

From: Phillip Ryan <legal@aha.org.au>

Sent: Thursday, 10 October 2019 11:04 AM

To: Kate Thomson <kate.thomson@ablawyers.com.au>; carlyonw@restaurantcater.asn.a; 'Natalie Dabarera' <Natalie.Dabarera@unitedvoice.org.au>; Chambers - Lee C <Chambers.Lee.c@fwc.gov.au>; carlyonw@restaurantcater.asn.au

Cc: 'Kathryn Zammit' <k.zammit@ahavic.com.au>

Subject: Amended Deductions

Dear Associate and Parties,

Please find attached and Draft Deductions Clause for the HIGA and RIA.

Regards,

Phillip Ryan

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CLAUSE 38 OF THE HOSPITALITY AWARD

38. DEDUCTIONS FOR BREAKAGES OR CASHIERING UNDERINGS

38.1 Right to make deductions

Subject to clauses 38.2 and 38.3, an employer must not deduct any sum from the wages due to an employee under this award in respect of breakages or cashiering underings except in the case of wilful misconduct.

38.2 Deductions to be reasonable and proportionate

Any deduction made under clause 38 must be reasonable in the circumstances and proportionate to the loss suffered by the employer.

38.3 Deductions for employees under 18 years of age

Deductions must not be made under clause 38 from the wages of an employee who is under 18 years of age unless the deductions have been agreed to in writing by the employee's parent or guardian.

CLAUSE 39 OF THE RESTAURANT AWARD

39. DEDUCTIONS FOR BREAKAGES OR CASHIERING UNDERINGS

39.1 Right to make deductions

Subject to clauses 39.2 and 39.3, an employer must not deduct any sum from the wages due to an employee under this award in respect of breakages or cashiering underings except in the case of wilful misconduct.

39.2 Deductions to be reasonable and proportionate

Any deduction made under clause 39 must be reasonable in the circumstances and proportionate to the loss suffered by the employer.

39.3 Deductions for employees under 18 years of age

Deductions must not be made under clause 39 from the wages of an employee who is under 18 years of age unless the deductions have been agreed to in writing by the employee's parent or guardian.