a minimum of 2 hours' work even if the employee works for a shorter time.</p> <p>(c) An employer and employee may agree that, instead of the employee being paid at <b>250%</b> (as specified in clause 25.2) of the minimum hourly rate of the employee under Table 2—Minimum rates (see clause 18.1) for hours worked on a public holiday, the following arrangements are to apply:</p> <p>(i) the employee is to be paid at <b>150%</b> of the minimum hourly rate of the employee under Table 2—Minimum rates (see clause 18.1) for hours worked on the public holiday; and</p> <p>(ii) an amount of paid time equivalent to the hours worked on the public holiday is to be added to the employee's annual leave or the employee is to be allowed to take a day off during the week in which the public holiday falls or within a period of 28 days after the public holiday.</p> <p>(d) Paragraph (e) applies to a full-time or part-time employee who is required to work on Christmas Day when it falls on a weekend and is not a public holiday.</p> <p>(e) The employer must pay the employee at <b>150%</b> of the employee's minimum hourly rate for hours worked on Christmas Day and also allow the employee to take a substitute day off.</p>
<p><b>Part 6—Leave and Public Holidays</b></p> <p><b>35. Annual leave</b></p> <p><b>35.1 Leave entitlement</b></p> <p>(a) Annual leave is provided for in the NES. It does not apply to casual employees.</p> <p>(b) For the purpose of the additional week of leave provided by the NES, a <b>shiftworker</b> is a seven day shiftworker who is regularly rostered to work on Sundays and public holidays in a business in which shifts are continuously rostered 24 hours a day for seven hours a shift.</p>	<p><b>Part 6—Leave and Public Holidays</b></p> <p><b>26. Annual leave</b></p> <p>The annual leave clause has been amended to incorporate PR582986</p> <p>NOTE: Where an employee is receiving overaward payments resulting in the employee's base rate of pay being higher than the rate specified under this award, the employee is entitled to receive the higher rate while on a period of paid annual leave (see ss.16 and 90 of the Act).</p> <p><b>26.1</b> Annual leave is provided for in the NES. It does not apply to casual employees.</p> <p><b>26.2 Additional paid annual leave for certain shiftworkers</b></p> <p>An employee who is a 7 day shiftworker and who is regularly rostered to work on Sundays and public holidays in a business in which shifts are continuously rostered 24 hours a day for 7 hours a shift is a shiftworker for the purposes of the NES.</p> <p>Parties are asked to clarify whether '7 hours a shift' in the 3rd line of 26.2 should read '7 days a week'.</p>

Current award – Restaurant Industry Award 2010	Plain Language ED – Restaurant Industry Award 2017
<p><b>35.2 Payment for annual leave</b></p> <p>(a) The NES prescribes the basis for payment for annual leave, including payment for untaken leave upon the termination of employment.</p> <p>(b) In addition to the payment provided for in the NES, an employer is required to pay an additional leave loading of 17.5% of that payment.</p>	<p><b>26.3 Payment for annual leave</b></p> <p>An employer must pay an employee a loading of <b>17.5%</b> on the amount payable to the employee under the NES for a period of paid annual leave, including a period of untaken paid annual leave when the employment of the employee ends.</p>
<p><b>35.3 Close-down</b></p> <p>An employer may require an employee to take annual leave as part of a close-down of its operations, by giving at least four weeks' notice.</p>	<p><b>26.4 Temporary close-down</b></p> <p>(a) Clause 26.4 applies if an employer:</p> <p>(i) intends to close down its operations at all or part of a workplace for a particular period (<b>temporary close down period</b>); and</p> <p>(ii) wishes to require affected employees to take leave during that period.</p> <p>(b) The employer must give the affected employees at least 4 weeks' notice of a temporary close down period.</p> <p>(c) The employer may require any affected employee to take a period of paid annual leave during a temporary close down period.</p>
<p><b>35.4 Excessive leave accruals: general provision</b></p> <p><i>Standard clause – not re-produced here.</i></p>	<p><b>26.5 Excessive leave accruals: general provision</b></p> <p><i>Standard clause – not re-produced here</i></p>
<p><b>35.4 Excessive leave accruals: direction by employer that leave be taken</b></p> <p><i>Standard clause – not reproduced here</i></p>	<p><b>26.6 Excessive leave accruals: direction by employer that leave be taken</b></p> <p><i>Standard clause – not re-produced here</i></p>
<p><b>35.6 Excessive leave accruals: request by employee for leave</b></p> <p><i>Standard clause – not reproduced here</i></p>	<p><b>26.7 Excessive leave accruals: request by employee for leave</b></p> <p><i>Standard clause – not reproduced here</i></p>
<p><b>35.7 Annual leave in advance</b></p> <p><i>Standard clause – not reproduced here</i></p>	<p><b>26.8 Annual leave in advance</b></p> <p><i>Standard clause – not reproduced here</i></p>
<p><b>35.8 Cashing out of annual leave</b></p> <p><i>Standard clause – not reproduced here</i></p>	<p><b>26.9 Cashing out of annual leave</b></p> <p><i>Standard/common clause – not reproduced here</i></p>
<p><b>36. Personal/carer's leave and compassionate leave</b></p> <p>Personal/carer's leave and compassionate leave are provided for in the NES.</p>	<p><b>27. Personal/carer's leave and compassionate leave</b></p> <p>Personal/carer's leave and compassionate leave are provided for in the NES.</p>
<p><b>37. Community service leave</b></p> <p>Community service leave is provided for in the NES.</p>	<p><b>28. Community service leave</b></p> <p>Community service leave is provided for in the NES.</p>
<p><b>38. Public holidays</b></p> <p><b>38.1 Public holidays are provided for in the NES</b></p> <p>By agreement between the employer and the majority of employees in the relevant enterprise or section of the enterprise, an alternative day may be taken as the public holiday instead of any of the days prescribed in the NES.</p>	<p><b>29. Public holidays</b></p> <p><b>29.1</b> Public holiday entitlements are provided for in the NES.</p> <p><b>29.2 Substitution of public holidays by agreement</b></p> <p>The employer and a majority of the employees at a workplace may agree to substitute another day for a public holiday.</p>

Current award – Restaurant Industry Award 2010	Plain Language ED – Restaurant Industry Award 2017
<p><b>38.2 Additional arrangements for full-time employees:</b></p> <p>A full-time employee whose rostered day off falls on a public holiday must, subject to clause 34.4:</p> <ul style="list-style-type: none"> <li>(a) be paid an extra day's pay;</li> <li>(b) be provided with an alternative day off within 28 days; or</li> <li>(c) receive an additional day's annual leave.</li> </ul> <p><b>38.3</b> A full-time employee who works on a public holiday which is subject to substitution as provided for in the NES will be entitled to the benefit of the substitute day.</p>	<p><b>29.3 Additional public holiday arrangements for full-time employees</b></p> <p>An employer must, if the rostered day off of a full-time employee falls on a public holiday, do one of the following:</p> <ul style="list-style-type: none"> <li>(a) pay the employee an extra day's pay; or</li> <li>(b) give the employee an alternative day off within 28 days; or</li> <li>(c) give the employee an additional day's annual leave.</li> </ul> <p><b>29.4</b> When a full-time employee works on a public holiday which has been substituted for another day they will be entitled to the benefit of the substitute day.</p>
<p><b>Part 7—Industry specific provisions</b></p> <p><b>39. No deduction for breakages or cashiering underings</b></p> <p>An employer must not deduct any sum from the wages or income of an employee in respect of breakages or cashiering underings except in the case of wilful misconduct.</p>	<p><b>Part 7—Industry Specific Provisions</b></p> <p><b>30. No deduction for breakages or cashiering underings</b></p> <p>Unless they arise out of wilful misconduct, an employer must not deduct any sum from the wages or other money payable to an employee for any the following:</p> <ul style="list-style-type: none"> <li>(a) breakages; or</li> <li>(b) cashiering underings.</li> </ul>
<p><b>Part 2—Consultation and Dispute Resolution</b></p> <p><b>8. Consultation</b></p> <p><i>Standard clause – not reproduced here</i></p>	<p><b>Part 8—Consultation and Dispute Resolution</b></p> <p><b>31. Consultation about major workplace change</b></p> <p>Standard clause – not reproduced here. Standard clauses subject to conference on 11 April 2017. Please see Statement issued 27 March 2017 PR591212</p>
	<p><b>32. Consultation about changes to rosters or hours of work</b></p> <p>Standard clause – not reproduced here. Standard clauses subject to conference on 11 April 2017. Please see Statement issued 27 March 2017 PR591212</p>
<p><b>9. Dispute resolution</b></p> <p><i>Standard clause – not reproduced here</i></p>	<p><b>33. Dispute resolution</b></p> <p>Standard clause – not reproduced here. Standard clauses subject to conference on 11 April 2017. Please see Statement issued 27 March 2017 PR591212</p>
<p><b>16. Termination of employment</b></p> <p><i>Standard clause – not reproduced here</i></p>	<p><b>Part 9—Termination of Employment and Redundancy</b></p> <p><b>34. Termination of employment</b></p> <p>Standard clause – not reproduced here. Standard clauses subject to conference on 11 April 2017. Please see Statement issued 27 March 2017 PR591212</p>
<p><b>17. Redundancy</b></p> <p><i>Standard clause – not reproduced here</i></p>	<p><b>35. Redundancy</b></p> <p>Standard clause – not reproduced here. Standard clauses subject to conference on 11 April 2017. Please see Statement issued 27 March 2017 PR591212</p>



<b>Current award – Restaurant Industry Award 2010</b>	<b>Plain Language ED – Restaurant Industry Award 2017</b>
	<p><b>36. Transfer to lower paid job on redundancy</b></p> <p>Standard clause – not reproduced here. Standard clauses subject to conference on 11 April 2017. Please see Statement issued 27 March 2017 PR591212</p>
	<p><b>37. Employee leaving during redundancy notice period</b></p> <p>Standard clause – not reproduced here. Standard clauses subject to conference on 11 April 2017. Please see Statement issued 27 March 2017 PR591212</p>
	<p><b>38. Job search entitlement</b></p> <p>Standard clause – not reproduced here. Standard clauses subject to conference on 11 April 2017. Please see Statement issued 27 March 2017 PR591212</p>
<p><b>Schedule B—Classification Structure and Definitions</b></p> <p><b>B.1 Introductory level</b> Introductory level means a worker who enters the industry and is unable to meet the competency requirements of Level 1. Such an employee will remain in this level for a maximum of three months. Provided that an additional three months may be served at this level by mutual agreement between the employer and the employee. Further, if any disagreement arises from this provision it will be determined in accordance with clause 9—Dispute resolution.</p>	<p><b>Schedule A—Classification Structure and Definitions</b></p> <p><b>A.1 Introductory level</b> Introductory level is for an employee who enters the restaurant industry and does not demonstrate the competency requirements of level 1. The employee remains at Introductory level for up to 3 months while undertaking appropriate training and being assessed for competency to move to level 1. At the end of that period, the employee moves to level 1 unless the employee and the employer mutually agree that further training of up to 3 months is required for the employee to achieve the necessary competency. NOTE: Any disagreement arising from this provision must be dealt with in accordance with clause 33—Dispute resolution.</p>
<p><b>B.2 Food and beverage</b></p> <p><b>B.2.1 Food and beverage attendant grade 1</b> means an employee who is engaged in any of the following:</p> <ul style="list-style-type: none"> <li>(a) picking up glasses;</li> <li>(b) general assistance to food and beverage attendants of a higher grade not including service to customers;</li> <li>(c) removing food plates;</li> <li>(d) setting and/or wiping down tables;</li> <li>(e) cleaning and tidying of associated areas;</li> <li>(f) receipt of monies.</li> </ul> <p><b>B.2.2 Food and beverage attendant grade 2</b> means an employee who has not achieved the appropriate level of training and who is engaged in any of the following:</p> <ul style="list-style-type: none"> <li>(a) supplying, dispensing or mixing of liquor;</li> <li>(b) assisting in the cellar;</li> <li>(c) undertaking general waiting duties of both food and/or beverage including cleaning of tables;</li> <li>(d) receipt of monies;</li> <li>(e) attending a snack bar;</li> <li>(f) delivery duties;</li> <li>(g) taking reservations, greeting and seating guests.</li> </ul>	<p><b>A.2 Food and beverage stream</b></p> <p><b>A.2.1 Food and beverage attendant grade 1</b> means an employee who is engaged in any of the following:</p> <ul style="list-style-type: none"> <li>(a) picking up glasses; or</li> <li>(b) providing general assistance to food and beverage attendants of a higher classification not including service to customers; or</li> <li>(c) removing food plates; or</li> <li>(d) setting or wiping down tables; or</li> <li>(e) cleaning and tidying associated areas; or</li> <li>(f) receiving money.</li> </ul> <p><b>A.2.2 Food and beverage attendant grade 2</b> means an employee who has not achieved the appropriate level of training and who is engaged in any of the following:</p> <ul style="list-style-type: none"> <li>(a) supplying, dispensing or mixing liquor; or</li> <li>(b) assisting in the cellar; or</li> <li>(c) undertaking general waiting duties for food or beverages, including cleaning tables; or</li> <li>(d) receiving money; or</li> <li>(e) attending a snack bar; or</li> <li>(f) performing delivery duties; or</li> <li>(g) taking reservations and greeting and seating guests.</li> </ul>

Current award – Restaurant Industry Award 2010	Plain Language ED – Restaurant Industry Award 2017
<p><b>Note: Special condition regarding existing employees.</b></p> <p>No existing employee shall have his or her classification reduced as a result of the variation of B.2.1 and B.2.2 of this Schedule B by the Full Bench of the Fair Work Commission in proceedings number C2013/6610.</p> <p><b>B.2.3 Food and beverage attendant grade 3</b> means an employee who has the appropriate level of training and is engaged in any of the following:</p> <ul style="list-style-type: none"> <li>(a) supplying, dispensing or mixing of liquor;</li> <li>(b) assisting in the cellar;</li> <li>(c) undertaking general waiting duties of both food and liquor including cleaning of tables;</li> <li>(d) receipt of monies;</li> <li>(e) assisting in the training and supervision of food and beverage attendants of a lower grade;</li> <li>(f) delivery duties; and</li> <li>(g) taking reservations, greeting and seating guests.</li> </ul> <p><b>B.2.4 Food and beverage attendant grade 4 (tradesperson)</b> means an employee who has the appropriate level of training and who carries out specialised skilled duties in a fine dining room or restaurant.</p> <p><b>B.2.5 Food and beverage supervisor</b> means an employee who has the appropriate level of training including a supervisory course and who has the responsibility for supervision, training and co-ordination of food and beverage staff, or stock control for a bar or series of bars.</p>	<p><b>A.2.3 Food and beverage attendant grade 3</b> means an employee who has the appropriate level of training and is engaged in any of the following:</p> <ul style="list-style-type: none"> <li>(a) supplying, dispensing or mixing liquor; or</li> <li>(b) assisting in the cellar; or</li> <li>(c) undertaking general waiting duties for both food and liquor, including cleaning tables; or</li> <li>(d) receiving money; or</li> <li>(e) assisting in the training and supervision of food and beverage attendants of a lower classification; or</li> <li>(f) delivery duties; or</li> <li>(g) taking reservations and greeting and seating guests.</li> </ul> <p><b>A.2.4 Food and beverage attendant grade 4 (tradesperson)</b> means an employee who has the appropriate level of training and who carries out specialised skilled duties in a fine dining room or a restaurant.</p> <p><b>A.2.5 Food and beverage supervisor</b> means an employee who has the appropriate level of training, including a supervisory course, and who has responsibility for the supervision, training and co-ordination of food and beverage staff or for stock control for one or more bars.</p>
<p><b>B.3 Kitchen</b></p> <p><b>B.3.1 Kitchen attendant grade 1</b> means an employee engaged in any of the following:</p> <ul style="list-style-type: none"> <li>(a) general cleaning duties within a kitchen or food preparation area and scullery, including the cleaning of cooking and general utensils used in a kitchen and restaurant;</li> <li>(b) assisting employees who are cooking;</li> <li>(c) assembly and preparation of ingredients for cooking; and</li> <li>(d) general pantry duties.</li> </ul> <p><b>B.3.2 Kitchen attendant grade 2</b> means an employee who has the appropriate level of training, and who is engaged in specialised non-cooking duties in a kitchen or food preparation area, or supervision of kitchen attendants.</p> <p><b>B.3.3 Kitchen attendant grade 3</b> means an employee who has the appropriate level of training including a supervisory course, and has the responsibility for the supervision, training and co-ordination of kitchen attendants of a lower grade.</p> <p><b>B.3.4 Cook grade 1</b> means an employee who carries out cooking of breakfasts and snacks, baking, pastry cooking or butchering.</p> <p><b>B.3.5 Cook grade 2</b> means an employee who has the appropriate level of training and who performs cooking duties such as baking, pastry cooking or butchering.</p> <p><b>B.3.6 Cook grade 3 (tradesperson)</b> means a commi chef or equivalent who has completed an apprenticeship or who has passed the appropriate trade test or who has the appropriate level of training, and who is engaged in cooking, baking, pastry cooking or butchering duties.</p> <p><b>B.3.7 Cook grade 4 (tradesperson)</b> means a demi chef or equivalent who has completed an apprenticeship or who has passed the appropriate trade test or who has the appropriate level of training and who is engaged to perform</p>	<p><b>A.3 Kitchen stream</b></p> <p><b>A.3.1 Kitchen attendant grade 1</b> means an employee engaged in any of the following:</p> <ul style="list-style-type: none"> <li>(a) general cleaning duties within a kitchen or food preparation area and scullery, including cleaning cooking and general utensils used in a kitchen and restaurant; or</li> <li>(b) assisting employees who are cooking; or</li> <li>(c) assembling and preparing ingredients for cooking; or</li> <li>(d) general pantry duties.</li> </ul> <p><b>A.3.2 Kitchen attendant grade 2</b> means an employee who has the appropriate level of training, and who is engaged in specialised non-cooking duties in a kitchen or food preparation area, or supervision of kitchen attendants of a lower classification.</p> <p><b>A.3.3 Kitchen attendant grade 3</b> means an employee who has the appropriate level of training, including a supervisory course, and who has responsibility for the supervision, training and co-ordination of kitchen attendants of a lower classification.</p> <p><b>A.3.4 Cook grade 1</b> means an employee who is engaged in cooking breakfasts and snacks, baking, pastry cooking or butchering.</p> <p><b>A.3.5 Cook grade 2</b> means an employee who has the appropriate level of training and who performs cooking duties such as baking, pastry cooking or butchering.</p> <p><b>A.3.6 Cook grade 3 (tradesperson)</b> means a commi chef or equivalent who has completed an apprenticeship or passed the appropriate trade test or who has the appropriate level of training, and who is engaged in cooking, baking, pastry cooking or butchering duties.</p> <p><b>A.3.7 Cook grade 4 (tradesperson)</b> means a demi chef or equivalent who has completed an apprenticeship or</p>

Current award – Restaurant Industry Award 2010	Plain Language ED – Restaurant Industry Award 2017
<p>general or specialised cooking, butchering, baking or pastry cooking duties and/or supervises and trains other cooks and kitchen employees.</p> <p><b>B.3.8 Cook grade 5 (tradesperson)</b> means a chef de partie or equivalent who has completed an apprenticeship or has passed the appropriate trade test or who has the appropriate level of training in cooking, butchering or pastry cooking and who performs any of the following:</p> <ul style="list-style-type: none"> <li>(a) general and specialised duties including supervision or training of other kitchen staff;</li> <li>(b) ordering and stock control; and</li> <li>(c) solely responsible for other cooks and other kitchen employees in a single kitchen establishment.</li> </ul>	<p>passed the appropriate trade test or who has the appropriate level of training and who is engaged to perform general or specialised cooking, butchering, baking or pastry cooking duties or supervises and trains other cooks and kitchen employees.</p> <p><b>A.3.8 Cook grade 5 (tradesperson)</b> means a chef de partie or equivalent who has completed an apprenticeship or passed the appropriate trade test or who has the appropriate level of training in cooking, butchering or pastry cooking and who performs any of the following:</p> <ul style="list-style-type: none"> <li>(a) general and specialised duties, including supervision or training of kitchen employees; or</li> <li>(b) ordering and stock control; or</li> <li>(c) supervising kitchen employees in a single kitchen establishment.</li> </ul>
<p><b>B.4 Administrative and general</b></p> <p><b>B.4.1 Clerical grade 1</b> means an employee who is required to perform basic clerical and routine office duties such as collating, filing, photocopying, and delivering messages.</p> <p><b>B.4.2 Clerical grade 2</b> means an employee who is engaged in general clerical or office duties, such as typing, filing, basic data entry and calculating functions.</p> <p><b>B.4.3 Clerical grade 3</b> means an employee who has the appropriate level of training and who performs any of the following:</p> <ul style="list-style-type: none"> <li>(a) operates adding machines, switchboard, paging system and calculator;</li> <li>(b) uses knowledge of keyboard and function keys to enter and retrieve data through computer terminal;</li> <li>(c) copy types at 25 words per minute with 98% accuracy;</li> <li>(d) maintains mail register and records;</li> <li>(e) maintains established paper-based filing/records systems in accordance with set procedures including creating and indexing new files, distributing files within the organisation as requested, monitoring file locations;</li> <li>(f) transcribes information into records, completes forms, takes telephone messages;</li> <li>(g) acquires and applies a working knowledge of office or sectional operating procedures and requirements;</li> <li>(h) acquires and applies a working knowledge of the organisation’s structure and personnel in order to deal with inquiries at first instance, locates appropriate staff in different sections, relays internal information, responds to or redirects inquiries, greets visitors;</li> <li>(i) keeps appropriate records; and</li> <li>(j) sorts, processes and records original source financial documents (e.g. invoices, cheques, correspondence) on a daily basis, maintains and records petty cash; prepares bank deposits and withdrawal and does banking,</li> </ul> <p>and who has the appropriate level of training and also performs any of the following:</p> <ul style="list-style-type: none"> <li>(k) operates computerised radio telephone equipment, micro/personal computer, printing devices attached to personal computer, dictaphone equipment;</li> <li>(l) produces documents and correspondence using knowledge of standard formats, touch types at 40 words per minute with 98% accuracy, audio types;</li> <li>(m) uses one or more software application package(s) developed for a micro/personal computer to operate and populate a database, spreadsheet/worksheet to achieve a desired result; graph previously prepared spreadsheet; use simple menu utilities of personal computer;</li> </ul>	<p><b>A.4 Administrative and general stream</b></p> <p><b>A.4.1 Clerical grade 1</b> means an employee who is required to perform basic clerical and routine office duties such as collating, filing, photocopying, and delivering messages.</p> <p><b>A.4.2 Clerical grade 2</b> means an employee who is engaged in general clerical or office duties, such as typing, filing, basic data entry and calculating functions.</p> <p><b>A.4.3 Clerical grade 3</b> means an employee who has the appropriate level of training and who performs any of the following:</p> <ul style="list-style-type: none"> <li>(a) operates switchboard, paging system and office equipment; or</li> <li>(b) uses knowledge of keyboard and function keys to enter and retrieve data through a computer terminal; or</li> <li>(c) copy types at 25 words per minute with at least 98% accuracy; or</li> <li>(d) maintains mail register and records; or</li> <li>(e) maintains established paper-based filing/records systems in accordance with set procedures including creating and indexing new files, distributing files within the organisation as requested and monitoring file locations; or</li> <li>(f) transcribes information into records, completes forms and takes telephone messages; or</li> <li>(g) acquires and applies a working knowledge of office or sectional operating procedures and requirements; or</li> <li>(h) acquires and applies a working knowledge of the organisation’s structure and personnel in order to deal with inquiries at first instance, locates appropriate staff in different sections, relays internal information, responds to or redirects inquiries and greets visitors; or</li> <li>(i) keeps appropriate records; or</li> <li>(j) sorts, processes and records original source financial documents (for example, invoices, cheques and correspondence) on a daily basis, maintains and records petty cash; prepares bank deposits and withdrawals and does banking,</li> </ul> <p>and who has the appropriate level of training and also performs any of the following:</p> <ul style="list-style-type: none"> <li>(k) operates computerised radio telephone equipment, micro/personal computer, printing devices attached to personal computer or dictaphone equipment; or</li> <li>(l) produces documents and correspondence using knowledge of standard formats, touch types at 40 words per minute with at least 98% accuracy, audio types; or</li> <li>(m) uses one or more software application package(s) developed for a micro/ personal computer to operate</li> </ul>

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<p>(n) follows standard procedures or template for the preceding functions using existing models/fields of information. Creates and maintains and generates simple reports;</p> <p>(o) uses a central computer resource to an equivalent standard;</p> <p>(p) uses one or more software packages to create, format, edit, proof read, spell check, correct, print and save text documents, e.g. standard correspondence and business;</p> <p>(q) takes shorthand notes at 70 wpm and transcribed with 95% accuracy;</p> <p>(r) arranges travel bookings and itineraries, makes appointments, screens telephone calls, follows visitors protocol procedures, establishes telephone contact on behalf of executive;</p> <p>(s) applies a working knowledge of the organisation’s products/services, functions, locations and clients;</p> <p>(t) responds to and acts upon most internal/external inquiries in own function area;</p> <p>(u) uses and maintains a computer-based record management system to identify, access and extract information from internal sources, maintains circulation, indexing and filing systems for publications, reviews files, closes files, archives files; and</p> <p>(v) maintains financial records and journals, collects and prepares time and wage records, prepares accounts queries from debtors, posts transactions to ledger.</p> <p><b>B.4.4 Clerical supervisor</b> means an employee who has the appropriate level of training including a supervisory course and who co-ordinates other clerical staff.</p>	<p>and populate a database, spreadsheet/worksheet to achieve a desired result; graph previously prepared spreadsheet; use simple menu utilities of personal computer; or</p> <p>(n) follows standard procedures or template for the preceding functions using existing models/fields of information; or</p> <p>(o) creates and maintains and generates simple reports; or</p> <p>(p) uses a central computer resource to an equivalent standard; or</p> <p>(q) uses one or more software packages to create, format, edit, proof read, spell check, correct, print and save text documents, for example, standard correspondence and business documents; or</p> <p>(r) takes shorthand notes at 70 wpm and transcribed with 95% accuracy; or</p> <p>(s) arranges travel bookings and itineraries, makes appointments, screens telephone calls, follows visitors protocol procedures, establishes telephone contact on behalf of executive; or</p> <p>(t) applies a working knowledge of the organisation’s products/services, functions, locations and clients; or</p> <p>(u) responds to and acts upon most internal/external inquiries in own function area; or</p> <p>(v) uses and maintains a computer-based record management system to identify, access and extract information from internal sources, maintains circulation, indexing and filing systems for publications, reviews files, closes files, archives files; and</p> <p>(w) maintains financial records and journals, collects and prepares time and wage records, prepares accounts queries from debtors, posts transactions to ledger.</p> <p><b>A.4.4 Clerical supervisor</b> means an employee who has the appropriate level of training including a supervisory course and who co-ordinates other clerical staff.</p>
<p><b>B.5 Stores</b></p> <p><b>B.5.1 Storeperson grade 1</b> means an employee who receives and stores general and perishable goods and cleans the store area.</p> <p><b>B.5.2 Storeperson grade 2</b> means an employee who, in addition to the duties for a storeperson grade 1, may also operate mechanical lifting equipment such as a fork-lift and/or who may perform duties of more complex nature.</p> <p><b>B.5.3 Storeperson grade 3</b> means an employee who has the appropriate level of training and who:</p> <p>(a) implements quality control techniques and procedures;</p> <p>(b) understands and is responsible for a stores/warehouse area or a large section of such an area;</p> <p>(c) has a highly developed level of interpersonal and communication skills;</p> <p>(d) is able to supervise and provide direction and guidance to other employees including the ability to assist in the provision of on-the-job training and induction;</p> <p>(e) exercises discretion within the scope of this grade; and</p> <p>(f) may exercise skills attained through the successful completion of an appropriate warehousing certificate, and may perform indicative tasks at this level such as:</p> <p>(g) liaising with management, suppliers and customers with respect to stores operations; detailing and co-ordinating activities of other storepersons and acting in a leading hand capacity for in excess of 10 storepersons;</p> <p>(h) maintaining control registers including inventory control and being responsible for preparation and</p>	<p><b>A.5 Stores stream</b></p> <p><b>A.5.1 Storeperson grade 1</b> means an employee who receives and stores general and perishable goods and cleans the store area.</p> <p><b>A.5.2 Storeperson grade 2</b> means an employee who, in addition to the duties for a storeperson grade 1, may also operate mechanical lifting equipment such as a fork-lift or who may perform duties of more complex nature.</p> <p><b>A.5.3 Storeperson grade 3</b> means an employee who has the appropriate level of training and who:</p> <p>(a) implements quality control techniques and procedures; and</p> <p>(b) understands and is responsible for a stores/warehouse area or a large section of such an area; and</p> <p>(c) has a highly developed level of interpersonal and communication skills; and</p> <p>(d) is able to supervise and provide direction and guidance to other employees including the ability to assist in the provision of on-the-job training and induction; and</p> <p>(e) liaising with management, suppliers and customers with respect to stores operations; detailing and co-ordinating activities of other storepersons and acting in a leading hand capacity for in excess of 10 storepersons; and</p> <p>(f) maintaining control registers including inventory control and being responsible for preparation and reconciliation of regular reports or stock movements, dispatches, etc.; and</p> <p>(g) supervises the receipt and delivery of goods, records, outgoing goods, responsible for the contents of a store.</p>

Current award – Restaurant Industry Award 2010	Plain Language ED – Restaurant Industry Award 2017																																																												
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<p><b>B.6 Security</b></p> <p><b>B.6.1 Doorperson/security officer grade 1</b> means a person who assists in maintenance of dress standards and good order at an establishment.</p> <p><b>B.6.2 Timekeeper/security officer grade 2</b> means a person who is responsible for timekeeping of staff, for the security of keys, for the checking in and out of delivery vehicles and/or for the supervision of doorperson/security officer grade 1 personnel.</p>	<p><b>A.6 Security stream</b></p> <p><b>A.6.1 Doorperson/security officer grade 1</b> means a person who assists in the maintenance of dress standards and good order at an establishment.</p> <p><b>A.6.2 Timekeeper/security officer grade 2</b> means a person who is responsible for the timekeeping of employees, the security of keys, the checking in and out of delivery vehicles or the supervision of doorperson/security officer grade 1 employees.</p>																																																												
<p><b>B.7 Handy person</b></p> <p>Handy person means a person who is not a tradesperson and whose duties include the performance of routine repair work and maintenance in and about the employer’s premises.</p>	<p><b>A.7 Handy person</b></p> <p>Handy person means a person who is not a tradesperson and whose duties include performing routine repair work and maintenance for the employer’s workplace.</p>																																																												
	<p><b>Schedule B—Summary of Hourly Rates of Pay</b></p> <p>Clause 25 is subject to the outcome of the Penalty Rates Full Bench AM2014/305</p> <p><b>B.1 Full-time and part-time employees</b></p> <p><b>B.1.1 Full-time and part-time employees—ordinary and penalty rates</b></p> <table border="1" data-bbox="1486 934 2671 1617"> <thead> <tr> <th></th> <th>Ordinary hours<sup>1</sup></th> <th>Saturday</th> <th>Sunday</th> <th>Public holiday</th> <th>Public holiday<sup>2</sup></th> </tr> </thead> <tbody> <tr> <td></td> <td colspan="5" style="text-align: center;">% of minimum hourly rate</td> </tr> <tr> <td></td> <td style="text-align: center;">100%</td> <td style="text-align: center;">125%</td> <td style="text-align: center;">150%</td> <td style="text-align: center;">250%</td> <td style="text-align: center;">150%</td> </tr> <tr> <td>Introductory Level</td> <td>\$17.70</td> <td>\$22.13</td> <td>\$26.55</td> <td>\$44.25</td> <td>\$26.55</td> </tr> <tr> <td>Level 1</td> <td>\$18.21</td> <td>\$22.76</td> <td>\$27.32</td> <td>\$45.53</td> <td>\$27.32</td> </tr> <tr> <td>Level 2</td> <td>\$18.91</td> <td>\$23.64</td> <td>\$28.37</td> <td>\$47.28</td> <td>\$28.37</td> </tr> <tr> <td>Level 3</td> <td>\$19.56</td> <td>\$24.45</td> <td>\$29.34</td> <td>\$48.90</td> <td>\$29.34</td> </tr> <tr> <td>Level 4</td> <td>\$20.61</td> <td>\$25.76</td> <td>\$30.92</td> <td>\$51.53</td> <td>\$30.92</td> </tr> <tr> <td>Level 5</td> <td>\$21.90</td> <td>\$27.38</td> <td>\$32.85</td> <td>\$54.75</td> <td>\$32.85</td> </tr> <tr> <td>Level 6</td> <td>\$22.49</td> <td>\$28.11</td> <td>\$33.74</td> <td>\$56.23</td> <td>\$33.74</td> </tr> </tbody> </table> <p><sup>1</sup> Additional shift penalties may apply in accordance with Table 6—Penalty rates (see clause 25.2(c))</p> <p><sup>2</sup> By agreement with equivalent paid time added to employee’s annual leave or one day instead of public holidays Table 6—Penalty rates (see clause 25.2(c))</p>		Ordinary hours <sup>1</sup>	Saturday	Sunday	Public holiday	Public holiday <sup>2</sup>		% of minimum hourly rate						100%	125%	150%	250%	150%	Introductory Level	\$17.70	\$22.13	\$26.55	\$44.25	\$26.55	Level 1	\$18.21	\$22.76	\$27.32	\$45.53	\$27.32	Level 2	\$18.91	\$23.64	\$28.37	\$47.28	\$28.37	Level 3	\$19.56	\$24.45	\$29.34	\$48.90	\$29.34	Level 4	\$20.61	\$25.76	\$30.92	\$51.53	\$30.92	Level 5	\$21.90	\$27.38	\$32.85	\$54.75	\$32.85	Level 6	\$22.49	\$28.11	\$33.74	\$56.23	\$33.74
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**B.1.2 Full-time and part-time employees—overtime rates**

	Monday to Friday		Saturday		Sunday	Rostered day off – all hours worked
	First 2 hours	After 2 hours	First 2 hours	After 2 hours		
	<b>% of minimum hourly rate</b>					
	<b>150%</b>	<b>200%</b>	<b>175%</b>	<b>200%</b>	<b>200%</b>	<b>200%</b>
Introductory Level	\$26.55	\$35.40	\$30.98	\$35.40	\$35.40	\$35.40
Level 1	\$27.32	\$36.42	\$31.87	\$36.42	\$36.42	\$36.42
Level 2	\$28.37	\$37.82	\$33.09	\$37.82	\$37.82	\$37.82
Level 3	\$29.34	\$39.12	\$34.23	\$39.12	\$39.12	\$39.12
Level 4	\$30.92	\$41.22	\$36.07	\$41.22	\$41.22	\$41.22
Level 5	\$32.85	\$43.80	\$38.33	\$43.80	\$43.80	\$43.80
Level 6	\$33.74	\$44.98	\$39.36	\$44.98	\$44.98	\$44.98

<sup>1</sup> All work done outside the spread of hours or rostered hours

**B.2 Casual employees**

**B.2.1 Casual employees—ordinary and penalty rates**

	Ordinary hours <sup>1</sup>	Saturday	Sunday – Introductory to Level 2	Sunday – Level 3 to Level 6	Public holiday
	<b>% of minimum hourly rate</b>				
	<b>125%</b>	<b>150%</b>	<b>150%</b>	<b>175%</b>	<b>250%</b>
Introductory Level	\$22.13	\$26.55	\$26.55		\$44.25
Level 1	\$22.76	\$27.32	\$27.32		\$45.53
Level 2	\$23.64	\$28.37	\$28.37		\$47.28
Level 3	\$24.45	\$29.34		\$34.23	\$48.90
Level 4	\$25.76	\$30.92		\$36.07	\$51.53
Level 5	\$27.38	\$32.85		\$38.33	\$54.75
Level 6	\$28.11	\$33.74		\$39.36	\$56.23

<sup>1</sup> Additional shift penalties may apply in accordance with Table 6—Penalty rates (see clause 25.2(c))

Rates for junior employees and apprentices will be included after determination of the AWR 2017

**Schedule C—Summary of Monetary Allowances**

See clause 22 for full details of allowances payable under this award.

**C.1 Wage-related allowances**

The following wage-related allowances are based on the standard rate as defined in clause 2—Definitions as the minimum wage for a Level 4 classification (Cook grade 3 (tradesperson)) in clause 18.1 (Minimum rates) = **\$783.30**.

Allowance	Clause	% of standard rate \$783.30	\$ per each separate work period of two hours or more
Split shift allowance—full-time and part-time employees	22.3	0.5%	\$3.92

**C.1.1 Adjustment of wage-related allowances**

Wage related allowances are adjusted in accordance with increases to wages and are based on percentage of the standard rate as specified.

**C.2 Expense-related allowances**

The following expense-related allowances will be payable to employees in accordance with clause 22—Allowances:

Allowance	Clause	\$
Meal allowance—overtime of more than two hours without a day’s notification	22.2	\$12.57 per occasion
Clothing, equipment and tool allowance—apprentice cook:	22.4(a)	
Per day or part thereof		\$1.69 per day or part thereof
Maximum per week		Up to \$8.31 per week

**C.2.1 Adjustment of expense-related allowances**

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.

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:

Allowance	Applicable Consumer Price Index figure
Meal allowance	Take away and fast foods sub-group
Tools allowance	Tools and equipment for house and garden component of the household appliances, utensils and tools sub-group

Current award – Restaurant Industry Award 2010	Plain Language ED – Restaurant Industry Award 2017																
	<p><b>C.3 Penalty rates</b></p> <p>Clause 25 is subject to the outcome of the Penalty Rates Full Bench AM2014/305</p> <p>The penalty rates in this award are based on the standard hourly rate as defined in clause 2 as the minimum hourly wage for a Level 4 classification (Cook grade 3 (tradesperson)) in clause 18.1 = <b>\$20.61</b>.</p> <table border="1" data-bbox="1626 363 2703 772"> <thead> <tr> <th>Penalty</th> <th>Clause</th> <th>% of hourly standard rate</th> <th>\$ per hour or part thereof</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td><b>\$20.61</b></td> <td></td> </tr> <tr> <td>Monday to Friday—10.00 pm to midnight</td> <td>Table 6—Penalty rates (see clause 25.2(c))</td> <td>10%</td> <td>\$2.06</td> </tr> <tr> <td>Monday to Friday—midnight to 7.00 am</td> <td>Table 6—Penalty rates (see clause 25.2(c))</td> <td>15%</td> <td>\$3.09</td> </tr> </tbody> </table>	Penalty	Clause	% of hourly standard rate	\$ per hour or part thereof			<b>\$20.61</b>		Monday to Friday—10.00 pm to midnight	Table 6—Penalty rates (see clause 25.2(c))	10%	\$2.06	Monday to Friday—midnight to 7.00 am	Table 6—Penalty rates (see clause 25.2(c))	15%	\$3.09
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<p><b>Schedule E—School-based Apprentices</b> Common clause not reproduced.</p> <p><b>Schedule C—Supported wage system</b> Common clause not reproduced.</p> <p><b>Schedule D—National training wage</b> Common clause not reproduced.</p> <p><b>Schedule F—2016 Part-day Public Holidays</b> Common clause not reproduced.</p> <p><b>Schedule G—Agreement to Take Annual Leave in Advance</b> Common clause not reproduced.</p> <p><b>Schedule H—Agreement to Cash Out Annual Leave</b> Common clause not reproduced.</p>	<p><i>This provision has been transferred to Schedule D—School-based Apprentices</i></p> <p><b>Schedule E— Supported Wage System</b> This Schedule has not been drafted in plain language, pending the outcome of AM2013/30.</p> <p><b>Schedule F—National Training Wage</b> The National Training Wage schedule may be affected by AM2014/17. The schedule has not been included in this exposure draft.</p> <p><b>Schedule G—2017 Part-day Public Holidays</b> The part-day public holidays schedule may be affected by AM2014/301 This Schedule has not been drafted in plain language.</p> <p><b>Schedule H—Agreement to Take Annual Leave in Advance</b> This schedule is drafted in plain language and common to other awards. No further consultation on this schedule is planned</p> <p><b>Schedule I—Agreement to Cash Out Annual Leave</b> This schedule is drafted in plain language and common to other awards. No further consultation on this schedule is planned</p>																
<p><b>25. District allowances</b> <i>This provision has been deleted</i></p>																	
<p><b>26. Accident pay</b> <i>This provision has been deleted</i></p>																	