Government of Western Australia
Department of Mines, Industry Regulation and Safety

wageline 1300 655 266

Please note – This is a previous WA award summary and does not contain the current rates of pay

WA award summary

Children's Services (Private) Award

Pay rates applicable from 1 July 2023 to 30 June 2024

Not the current wage

About this award summary

This document is a summary of the state Children's Services (Private) Award. WA awards are legal documents that outline the pay rates, allowances, working hours, and leave entitlements for employees in a particular industry or type of work.

Complying with the provisions of a WA award is compulsory and all employers who are covered by this WA award must provide employees with the pay rates and employment entitlements in the WA award, as outlined in this award summary and in the full award as a minimum. Potential penalties for employers who do not meet WA award requirements are detailed on page 2.

This WA award summary is a summary only and does not include all obligations required by the award. It is important to also refer to the full Children's Services (Private) Award that is available on the Western Australian Industrial Relations Commission website www.wairc.wa.gov.au. Provisions of other employment legislation also apply to employees and have been included in this WA award summary where appropriate. Reference should also be made to the *Minimum Conditions of Employment Act 1993* (MCE Act), the *Long Service Leave Act 1958* (LSL Act), and the *Industrial Relations Act 1979* (IR Act) for full details.

This document is formatted for viewing on the Wageline website and contains web links to other relevant information. If using a printed copy in which links are not visible, all additional information can be found at www.dmirs.wa.gov.au/wageline or by contacting Wageline on 1300 655 266.

Disclaimer

The Department of Mines, Industry Regulation and Safety has prepared this WA award summary to provide information on pay rates and major award provisions. It is provided as a general guide only and is not designed to be comprehensive or to provide legal advice. The department does not accept liability for any claim which may arise from any person acting on, or refraining from acting on, this information.

Three Step Check: to make sure this WA award summary is relevant to you

Step 1 Is the business in the state system?	This WA award summary applies to businesses in the **state industrial relations system.** The state system covers businesses (and their employees) that operate as: ✓ **sole traders** ✓ **unincorporated partnerships** ✓ **unincorporated trust arrangements** ✓ **incorporated associations and other non-profit bodies** that are not trading or financial corporations This summary does **not** apply to businesses in the national industrial relations system which operate as: ✗ **Pty Ltd businesses** ✗ **incorporated partnerships or incorporated trusts** ✗ **incorporated associations and other non-profit bodies** that are trading or financial corporations For more information visit the Guide to who is in the WA state system page. If the business or organisation is in the national system visit the Fair Work Ombudsman website www.fairwork.gov.au

Step 2 Is the business covered by the Children's Services (Private) Award?	The Children's Services (Private) Award applies to businesses in the state industrial relations system which are private nurseries, private child care or private day care facilities which provide care for children and which do not receive recurrent funding from the State or Federal Governments.

Step 3 Is the employee's job covered by the Children's Services Private?	The Children's Services (Private) Award sets pay rates, working hours and other employment arrangements for full time, part time and casual employees working as: ✓ Child care workers ✓ Cooks and kitchen hands ✓ Directors and assistant directors ✓ Pre-school teachers ✓ Cleaners and gardeners

Not the current wage rates

Industrial inspectors at the Department of Mines, Industry Regulation and Safety have powers under the IR Act to investigate employee complaints about underpayments of pay rates and leave entitlements under this WA award and state employment laws. Industrial inspectors also undertake regular proactive compliance audits in particular industries to determine if employers are paying correct wages and keeping correct employment records.

The penalty for contravening a provision of a WA award or not complying with a requirement relating to employment records is up to $13,000 for individuals and $65,000 for bodies corporate. Higher penalties apply for serious contraventions of up to $130,000 for individuals and $650,000 for bodies corporate. An industrial inspector is also able to give a person a civil infringement notice, similar to an 'on-the-spot fine', for not complying with employment record-related requirements. Record keeping requirements are outlined in the Employment records section.

Employees who believe that they have been underpaid, or who wish to make an anonymous report of wage theft, should visit the Making a complaint about underpayment of wages or entitlements page.

Stay informed when WA award pay rates change, subscribe to Wageline News or follow Wageline on social media.

Rates of pay

All rates of pay are gross rates (before tax). The tables below provide the rates that apply from the first full pay period on or after **1 July 2023.**

Adult rates of pay – applicable from the first pay period on or after 1 July 2023 until end of last pay period commenced in June 2024.

Award Level (See classifications pages 13-15)	**Level**	**Weekly**	**Hourly**	**Casual (includes 20% loading)**
Children's Services Employee Level 1 Grade One				
Cleaner	1.1	$910.00	$23.95	$28.74
Kitchen Hand	1.2	$918.00	$24.16	$28.99
Children's Services Employee Level 1 Grade Two (Cook/Gardener)				
On commencement	1.3	$923.00	$24.29	$29.15
After 1 year in the industry	1.4	$933.00	$24.55	$29.46
Children's Services Employee Level 2				
On Commencement	2.1	$910.00	$23.95	$28.74
After 1 year in the industry	2.2	$921.20	$24.24	$29.09
After 2 years in the industry	2.3	$932.50	$24.54	$29.45
After 3 years in the industry	2.4	$944.00	$24.81	$29.78
Children's Services Employee Level 2 E Worker				
On commencement	2.5	$963.20	$25.34	$30.41
After 1 year in the industry	2.6	$972.80	$25.61	$30.73
Children's Services Employee Level 3				
On commencement	3.1	$977.90	$25.73	$30.88
After 1 year in the industry	3.2	$1,007.30	$26.51	$31.81
After 2 years in the industry	3.3	$1,034.80	$27.23	$32.68
CSE Level 3 holding AQF Certificate IV	3.4	$1,057.70	$27.83	$33.40
CSE Level 3 holding AQF Diploma in Children's Services or CSE Level 3 who is an E worker	3.5*	$1,085.00	$28.55	$34.26
Children's Services Employee Level 4				
On commencement	4.1	$1,135.00	$29.87	$35.84
After 1 year in the industry	4.2	$1,150.20	$30.27	$36.32
After 2 years in the industry	4.3	$1,165.00	$30.66	$36.79
Children's Services Employee Level 5				
On commencement	5.1	$1,180.80	$31.07	$37.29
After 1 year in the industry	5.2	$1,195.90	$31.47	$37.77
After 2 years in the industry	5.3	$1,210.70	$31.86	$38.23
CSE Level 5 holding AQF 6	5.4	$1,214.80	$31.97	$38.36
Children's Services Employee Level 6				
Level 6 Grade 1				
On commencement	6.1	$1,347.10	$35.45	$42.54
After 1 year in the industry	6.2	$1,362.30	$35.85	$43.02
After 2 years in the industry	6.3	$1,377.20	$36.24	$43.49
Level 6 Grade 2				
On commencement	6.4	$1,422.90	$37.44	$44.93
After 1 year in the industry	6.5	$1,434.80	$37.76	$45.31

Not the current wage rates

Award Level (See classifications pages 13-15)	**Level**	**Weekly**	**Hourly**	**Casual (includes 20% loading)**
After 2 years in the industry	6.6	$1,450.10	$38.16	$45.79
Level 6 Grade 3				
On commencement	6.7	$1,465.50	$38.57	$46.28
After 1 year in the industry	6.8	$1,480.70	$38.97	$46.76
After 2 years in the industry	6.9	$1,495.70	$39.36	$47.23
Pre-school Teachers Level 7				
	7.1	$1,094.40	$28.80	$34.56
	7.2	$1,135.00	$29.87	$35.84
	7.3	$1,175.70	$30.94	$37.13
	7.4	$1,208.00	$31.79	$38.15
	7.5	$1,238.30	$32.59	$39.10
	7.6	$1,278.90	$33.66	$40.39
	7.7	$1,323.60	$34.83	$41.80
	7.8	$1,360.10	$35.79	$42.95
	7.9	$1,392.70	$36.65	$43.98
	7.10	$1,433.40	$37.72	$45.27
	7.11	$1,474.00	$38.79	$46.55

*Note: Pay Level 3.5 is fixed at the mid-point between the Level 3.3 and Level 4.1 rates.

- An Assistant Director who holds an Advanced Diploma (AQF 6) must be paid no less than Level 5.4.
- A Director or Assistant Director who holds a Graduate Certificate in Child Care Management or equivalent will be paid an all-purpose allowance of **$60.54** per week (calculated at 5% of the weekly rate for Assistant Director Pay Level 5.3)

Junior rates of pay– applicable from the first pay period on or after 1 July 2023 until end of last pay period commenced in June 2024.

Junior employees can only be paid junior rates if they are employed as a Children's Services Employee (Level 2).

Junior child care workers	**Level**	**Weekly**				**Hourly**
		20 years (95%)	**19 years** (85%)	**18 years** (75%)	**17 years** (60%)	**16 & 15 years** (50%)
On commencement	2.1	$864.50	$773.50	$682.50	$546.00	$11.97
After 1 year in the industry	2.2	$875.10	$783.00	$690.90	$552.70	$12.12
After 2 years in the industry	2.3	$885.90	$792.60	$699.40		
After 3 years in the industry	2.4	$895.80	$801.50	$707.20		

Registered trainees

- Registered trainees are employees who are undertaking a traineeship registered with the Apprenticeship Office at the Department of Training and Workforce Development. Traineeships can be undertaken on a full time, part time or school-based basis.
- Registered trainees under the Children's Services (Private) Award must be paid the minimum adult or junior rates for registered trainees and are covered by all other provisions of this award, including working hours, penalty rates, allowances and leave entitlements.
- The pay rates that apply to registered trainees under this WA award are listed in the minimum pay rates for registered trainees section of the Pay rates for trainees page.
- An employer is required to pay a registered trainee for time spent at TAFE (or other off the job training) as normal working hours. An employer is not required to pay TAFE fees on behalf of the registered trainee.

Not the current wage rates

Allowances

Meal allowance

If the employee is required to work 2 hours or more after the usual finishing time, without being notified on the previous day or earlier, they must be provided with a meal or paid **$9.85** per occasion.

Location allowance for employees in regional areas

- Employees employed in certain regional towns must be paid the weekly location allowance relevant to that town. Rates listed below are for adult employees working full time. Junior employees, casual employees, part time employees, apprentices and trainees must be paid proportionate location allowance based on the proportion which their weekly wage is to the adult rate under the WA award.
- If an employee has a dependant (a spouse or partner, or a child if there is no spouse or partner) the employee is entitled to receive double the allowance specified for the relevant town except if the dependant also receives a location or district allowance payment as part of their own employment.
- If an employee has a 'partial dependant' (a dependant who receives a district or location allowance of their own which is less than the location allowance the employee is entitled to under this award) the employee is entitled to receive:
  - the relevant location allowance for the employee's town; plus
  - an amount equal to the difference between the employee's location allowance and the amount their partial dependant receives in district or location allowance.
- If an employee receives free board and lodging, or is paid an allowance for board and lodging, the rate of location allowance is adjusted to 66.67% (two thirds) of the rate for the relevant town.

Location allowance rates effective first pay period on or after 1 July 2023

Town	$ per week	Town	$ per week	Town	$ per week
Agnew	$24.70	Halls Creek	$58.40	Norseman	$22.10
Argyle	$66.60	Kalbarri	$9.00	Nullagine	$64.70
Balladonia	$25.80	Kalgoorlie	$10.60	Onslow	$43.40
Barrow Island	$43.40	Kambalda	$10.60	Pannawonica	$32.30
Boulder	$10.60	Karratha	$41.90	Paraburdoo	$32.20
Broome	$39.90	Koolan Island	$43.70	Port Hedland	$34.60
Bullfinch	$11.50	Koolyanobbing	$11.50	Ravensthorpe	$13.00
Carnarvon	$20.50	Kununurra	$66.60	Roebourne	$48.30
Cockatoo Island	$43.70	Laverton	$25.40	Sandstone	$24.70
Coolgardie	$10.60	Learmonth	$36.60	Shark Bay	$20.50
Cue	$25.50	Leinster	$24.70	Southern Cross	$11.50
Dampier	$34.80	Leonora	$25.40	Telfer	$59.40
Denham	$20.50	Madura	$26.80	Teutonic Bore	$24.70
Derby	$41.40	Marble Bar	$64.80	Tom Price	$32.20
Esperance	$7.10	Meekatharra	$22.00	Whim Creek	$41.50
Eucla	$27.80	Mount Magnet	$27.60	Wickham	$40.00
Exmouth	$36.60	Mundrabilla	$27.30	Wiluna	$25.00
Fitzroy Crossing	$50.40	Newman	$23.80	Wyndham	$62.30

No wage rates

Employment of children

- Under the *Children and Community Services Act 2004*, it is illegal to employ children under the age of 15 in this industry, except if the child is working as part of a school program (e.g. work experience placement) or in a family business.
- School aged children must not be employed during school hours, unless participating in a school program.
- Visit the When children can work in Western Australia page for more information.

Deductions from pay

- An employer may **only** make a deduction from an employee's pay if:
  - the employer is required by a court or a state or federal law to make the deduction (e.g. tax that must be withheld from the employee's pay);
  - the employee has authorised the deduction in writing (as part of a written employment contract or otherwise) and the deduction is paid on behalf of the employee; or
  - the employer is authorised by the WA award to make the deduction and the deduction is paid on behalf of the employee.
- Deductions or requirements to pay an amount of money to the employer or another person in relation to an employee under the age of 18 are not permitted unless the deduction or payment is agreed to in writing by the employee's parent or guardian.
- A term of a WA award or employment contract providing for a deduction from an employee's pay will be of no effect if it is for the benefit of the employer or a party related to the employer and is unreasonable in the circumstances.
- An employer cannot directly or indirectly compel an employee to access goods, accommodation or other services instead of money as part of the employee's pay.

Hours and overtime

Ordinary hours

- The ordinary hours of work are an average of 38 per week to be worked on one of the following bases:
  - 38 hours within a work cycle not exceeding seven consecutive days;
  - 76 hours within a work cycle not exceeding 14 consecutive days;
  - 114 hours within a work cycle not exceeding 21 consecutive days; or
  - 152 hours within a work cycle not exceeding 28 consecutive days
- The ordinary hours of work are to be worked Monday to Friday between the hours of 7.00am and 6.00pm.
- Hours must be worked continuously except for meal breaks. A maximum of 5 hours may be worked prior to a meal break. Where an employee works more than 5 hours without a meal break, all time worked in excess of 5 hours must be paid at overtime rates.
- The method of implementing a 38 hour week must comply with Clause 8 of the Children's Services (Private) Award. Visit the WA Industrial Relations Commission website www.wairc.wa.gov.au to view the award.
- Casual and part time employees must be paid for at least 3 hours per day.
- A part time employee who is employed to regularly work less than 20 hours per week may with the consent of the employer, elect to be paid as a 'casual'.

Overtime

- All work on Monday to Friday beyond the ordinary hours or outside the spread of hours (Monday to Friday between the hours of 7.00am and 6.00pm) must be paid at the rate of time and one half for the first two hours and double time after that.
- Work on a Saturday or Sunday must be paid at the rate of double time.

Meal breaks

- Employees must receive an unpaid meal break of between 30 minutes and one hour after no more than 5 hours of work.
- All employees must also receive a 10 minute paid tea break between the second and third hour of work provided that employees responsible for supervising children continue supervision during the tea break.
- If an employee is required to work for more than 5 hours without a meal break, all time worked in excess of 5 hours must be paid at overtime rates.

Not the current wage rates

Public holidays

- A full time employee is entitled to public holidays (or days substituted for public holidays) without deduction of pay. A part time employee is entitled to a public holiday (or day substituted for a public holiday) without deduction of pay if they would ordinarily be required to work on that day if it was not a public holiday.
- Under this award, if a public holiday falls on a Saturday or Sunday (except ANZAC Day and Easter Sunday), the following Monday will be considered to be the public holiday. However, if Boxing Day falls on a Sunday or Monday, the following Tuesday will be considered to be the public holiday. When a public holiday is substituted with another day, the public holiday itself is no longer considered a public holiday for the purposes of the award.
- The Easter Sunday public holiday is observed on the actual day, and it is not substituted to another day solely because it falls on a weekend. Employees required to work on Easter Sunday must be paid at public holiday penalty rates. Visit the Easter Sunday public holiday page for more information.
- Hours worked on a public holiday or substituted holiday must be paid at the rate of double time and a half or if the employee agrees paid at time and a half and the employee is allowed to observe the holiday on a mutually agreed day.
- Visit the Public Holidays in Western Australia page to view the public holiday dates.

Leave entitlements

Quick reference guide

Leave entitlement	Full time	Part time	Casual
Annual leave	✓	✓	✗
Personal leave	✓	✓	✗
Unpaid personal leave for caring purposes	✓	✓	✓
Bereavement leave	✓	✓	✓
Unpaid parental leave	✓	✓	✓
Long service leave	✓	✓	✓
Unpaid family and domestic violence leave	✓	✓	✓

This WA award summary covers the basic leave entitlements for employees covered by the Children's Services (Private) Award but does **not** include all details on leave obligations and entitlements. Visit the WA Industrial Relations Commission website www.wairc.wa.gov.au for full details of conditions contained in the Children's Services (Private) Award, the *Minimum Conditions of Employment Act 1993* and the *Long Service Leave Act 1958.*

Personal leave

- Personal leave entitles a full time or part time employee to paid time off work due to either illness or injury to themselves, or because they have to care for a member of their family or household who requires care or support because they are sick, injured or affected by an unexpected emergency.
- Each year, full time and part time employees accrue paid personal leave equal to the number of hours they would ordinarily work in a two week period, up to 76 hours per year. Personal leave is a cumulative entitlement, and any leave not taken in one year is carried over and able to be taken in future years.
- Paid personal leave accrues on a weekly basis for full and part time employees. Wageline's Personal leave calculation guide can assist with calculating paid personal leave entitlements.
- An employee, including a casual employee, is entitled to up to two days of unpaid personal leave per occasion when a member of the employee's family or household requires care or support because of a personal illness or injury or unexpected emergency affecting the member. A full time or part time employee cannot take unpaid personal leave for caring purposes if they have paid personal leave available.
- Casual employees are not entitled to paid personal leave. Casual employees can access up to two days of unpaid personal leave for caring purposes per occasion.
- Personal leave is a minimum entitlement from the *Minimum Conditions of Employment Act 1993*.
- Visit Wageline's Personal leave page for definitions of 'member of the family or household' or for more information.

Not the current wage rates

Annual leave

- Full time employees are entitled to a minimum of four weeks of paid annual leave for each year of completed service, up to 152 hours. Part time employees are entitled to a minimum of four weeks of paid annual leave per year paid on a pro rata basis according to the number of hours they are required ordinarily to work in a four week period. Casual employees are not entitled to annual leave.
- Annual leave is a minimum entitlement in the *Minimum Conditions of Employment Act* 1993 and the Children's Services (Private) Award sets out additional requirements regarding annual leave and annual leave loading.
- During a period of annual leave an employee must be paid annual leave loading of 17.5%.
- On termination, annual leave loading of 17.5% is paid out on fully accrued annual leave entitlements for completed years of employment. Annual leave loading is not paid on proportionate leave (leave accrued in an incomplete year of employment) on termination.
- Annual leave accrues on a weekly basis:
  - A full time employee accrues 2.923 hours of annual leave for each completed week of work.
  - A part time employee accrues the relevant proportion of 2.923 hours annual leave for each completed week of work.
  - Wageline's Annual leave calculation guide can assist with calculating annual leave entitlements.
- Visit Wageline's Annual leave page for more information.

Bereavement leave

- All employees, including casual employees, are entitled to two days paid bereavement leave on the death of a spouse, de facto partner, parent, step-parent, grandparent, child, step-child, grandchild, sibling or any other member of the employee's household. The two days need not be consecutive.
- Bereavement leave is a minimum entitlement from the *Minimum Conditions of Employment Act 1993*. The Children's Services (Private) Award also contains provisions regarding bereavement leave which may be more beneficial in certain circumstances. Visit the WA Industrial Relations Commission website www.wairc.wa.gov.au to view the award.

Parental leave

Employees, including eligible casual employees, are entitled to the unpaid parental leave entitlements in the National Employment Standards of the *Fair Work Act 2009*, as well as a number of more beneficial conditions contained in the *Minimum Conditions of Employment Act 1993* (a return to work after parental leave on a modified basis and a reversion to pre-parental leave working conditions). Visit the Parental leave page for more details.

Family and domestic violence leave

- All employees are entitled to five days' unpaid family and domestic violence leave in each 12 month period. This leave is available in full at the start of each 12 month period of an employee's employment and does not accumulate from year to year. The five days' leave is available in full to part time and casual employees (i.e. it is not pro rata).
- An employee is able to take unpaid family and domestic violence leave if:
  - the employee is experiencing family and domestic violence; and
  - the employee needs to do something to deal with the impact of the family and domestic violence; and
  - it is impractical for the employee to do that thing outside the employee's ordinary hours of work.
- Leave can be taken in a single continuous five day period, separate periods of one or more days each, or periods of less than one day.
- Family and domestic violence leave is a minimum entitlement from the *Minimum Conditions of Employment Act 1993*.
- Visit Wageline's Family and domestic violence leave page for more information.

Long service leave

- Long service leave is a paid leave entitlement for full time, part time and casual employees. Under the *Long Service Leave Act 1958* (LSL Act), an employee may be eligible for long service leave:
  - after 10 years of continuous employment with the same employer, and for every 5 years of continuous employment after the initial 10 years; and
  - on a pro-rata basis when their employment ends after 7 years of continuous employment but before 10 years.
- The Long service leave pages of the Wageline website contain information on who is covered by the LSL Act, the entitlement to long service leave, how long service leave can be taken and frequently asked questions.

Not the current wage rates

- To be entitled to long service leave an employee's employment with their employer must be continuous. There are some paid and unpaid absences or interruptions to an employee's employment that:
  - do not break an employee's continuous employment; and
  - count towards the employee's period of employment for the purposes of accruing long service leave.

  Some other types of absences do not break an employee's continuous employment, but do not count towards an employee's period of employment for the purposes of accruing long service leave. Visit the Long service leave – What is continuous employment page for details.
- An employee's employment may in some circumstances also be continuous despite a change in the ownership of a business and the associated change of employer. This applies regardless of anything written in a sale of business contract. Visit the Long service leave – What happens when business ownership changes? page for details.
- The WA long service leave calculator can provide an estimate of an employee's long service leave entitlement when employment ends as a result of resignation, dismissal, death or redundancy.

Resignation, termination and redundancy

Resignation by the employee

Full time and part time employees are required to provide:

- One week's notice if they are employed as a Childcare Support Employee (Grade 1 or 2) or Childcare Giver and have been employed for less than one year.
- Two weeks' notice in all other circumstances.

Termination

Except in cases of serious misconduct, an employer is required to give full time and part time employees the following period of notice of termination (or payment in lieu):

Period of continuous service	Notice period
Not more than 1 year	1 week – Child Care Support Employee (Grade 1 or 2) or Child Care Giver 2 weeks – all other employees
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

*Employees over 45 years of age with two or more years of continuous service must receive an additional week's notice.

Dismissal requirements

Under state laws, employees cannot be dismissed if to do so would be harsh, unfair or oppressive. There must be a valid and fair reason for dismissal, such as:

- consistent unsatisfactory work performance (which has been raised with the employee and the employee given further training and an opportunity to improve their work performance);
- inappropriate behaviour or actions; or
- serious misconduct.

The Dismissal information page outlines obligations and requirements when an employee is terminated.

Redundancy

An employee is redundant when their employer has made a definite decision that they no longer wish the job the employee has been doing to be done by anyone.

When an employee has been made redundant they are entitled to receive:

- the appropriate notice period or pay in lieu of notice, as outlined in the termination section above;
- paid leave for job interviews;
- any unpaid wages;
- any unused accrued and pro rata annual leave;
- any unused accrued long service leave;
- pro rata long service leave (if applicable); and
- severance pay (if applicable).

Not the current wage rates

Visit the Redundancy – General information page for information on redundancy obligations.

Award severance pay – Employers who employ less than 15 employees

Employers covered by the Children's Services (Private) Award who employ less than 15 employees must pay the severance pay entitlements in the award when an employee is made redundant, as outlined in the table below.

Award severance pay does not need to be paid to casual employees, apprentices, employees who have been engaged for a specific period of time or for a specified task or tasks, or employees terminated as a consequence of conduct that justifies instant dismissal. Where a registered trainee has completed their traineeship and their services are retained, or where a trainee is terminated at the end of their traineeship but then re-employed by the same employer within six months, the period of the traineeship is counted towards the period of continuous service for award severance pay.

Period of continuous service with employer	Award severance pay
Less than 1 year	Nil
1 year but less than 2 years	4 weeks
2 years but less than 3 years	6 weeks
3 years but less than 4 years	7 weeks
4 years and over	8 weeks

Severance pay – Employers who employ 15 or more employees

Employers covered the Children's Services (Private) Award by who employ 15 or more employees must pay severance pay when an employee is made redundant, as outlined in the table below.

Period of continuous service*	Number of weeks severance pay
Less than 1 year	Nil
1 year and less than 2 years	4 weeks
2 years and less than 3 years	6 weeks
3 years and less than 4 years	7 weeks
4 years and less than 5 years	8 weeks
5 years and less than 6 years	10 weeks
6 years and less than 7 years	11 weeks
7 years and less than 8 years	13 weeks
8 years and less than 9 years	14 weeks
9 years and less than 10 years	16 weeks
10 years and over	12 weeks

*An employee's period of continuous service includes any service with that business under a previous employer where there has been a transmission of business.

These severance pay requirements do not apply to probationary employees, apprentices and trainees, casual and contract employees or employees terminated due to serious misconduct or for other reasons not related to redundancy.

Redundancy pay is calculated based on the applicable number of weeks' severance multiplied by ordinary time earnings. Ordinary time earnings excludes overtime, penalty rates, and allowances.

If the employee resigns during the notice period, they are entitled to the same severance pay they would receive if they had worked until the end of the notice period. However, in this circumstance the employee is not entitled to payment in lieu of notice.

Visit the Redundancy payments page for more information on redundancy payments.

Not the current Wage rates

Pay slip and record keeping requirements

Employers must provide all employees with a pay slip, and must keep employment records as required by state employment law. There are penalties for not keeping records and not providing a pay slip.

Pay slips

Employers need to provide a pay slip to each employee within one working day of paying the employee for work performed. The employer can decide whether to give a hard copy or electronic form of the pay slip.

A pay slip needs to include the following information:

- the employer's name and Australian Business Number (if any);
- the employee's name;
- the period to which the pay slip relates;
- the date on which the payment referred to in the pay slip was made;
- the gross and net amounts of the payment, and any amount withheld as tax;
- any incentive based payment, or payment of a bonus, loading, penalty rates or another monetary allowance or separately identifiable entitlement;
- if an amount is deducted from the gross amount of the payment:
  - the name of the person in relation to whom or which the deduction was made;
  - if the deduction was paid into a fund or account - the name, or the name and number, of the fund or account; and
  - the purpose of the deduction;
- if the employee is paid at an hourly rate of pay:
  - the rate of pay for the employee's ordinary hours;
  - the number of hours worked during the period to which the pay slip relates; and
  - the amount of the payment made at that rate;
- if the employee is paid a weekly or an annual rate of pay - the rate as at the latest date to which the payment relates;
- if the employer is required to make superannuation contributions for the benefit of the employee:
  - the amount of each contribution that the employer made during the period to which the pay slip relates and the name, or the name and number, of any fund to which the contribution was made; or
  - the amounts of the contributions that the employer is liable to make in relation to the period to which the pay slip relates, and the name, or the name and number, of any fund to which the contributions will be made.

Wageline's Pay slip information page provides more information and a pay slip template to assist employers.

Employment records

Record keeping requirements

It is compulsory for all employers to keep employment records which include the following information:

- the employee's name and, if under 21 years of age, their date of birth;
- the employer's name and Australian Business Number (if any);
- the name of the WA award that applies (in this case the Children's Services (Private) Award);
- date the employee commenced employment with the employer;
- for each day of work:
  - the time at which the employee started and finished work;
  - period/s for which the employee was paid; and
  - details of work breaks including meal breaks;
- for each pay period:
  - the employee's designation (such as full time, part time, casual) and employee classification;
  - the gross and net amounts paid to the employee;
  - any amount withheld as tax; and
  - all deductions from pay and the reasons for them;
- any incentive based payment, bonus, loading, penalty rates or other monetary allowance or entitlement;
- all leave taken, whether paid, partly paid or unpaid;

The current wage rates

- the following matters relating to superannuation:
  - the date on which each superannuation contribution was made, the amount of the contributions, the period over which the contributions were made, the name of any fund to which a contribution was made;
  - how the employer worked out the amount of superannuation owed; and
  - any choice made by the employee as to which fund their contributions are to be made and the date on which the choice was made;
- the information necessary for the calculation of and payment of long service leave under the LSL Act. Employers are also be required to comply with the record keeping requirements in the LSL Act. Visit www.dmirs.wa.gov.au/longserviceleave for details;
- any other information necessary to show that the pay and benefits received by the employee comply with the WA award and other legal obligations such as employee entitlements under the MCE Act or LSL Act; and
- any other information required by the WA award to be recorded.

It is also compulsory to keep employment records that detail specific information regarding:

- termination related matters; and
- any supported wage system or a supported wage industrial instrument provision that applies to an employee with a disability.

If an employer makes a payment to an employee in cash, the employer must provide a record of the payment to the employee and ensure that a copy of the record of payment is kept as an employment record.

Wageline's Employment records - Employer obligations page provides more information and record keeping templates to assist employers.

Time periods for keeping records

It is compulsory that each entry in relation to annual leave and long service leave must be retained during the employee's period of employment and for not less than 7 years after the employment ends and each other employment record must be retained for not less than 7 years after it is made.

Not the current wage rate

Classifications

All employees shall be classified by the employer into one of the levels contained in this clause in accordance with the employee's skills, responsibilities, qualifications and duties

Children's Services Employee Level 1

Grade One

An untrained ancillary employee employed to clean or work as a kitchen hand and:

- is responsible for the quality of the employee's own work subject to direct supervision;
- works under direct supervision either individually or in a team environment; and
- exercises discretion within the level of the employee's skills in the performance of tasks.

Grade Two

An untrained ancillary employee who is employed to undertake cooking or gardening duties and:

- works under routine supervision either individually or in a team environment;
- is responsible for assuring the quality of the employee's own work subject to routine supervision;
- is required to exercise discretion during the course of his/her own work.

Children's Services Employee Level 2

An employee working under routine supervision, engaged to assist in the supervision and care of children and generally to assist in the functioning of the centre. This is also an employee who is appointed as an E Worker **that does not meet** the following requirements of a Children's Services Employee Level 3:

- has completed AQF Certificate III in Children's Services or an equivalent qualification; or
- possesses, in the opinion of the employer, sufficient knowledge or experience to perform the duties at this level.

Responsibilities of an employee at this level may include the following:

- maintain a clean, hygienic environment;
- maintain and attend to personal hygiene of children;
- maintain and attend to own personal hygiene;
- attend to nutritional needs of children;
- respond to child's apparent ill-health;
- respond to accident, emergency or threat;
- implement routines which enhance well being;
- interact positively and appropriately with children;
- participate in the planning and preparation of programmes;
- assist to prepare an environment based on programme requirements;
- assist in the implementation of programmes;
- contribute to team approach;
- seek to further professional development;
- liaise effectively with parents;
- uphold the Centre's philosophy;
- participate in appropriate administrative processes;
- contribute to maintenance and care of buildings and equipment; and
- implement Centre policies and procedures.

Additional duties of an employee at this level with more than 2 years' experience in the industry may include the following:

- Assist in the facilitation of programmes suited to the needs of individual children and groups.
- Provide input to trained staff by observations of individual children and groups.
- Work under direction with individual children with special needs.

An E Worker at this level will take on the same duties and perform the same tasks as a CSE Level 2 and:

- is able to display various methods and techniques of child management;
- is able to direct other staff members when exercising responsibility in their allocated area;
- possesses observational skills in excess of CSE;
- participates in a team approach to the delivery of care.

Not the current wage rates

Subject to this Award, an employee at this Level is entitled to incremental progression to pay level 2.3.

However, an employee at this level who is an E Worker must be paid no less than the rate prescribed for pay Level 2.5, and may progress to level 2.6.

Children's Services Employee Level 3

This is an employee who:

- has completed AQF Certificate III in Children's Services or an equivalent qualification; or
- possesses, in the opinion of the employer, sufficient knowledge or experience to perform the duties at this level; or
- who is appointed as an E Worker that meets the requirements above.

An employee appointed at this level will undertake the same duties and perform the same tasks as a CSE Level 2 employee, and will undertake the following additional indicative duties:

- Assist in the preparation, implementation and evaluation of developmentally appropriate programs for individual children or groups.
- Responsible for recording observations of individual children or groups for program planning purposes for qualified staff.
- Under direction, work with individual children with particular needs.
- Assist in the direction of untrained staff.
- Undertake and implement the requirements of quality assurance.
- Work in accordance with food safety regulations.

An E Worker will take on the same duties and perform the same tasks as a CSE Level 3 and:

- is able to display various methods and techniques of child management;
- is able to direct other staff members when exercising responsibility in their allocated area;
- possesses observational skills in excess of CSE;
- participates in a team approach to the delivery of care.

Subject to this Award, an employee at this Level is entitled to incremental progression to pay level 3.3. However:

- An employee at this level who holds a relevant AQF Certificate IV or equivalent and who exercises skills and competencies beyond those required for AQF Certificate III in the ongoing performance of their work must be paid no less than the rate prescribed for pay Level 3.4.
- An employee at this level who has completed an AQF Diploma in Children's Services or equivalent, and who applies skills and knowledge acquired beyond the competencies required for AQF Certificate III in the on-going performance of their work, must be paid no less than the rate prescribed for pay Level 3.5.
- An employee at this level who is an E Worker must be paid no less than the rate prescribed for pay Level 3.5.

Children's Services Employee Level 4

This is an employee who has completed a Diploma in Children's Services or equivalent as recognised by licensing authorities and is appointed as the person in charge of a group of children in the age range from birth to 6 years. It shall also include persons employed as supplementary service grants (SUPS) employees and persons who do not hold approved qualifications but who have obtained an exemption from the Child Care Licensing Unit to work at this level and who are so appointed.

An employee appointed at this level will take on the same duties and perform the same tasks as a CSE Level 3 and undertake the following additional indicative duties:

- Responsible, in consultation with the Assistant Director/Director for the preparation, implementation and evaluation of a developmentally appropriate program for individual children or groups of children in care.
- Responsible for the direction and general supervision of other employees up to CSE Level 3.
- Responsible to the Assistant Director/Director for the supervision of students on placement.
- Ensure a safe environment is maintained for both staff and children.
- Ensure that records are maintained accurately for each child in their care.
- Develop, implement and evaluate daily care routines.
- Ensure the centre or service's policies and procedures are adhered to.
- Liaise with families.

Not the current wage rates

Children's Services Employee Level 5

This is an employee who has completed a [AQF 5] Diploma in Children's Services or equivalent, and/or is appointed as either an Assistant Director of a service, or a Children's Services Coordinator:

An Assistant Director appointed at this level will take on the same duties and perform the same tasks as a CSE Level 4 and be responsible for the following additional indicative duties:

- coordinate and direct the activities of employees engaged in the implementation and evaluation of developmentally appropriate programs;
- contribute, through the Director, to the development of the centre or service's policies;
- coordinate centre operations including Occupational Health and Safety, program planning, staff training;
- take responsibility for the day-to-day management of the centre or service in the temporary absence of the Director and for management and compliance with licensing and all statutory and quality assurance issues; and
- generally supervise all employees within the service.

A Children's Services Coordinator undertakes additional responsibilities including coordinating the activities of more than one group, supervising staff, trainees and students on placement, and assisting in administrative functions.

An Assistant Director who holds an Advanced Diploma (AQF 6) must be paid no less than CSE Level 5.4.

Children's Services Employee Level 6 - Director

A Director is an employee:

- who holds:
  - a relevant Degree, or
  - an AQF Advanced Diploma, or
  - a Diploma in Children's Services, or
  - a Diploma in Out of Hours Care, or
  - is a person possessing such experience, or holding such qualifications deemed by the employer to be appropriate to the position, and
- is appointed as the Director of a Service and is responsible for the overall management and administration of the service with the following additional indicative duties:
  - supervise the implementation of developmentally appropriate programs for children;
  - recruit staff in accordance with relevant regulations;
  - maintain day-to-day accounts and handle all administrative matters;
  - ensure that the centre or service adheres to all relevant regulations and statutory requirements;
  - ensure that the centre or service meets or exceeds quality assurance requirements;
  - liaise with families and outside agencies;
  - formulate and evaluate annual budgets;
  - liaise with management committees or proprietors as appropriate;
  - provide professional leadership and development to staff;
  - develop and maintain policies and practices for the centre or service, or
- is appointed to act as the Supervising Officer pursuant to the Community Services (Child Care) Regulations 1988 as amended.

Director Level 1

Is an employee appointed as the Director of a service licensed for up to 39 children and paid at the Level 6.1 to 6.3 salary range.

Director Level 2

Is an employee appointed as the Director of a service licensed for between 40 and 59 children and is paid at the Level 6.4 to 6.6 salary range.

Director Level 3

Is an employee appointed as the Director of a service licensed for 60 or more children and paid at the Level 6.7 to 6.9 salary range.

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