

General Retail Industry Award 2020

The [General Retail Industry Award 2020](#) is an industry Award which covers many different types of roles contained within the Retail Industry in general. The following are some key items of this Award, please refer to the Award for full references of clauses.

COVERAGE

The General Retail Industry Award covers the following, to the exclusion of any other modern award:

- a) employers in the general retail industry throughout Australia; and
- b) employees (with a classification defined in defined in [Schedule A – Classification Definitions](#)) of employers mentioned below

<p>General retail industry as defined by the Award, means:</p> <p>the retail sale or hire of goods or services for personal, household or business consumption</p>	<p>Including:</p> <ol style="list-style-type: none"> a) clothing; b) food; c) furniture and household goods; d) personal and recreational goods; e) bakery shops at which the predominant activity is baking products for sale on the premises; f) the provision of repair services for household equipment; g) the provision of customer information or assistance at retail complexes; h) the delivery of newspapers by employees of a newsagent, 	<p>The Award does not cover the following, that are covered by other awards:</p> <ol style="list-style-type: none"> a) the retail sale or hire of goods or services by any of the following: <ol style="list-style-type: none"> a. community pharmacies; or b. pharmacies in hospitals or other institutions providing an in-patient service; or c. hair and beauty establishments; or d. stand-alone butcher shops; or e. stand-alone nurseries; or f. manufacturing or processing establishments other than seafood processing establishments; b) hair and beauty work undertaken in the theatrical, amusement or entertainment industries; c) clerical functions performed away from a retail establishment; d) warehousing and distribution; e) motor vehicle retailing and motor vehicle fuel and parts retailing; f) restaurants, cafes, hotels, motels or fast food operations; g) building, construction, installation, repair or maintenance contractors engaged to perform work at a retail establishment.
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INDIVIDUAL FLEXIBILITY ARRANGEMENTS

<p>An employer and an individual employee may agree to vary the application of the terms of this award relating to any of the following in order to meet the genuine needs of both the employee and the employer:</p> <ol style="list-style-type: none"> a) arrangements for when work is performed; or b) overtime rates; or c) penalty rates; or d) allowances; or 	<p>An agreement must be one that is genuinely made by the employer and the individual employee without coercion or duress.</p> <p>An agreement may only be made after the individual employee has commenced employment with the employer.</p>
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e) annual leave loading.	Refer to the Award for further provisions relation to Individual flexibility arrangements.
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TYPES OF EMPLOYMENT

<u>Full Time Employment</u>	A full-time employee is engaged to work an average of 38 ordinary hours per week in accordance with an agreed hours of work arrangement.	<p>Moving between types of employment:</p> <ul style="list-style-type: none"> • A full-time or casual employee can only become a part-time employee with the employee's written consent. • Moving to part-time employment does not affect the continuity of any leave entitlements. • A full-time employee: <ul style="list-style-type: none"> ○ may request to become a part-time employee; and ○ if that request is granted by the employer, may return to full-time employment at a future date agreed in writing with the employer.
<u>Part Time Employment</u>	A part-time employee is engaged to work for fewer than 38 ordinary hours per week and whose hours of work are reasonably predictable. Additionally, the part-time employee is entitled to a daily minimum of 3 consecutive hours.	<p>Some specific provisions for part-time employees include:</p> <ul style="list-style-type: none"> • any role in Schedule A-Classification Definitions, can be engaged part-time • the Award applies in the same manner to part-time employees, except where it is specifically stated otherwise • a part-time employee is entitled to annual leave and personal/carer's leave on a proportionate basis • at the time of engaging a part-time employee, the employer must agree in writing with the employee (this can be through an employment contract, email exchange, text messages or other electronic means suitable to the business communication) on a regular pattern of work that must include all of the following: <ul style="list-style-type: none"> ○ the number of hours to be worked on each particular day of the week (the guaranteed hours); and ○ the times at which the employee will start and finish work each particular day; and ○ when meal breaks may be taken and their duration ○ PLEASE NOTE the agreement may be changed on a temporary or ongoing basis, provided it is mutually agreed to and in writing and the hours cannot result in the employee working 38 or more ordinary hours per week

		<ul style="list-style-type: none"> For any time worked in excess of the part-time employees guaranteed hours, the part-time employee must be paid at the overtime rate specified within the Award. Refer to the Award for changes of regular pattern or work by the employer and review of guaranteed hours.
Casual Employment	<p>Under the <i>General Retail Industry Award 2020</i>:</p> <ul style="list-style-type: none"> An employer must pay a casual employee for each hour worked a loading of 25% on top of the minimum hourly rate applicable under clause 17 – Minimum rates The minimum daily engagement of a casual employee is 3 hours, or 1.5 hours in the following circumstances: <ul style="list-style-type: none"> the employee is a full-time secondary school student; the employee is engaged to work between 3:00 pm and 6:30 pm on a day on which the employee is required to attend school; the employee, with the approval of the employee's parent or guardian, agrees to work for fewer than 3 hours; employment for a longer period than the agreed period is not possible either because of the operational requirements of the employer or the unavailability of the employee. 	<p>An employer engaging a casual employee, must adhere to the casual definition contained within Fair Work Act 2009 s15A and comply with the provisions of the <i>General Retail Industry Award 2020</i>.</p> <p>Offers and requests for casual conversion are in accordance with the NES.</p>
Apprentices	<p>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>An employer may engage apprentices and any engagement must be in accordance with the law regulating apprenticeships in force in the place in which the apprentice is engaged.</p> <p>An employer must pay an apprentice in accordance with clause 17.3 – Apprentice rates or, for an adult apprentice, clause 17.4 – Adult apprentices.</p> <p>Except in an emergency, an employer must not require an apprentice to work overtime or shiftwork at any time that</p>	<p>Refer to clause 12.6 Training for full details, some key items include:</p> <ul style="list-style-type: none"> an apprentice must be released to attend training or any assessment without loss of pay and is considered time worked, also continuity of employment remains when attending training; an employer must reimburse the apprentice for all fees paid by the apprentice to the registered training organisation (RTO) for courses the apprentice is required to attend and any textbooks required as part of the apprenticeship. <p>An apprentice required to attend block release training (longer blocks than just a day here or there), refer to clause 12.7 Block Release Training. Some of the key items include:</p> <ul style="list-style-type: none"> if the training requires overnight stay, the employer must pay for the reasonable travel costs incurred by the apprentice in travelling to and from the training.

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	would prevent their attendance at training in accordance with their training contract.	<ul style="list-style-type: none"> Reasonable travel costs include: <ul style="list-style-type: none"> Cost of transportation (including tools if required) Accommodation costs Reasonable expenses, including meals, which exceed those meals incurred in the normal course of travelling to and from the workplace. PLEASE NOTE if the apprentice could have attended training at a closer venue and the distant block training was not agreed to, then the employer is not obliged to pay costs. 	
<u>Junior Employees</u>	A junior employee is someone who is less than 21 years of age and the employer must pay a percentage of adult minimum wage rate depending on age of junior employee	Age	% of minimum rate
		15 years of age and under	45%
		16 years of age	50%
		17 years of age	60%
		18 years of age	70%
		19 years of age	80%
		20 years of age and employed <6 months	90%
20 years of age and employed > 6 months	100%		

ORDINARY HOURS OF WORK

<u>Hours of work</u>	<p>The maximum number of ordinary hours that can be worked on any day is 9 hours. An employer may roster an employee to work up to 11 ordinary hours on one day per week.</p> <p>For full-time employees, the ordinary hours of work may be agreed to be worked on one of the following:</p> <ol style="list-style-type: none"> working 38 hours per week; or working 76 hours over 2 consecutive weeks; or working 114 hours over 3 consecutive weeks; or working 152 hours over 4 consecutive weeks; or working an average of 38 hours per week over a longer period agreed between the employer and the employee. 	<p>A full-time employee and the employer may agree to one of the following for working the average of 38 hours per week.</p> <ol style="list-style-type: none"> working 5 days of 7 hours and 36 minutes each per week; or working days of varying length per week; or taking 4 hours off per fortnight in addition to the rostered day off; or taking a fixed day off per 4 week cycle; or taking a rotating day off per 4 week cycle; or having an accumulating day off per 4 week cycle with a maximum of 5 days being accumulated over 5 such cycles.
<u>Span of hours</u>	Days	Span of hours*
	Monday to Friday, inclusive	7.00 am –9.00 pm
	Saturday	7.00 am –6.00 pm

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	Sunday	9.00 am –6.00 pm
	*refer to clause 15.2 for span of hours for extended trading beyond 9pm	
Rostering Arrangements	<ul style="list-style-type: none"> A roster cannot exceed 4 weeks except by agreement The employer may roster an employee to work ordinary hours on 6 days in one week if the employee is rostered to work ordinary hours on no more than 4 days in the following week 	<ul style="list-style-type: none"> The employer must roster an employee to work ordinary hours in such a way that they have 2 consecutive days off per week or 3 consecutive days off per 2-week cycle. A separate written agreement may be made at the request of the employee without coercion or duress from the employer. Refer to clause 15 for further ordinary hours and rostering information

BREAKS

Hours worked per shift	Breaks	Meal Breaks
Less than 4 hours	No entitlement	No entitlement
4 or more but no more than 5	1 x 10 minute paid rest break	
More than 5 but less than 7	1 x 10 minute paid rest break	1 x unpaid meal break of at least 30 minutes and not more than 60 minutes
7 or more but less than 10	2 x 10 minute paid rest breaks (one to be taken in the first half of the shift and one in the second half)	1 x unpaid meal break of at least 30 minutes and not more than 60 minutes
10 or more	2 x 10 minute paid rest breaks (one to be taken in the first half of the shift and one in the second half)	2 x unpaid meal breaks of at least 30 minutes and not more than 60 minutes
Breaks between work periods	<ul style="list-style-type: none"> An employee must have a minimum break of 12 hours between when the employee finishes work on one day and starts work on the next. If an employee starts work again without having had 12 hours off work, the employer must pay at the rate of 200% of the rate they would be entitled to until the employee has a break of 12 consecutive hours. The employee must not suffer any loss of pay for ordinary hours not worked during the period of a break required by this clause. 	<ul style="list-style-type: none"> The employer and individual employee or a group of employees may agree that this clause may be amended to have effect for a minimum break of 10 hours.

OVERTIME

Please refer to this clause for information on what is considered reasonable overtime and the factors to be considered.

<p><u>Payment of Overtime</u></p>	<p>Full time employees:</p> <ul style="list-style-type: none"> Overtime is paid for any hours worked in excess of ordinary hours or outside span of hours. <p>Part-time employees:</p> <ul style="list-style-type: none"> Overtime is paid for hours worked in excess of their guaranteed hours as agreed, or as varied by prior agreement. <p>Casual employees:</p> <ul style="list-style-type: none"> Overtime is paid for <ul style="list-style-type: none"> any hours worked in excess of 38 ordinary hours per week (or as averaged over the course of the week if in accordance with the roster) outside the span of ordinary hours for each day; or in excess of 11 hours on one day of the week and in excess of 9 hours on any other day of the week. 	<p>Overtime is calculated on a daily basis.</p>	
<p><u>Overtime Rate</u></p>	<p>Day overtime is worked</p>	<p>Full-time & part-time employees % of <u>minimum hourly rate</u></p>	<p>Casual employees % of <u>minimum hourly rate</u>, inc. of casual loading</p>
<p>Monday to Saturday – first 3 hours</p>		<p>150%</p>	<p>175%</p>
<p>Monday to Saturday – after 3 hours</p>		<p>200%</p>	<p>225%</p>
<p>Sunday</p>		<p>200%</p>	<p>225%</p>
<p>Public holiday</p>		<p>250%</p>	<p>275%</p>
<p><u>Time off instead of payment for overtime</u></p>	<p>An employee and employer may agree in writing to the employee taking time off instead of being paid for a particular amount of overtime that has been worked by the employee</p>	<p>The period of time off that an employee is entitled to take is equivalent to the overtime payment that would have been made. EXAMPLE: By making an agreement under clause 21.3 an employee who worked 2 overtime hours at the rate of 150% is entitled to 3 hours' time off.</p>	

PENALTY RATES

Time of ordinary hours worked	Full-time and part-time employees % of minimum hourly rate	Casual employees % of minimum hourly rate, inclusive of casual loading
Monday to Friday – after 6.00pm	125%	150%
Saturday – all ordinary hours	125%	150%
Sunday – all ordinary hours	150%	175%
Public holidays – all ordinary hours	225%	250%

The employer and a full-time or part-time employee may agree that instead of being paid penalty rates, the employee is paid for their ordinary hours for the hours worked on the public holiday, **PLUS**, an amount of paid time equivalent to the hours worked on the public holidays is to be added to the employee's annual leave or the employee is to be allowed to take the time off within a period of 28 days after the public holidays. Time off not taken within 28 days, is to be paid out.

SUPERANNUATION

An employer is required to comply with Superannuation legislation and make relevant employer contributions as determined by the legislation. An employee can make voluntary contributions as well.

Absence from work

Subject to the governing rules of the relevant superannuation fund, the employer must also make the superannuation contributions in the following situations:

- a) **Paid Leave** – while the employee is on any paid leave;
- b) **Work-related injury or illness**—for the period of absence from work (subject to a maximum of 52 weeks) of the employee due to work-related injury or work-related illness provided that:
 - i. the employee is receiving workers compensation payments or is receiving regular payments directly from the employer in accordance with the statutory requirements; and
 - ii. the employee remains employed by the employer.

SHIFTWORK

Under the Award, shiftwork only applies to those persons specifically employed to do shiftwork. Shiftwork does not apply to a person who is not employed to do shiftwork but who works additional hours or overtime.

Please refer to the Award for specific information relating to shiftwork.

LEAVE AND PUBLIC HOLIDAYS

<u>Annual Leave</u>	<ul style="list-style-type: none"> • A full-time employee receives 4 weeks annual leave per year. • A part-time employee receives a pro-rata of 4 weeks annual leave per year based on ordinary hours • A casual employee is not entitled to annual leave 	<p>Annual leave rolls over year to year.</p> <p>For an employee other than a shiftworker or casual, the additional payment when taking annual leave is either:</p> <ul style="list-style-type: none"> • 17.5% of the employee's minimum hourly rate for all ordinary hours of work in the period; OR • The employee's minimum hourly rate for all ordinary hours of work in the period inclusive of penalty rates. <p>Notice of a temporary close-down where employees are required to take leave during the period, the employer must provide 4 weeks' notice of a temporary close down.</p>
<u>Personal/carer's leave and compassionate leave</u>	<ul style="list-style-type: none"> • A full-time employee is entitled to 10 days personal/carer's leave per year • A part-time employee receives a pro-rata amount of personal/carer's leave based on ordinary hours of work. • A casual employee may only be absent from work due to personal/carer's leave for up to 48 hours unpaid. 	<p>Personal/carer's leave rolls over year to year.</p> <p>For details of when an employee can be absent from work due to personal/carer's leave, refer to the Award and the National Employment Standards (NES) within the <i>Fair Work Act 2009</i>.</p> <p>Refer to the Award and the NES for further information relating to compassionate leave, <u>parental leave</u>, <u>community service leave</u>, <u>unpaid family and domestic violence leave</u>.</p> <p>Long service leave is provided for within the <i>Industrial Relations Act 1999</i></p>
<u>Public Holidays</u>	<p>Full-time and part-time employees are entitled to be paid for a public holiday and not required to work, if the public holiday falls on their ordinary working day/hours.</p> <p>Casual employees are entitled to payment on a public holiday when they work on the public holiday</p>	<p>Refer to the Award for specific on part-day public holidays and substitute days.</p>

CONSULTATION AND DISPUTE RESOLUTION

Please refer to the Award for specific details on:

- [consultation about a major workplace change.](#)
- [consultation about changes to rosters or hours of work,](#)
- [dispute resolution](#)

TERMINATION OF EMPLOYMENT AND REDUNDANCY

Termination

The National Employment Standards (NES) set out the requirements for notice of termination by an employer S117 and S123 of the *Fair Work Act 2009*.

Employee's period of continuous service with the Employer at the end of the day the notice is given	Period of Notice
Not more than 1 year	1 week
More than 1 year but not more than 3 years	2 weeks
More than 3 years but not more than 5 years	3 weeks
More than 5 years	4 weeks

- if the employee is over 45 years old and has completed at least 2 years of continuous service with the employer at the end of the day the notice is given, then the employee receives an additional 1 week notice if the employee is terminated or made redundant.
- The notice of termination required to be given by an employee is the same as that required of an employer except that the employee does not have to give additional notice based on the age of the employee.
 - PLEASE NOTE: If an employee who is at least 18 years old does not give the period of notice required, then the employer may deduct from wages (not leave) due to the employee under this award an amount that is no more than one week's wages for the employee.

Payment on Termination of employment

Final payments on termination must be made within 7 days to the employee via cheque, cash or electronic funds transfer.

The employer must pay the employee:

- (i) the employee's wages under this award for any complete or incomplete pay period up to the end of the day of the termination; and
- (ii) all other amounts that are due to the employee under this award and the [NES](#).

Redundancy

Redundancy is provided for in accordance with the NES S119-123 of the *Fair Work Act 2009*.

Amount of redundancy pay as per Section 120 of *Fair Work Act 2009*:

Employee's period of continuous service* with the employer on termination		Redundancy pay period (at employees current rate of pay)
1	At least 1 year but less than 2 years	4 weeks
2	At least 2 years but less than 3 years	6 weeks
3	At least 3 years but less than 4 years	7 weeks
4	At least 4 years but less than 5 years	8 weeks
5	At least 5 years but less than 6 years	10 weeks
6	At least 6 years but less than 7 years	11 weeks
7	At least 7 years but less than 8 years	13 weeks
8	At least 8 years but less than 9 years	14 weeks
9	At least 9 years but less than 10 years	16 weeks
10	At least 10 years	12 weeks

*A reference in this section to continuous service with the employer does not include periods of employment as a casual employee of the employer.

CLASSIFICATIONS DEFINITIONS

Refer to the CLASSIFICATIONS DEFINITIONS for information about duties of each different level within the Award.