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

Not the current wage

WA award summary

Fast Food Outlets Award – This award only applies to specific named businesses (as listed on page 2 at Step 2) when the relevant employer is operating in the state system. Businesses covered include Subway, Red Rooster, KFC, Chicken Treat and others.

Pay rates applicable from 1 July 2023 to 30 June 2024

About this award summary

This document is a summary of the state Fast Food Outlets 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 Fast Food Outlets 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. You should refer to the *Minimum Conditions of Employment Act 1993*, the *Long Service Leave Act 1958*, and the *Industrial Relations Act 1979* 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.demirs.wa.gov.au/wageline or by contacting Wageline on 1300 655 266

Disclaimer

The Department of Energy, 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 Which system of employment law applies 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 organisation covered by the Fast Food Outlets Award?	The Fast Food Outlets Award covers **only** those businesses in the state industrial relations system trading as: ✓ Chicken Treat ✓ Heros Pizza ✓ Hungry Jacks ✓ KFC ✓ McDonalds ✓ Pizza Hut ✓ Red Rooster ✓ Subway Fast food outlets in the state industrial relations system that are **not** trading as one of the above businesses are covered by the Restaurant, Tearoom and Catering Workers Award.
Step 3 Is the employee's job covered by the Fast Food Outlets Award?	The Fast Food Outlets Award sets pay rates, working hours and other employment arrangements for employees working in a state system business listed above as: ✓ Cashiers ✓ Cooks ✓ Counterhands ✓ Kitchenhands ✓ Waiters

Not the current wage rates

Industrial inspectors at the Department of Energy, Mines, Industry Regulation and Safety have powers under the *Industrial Relations Act 1979* 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 not complying with 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**.
- Payment of wages must be made weekly.

Adult (20 years and older) 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.

Classification (See page 12)	**Weekly**	**Hourly**	**Casual (includes 25% loading)**
Qualified Cook	$997.30	$24.93	$31.17
Cook (employed alone)	$965.80	$24.15	$30.18
Cooks (other)	$960.90	$24.02	$30.03
Cashier	$965.10	$24.13	$30.16
Counterhand	$954.30	$23.86	$29.82
Head waitperson	$993.60	$24.84	$31.05
Waitperson	$954.10	$23.85	$29.82
Kitchenhand	$949.60	$23.74	$29.68
Yardperson / General hand	$949.60	$23.74	$29.68
Cleaner	$949.40	$23.74	$29.67

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.

- For classifications not listed below, the relevant percentages of adult rates should be applied.

Cashier – Junior

Age	**% of Adult rate**	**Weekly**	**Hourly**	**Casual**
19 years	80%	$772.10	$19.30	$24.13
18 years	70%	$675.60	$16.89	$21.11
17 years	60%	$579.10	$14.48	$18.10
13*, 14*, 15 or 16 years	50%	$482.60	$12.07	$15.08

Counterhand - Junior

Age	**% of Adult rate**	**Weekly**	**Hourly**	**Casual**
19 years	80%	$763.40	$19.09	$23.86
18 years	70%	$668.00	$16.70	$20.88
17 years	60%	$572.60	$14.32	$17.89
13*, 14*, 15 or 16 years	50%	$477.20	$11.93	$14.91

Waitperson – Junior

Age	**% of Adult rate**	**Weekly**	**Hourly**	**Casual**
19 years of age	80%	$763.30	$19.08	$23.85
18 years of age	70%	$667.90	$16.70	$20.87
17 years of age	60%	$572.50	$14.31	$17.89
13*, 14*, 15, or 16 years	50%	$477.10	$11.93	$14.91

Kitchenhand – Junior

Age	**% of Adult rate**	**Weekly**	**Hourly**	**Casual**
19 years	80%	$759.70	$18.99	$23.74
18 years	70%	$664.70	$16.62	$20.77
17 years	60%	$569.80	$14.25	$17.81
13*, 14*, 15 or 16 years*	50%	$474.80	$11.87	$14.84

*There are restrictions on when a child aged 13 or 14 can work, see the *Employment of Children* section on page 5.

Not the current wage rates

Registered trainees

- Registered trainees 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.
- Adult or junior employees undertaking a registered traineeship would not be covered by the Fast Food Outlets Award as there is no job classification for registered trainees under this award, and therefore registered trainees in this industry are award free.
- Visit the Pay rates for trainees page for wage rates for award free full time, part time and school based registered trainees.
- 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.
- Registered trainees in this industry are entitled to annual leave, personal leave and other leave and employment entitlements that apply to award free employees while undertaking a traineeship.

Allowances

Meal Money

An employee who is required to work overtime for more than 2 hours on any day, without being notified on the previous day or earlier, will either be supplied with a meal by the employer or must be paid **$12.75**.

Uniforms and Laundering

Where uniforms are required by the employer to be worn, they shall be supplied, laundered and/or dry cleaned by the employer and remain the property of the employer. If the employer does not launder and/or dry clean the uniform, the employee must be paid:

Casual employees	**$1.75 per week**
Part time employees	**$2.15 per week**
Full time employees	**$2.80 per week**

An employee employed as full time Cook must be paid **$3.35 per week** for laundry and/or dry cleaning.

Protective clothing

Employees who are required to wash dishes, clean toilets or otherwise handle detergents, acids, soaps or any injurious substances must be supplied by the employer with rubber gloves or be paid **$1.75 per week**.

Leading hands allowance

A leading hand must be paid the following allowance:

If in charge of less than 6 employees	$9.15 per week
If in charge of 6 to 10 employees	$12.45 per week
If in charge of 11 to 20 employees	$14.70 per week
If in charge of 20 or more employees	$23.70 per week

Location allowance

- 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.

Not the current wage rates

Location allowance rates effective from the 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

Deductions

- 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 their behalf of the employee; or
  - the employer is authorised by the WA award to make the deduction, 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 accept goods, accommodation or other services instead of money as part of the employee's pay. Visit the Prohibition on accepting goods, accommodation or services as payment page for more information.

Employment of children

- Under the *Children and Community Services Act 2004*, the minimum age for employment in a fast food or takeaway food business is 13 years of age, except if the child is working as part of a school program or in a family business.
- A child who is 13 or 14 years old may work in a fast food or takeaway food outlet between 6am and 10pm (excepting school hours) if the employer has obtained written permission from their parent or guardian.
- A person must not employ a child of compulsory school age during the hours when the child is required to attend school or otherwise participate in an educational program of a school.
- There are significant penalties for breaching the employment of children laws:
  - employing a child without the permission of a parent – a fine of up to $24,000 or $120,000 for a corporation
  - employing a child before 6am or after 10pm – a fine of up to $24,000 or $120,000 for a corporation.

Not the current wage

Ordinary working hours

- The employer must create a roster showing the working hours of each employee for at least one week in advance of the date of the roster.
- There may be one other break of at least 2 hours during each shift - such a break may include a meal break.

Full time employees

Ordinary hours of work are:

- 40 hours per week;
- worked over a maximum of 5 days per week;
- no more than 9 hours per day;
- a maximum spread of shift of 11 hours; and
- each employee is entitled to 2 clear days off duty per week.

Part time employees

Ordinary hours of work are:

- no more than 30 hours and no less than 9 hours per week;
- worked over a maximum of 5 days per week;
- no less than 3 consecutive hours per shift;
- no more than 8 hours per day*;
- a maximum spread of shift of 11 hours; and
- each employee is entitled to 2 clear days off duty per week.

Casual employees

Ordinary hours of work are:

- 40 hours per week;
- no less than 2 consecutive hours per shift;
- worked over a maximum of 5 days per week;
- no more than 9 hours per day;
- a maximum spread of shift of 11 hours; and
- each employee is entitled to 2 clear days off duty per week.

Overtime

Overtime is payable for all time worked by an employee (including a casual employee) in excess of or outside of the ordinary hours of work, or outside the employee's ordinary rostered hours.

When overtime is worked	Overtime rates
Monday to Friday and Saturday prior to 12pm*	Time and a half for the first 2 hours and double time after that.
After 12pm Saturday and all day Sunday*	Double time.
On a rostered day off (non-working day) for full time and part time employees	Double time (minimum payment of 3 hours)

*Where a part time employee is requested to work overtime beyond their regular finishing time in order to meet unforeseen operational and/or staffing requirements, the first hour of overtime is paid for at ordinary rates, the second hour of overtime is paid for at the rate of time and a half, and any further hours of overtime are paid at double time.

Penalty rates

All hours worked on a public holiday are paid at the rate of double time with a minimum payment for 4 hours' work.

Meal breaks

- An employee must receive an unpaid meal break of between 30 and 60 minutes after not more than 5 hours of work.
- If it is not possible for the employer to grant a meal break on any day, the meal break must be treated as time worked and the employee must be paid a 50% loading on the employee's ordinary hourly rate, until the employee is released for a meal.

Not the current wage rates

Public holidays

- Any day that is a public holiday under the *Public and Bank Holidays Act* is a public holiday for the purposes of the award. When certain public holidays fall on a Saturday or Sunday both that day, and the next following Monday (or in the case of Boxing Day the next following Tuesday) are also public holidays, and where that occurs both days are public holidays 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.
- Visit the Public Holidays in Western Australia page to view the public holiday dates.

Full time and part time employees

- Full time and part time employees who would normally be required to work on a public holiday, but who are not required to work solely because it is a public holiday are entitled to be paid for that day.
- If an employee is required to work, public holiday rates will apply.
- Where an employee's rostered day off coincides with a public holiday, the employee must receive one day's additional pay at ordinary rates.

Casual employees

Casual employees who are required to work on a public holiday must be paid at public holiday rates.

Leave entitlements

Quick reference guide

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

This WA award summary covers the basic leave entitlements for employees covered by the Food Outlets Award but does not include all details on leave obligations and entitlements. Full details of conditions are contained in the Food Outlets Award on the WA Industrial Relations Commission website www.wairc.wa.gov.au, the *Minimum Conditions of Employment Act 1993* and the *Long Service Leave Act 1958*.

Annual leave

- Full time employees are entitled to a minimum of 4 weeks of paid annual leave for each year of completed service. Part time employees are entitled to a minimum of annual leave of 4 weeks per year paid on a pro rata basis according to the number of hours they are required ordinarily to work in a 4 week period. Casual employees are not entitled to annual leave.
- If a public holiday falls within an employee's period of annual leave, an extra day must be added to that period of annual leave for each such public holiday.
- Annual leave accrues on a weekly basis:
  - A full time employee accrues 3.077 hours of annual leave for each completed week of work.
  - A part time employee accrues the relevant proportion of 3.077 hours annual leave for each completed week of work.
- Annual leave is a minimum entitlement in the *Minimum Conditions of Employment Act 1993* and the Fast Food Outlets Award sets out other requirements regarding annual leave and annual leave loading.
- During annual leave an employee must be paid annual leave loading of 17.5% of ordinary pay.
- For annual leave entitlements when employment ends see the *Resignation, termination and redundancy* section.
- Visit Wageline's Annual leave page for more information.

Bereavement leave

- All employees, including casual employees, are entitled to 2 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 2 days need not be consecutive.
- Bereavement leave is a minimum entitlement from the *Minimum Conditions of Employment Act 1993*.

Not the current wage rates

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.

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.
- Full time and part time employees are entitled to paid personal leave equal to the number of hours they would ordinarily work in a 2 week period, up to 80 hours per year. Personal leave is a cumulative entitlement, and any leave not taken in one year can be carried over to the next year.
- Personal leave accrues on a weekly basis:
  - A full time employee accrues 1.538 hours of personal leave for each completed week of work.
  - A part time employee accrues the relevant proportion of 1.538 hours personal leave for each completed week of work.
- An employee, including a casual employee, is entitled to up to 2 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.
- 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.

Family and domestic violence leave

- All employees are entitled to 5 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 5 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 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 5 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*.
- From 9 September 2024, state system employees will also be entitled 10 days' paid family and domestic violence leave under the national *Fair Work Act 2009*.
- 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.
- 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.

Not the current wage rates

- 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

An employee is entitled to be paid out annual leave when employment ends.

Unused annual leave for any completed year of employment (including annual leave loading) gets paid out when employment ends due to resignation, dismissal or redundancy.

Pro-rata annual leave for part of a year of employment is paid out when employment ends due to resignation, redundancy or dismissal (except for dismissal for serious misconduct). Annual leave loading is not paid on pro rata annual leave.

Resignation by the employee

Full time and part time employees are required to provide at least one day's notice of resignation.

A casual employee can resign by providing one hour's notice to the employer.

Termination

An employer is required to give a casual employee one hour's notice of 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
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 of pay in lieu of notice, as 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).

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

Not the current wage rates

Severance pay – Employers who employ 15 or more employees

Employers covered by this award 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 transfer of the business.

Employers who employ less than 15 employees are not required to make severance payments to redundant employees.

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.

Payslips 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.

Payslips

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.

Not the current wage rates

- 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 *Fast Food Outlets 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 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 *Long Service Leave Act 1958*. Employers are also required to comply with the record keeping requirements in the *Long Service Leave Act 1958*. Visit www.demirs.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 *Minimum Conditions of Employment Act 1993* or *Long Service Leave Act 1958*; 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 rates

Classifications

- **Cook** means an employee who grills food on a stove, hot plate or barbecue type cooker and includes preparing, frying or cooking fish, chicken or pizzas.
- **Qualified cook** means an employee who has completed an apprenticeship in cooking at an approved or recognised school or college, or who has served at least six years in the Armed Forces in the classification of Cook.
- **Cook employed alone** means an employee who is employed when no other cook is employed during their shift.
- **Cashier** means an employee who is engaged in receiving monies.
- **Waiter** means an employee who attends to the needs of customers at a table.
- **Kitchenhand** means an employee who is employed to assist in the preparation of food, the serving of food, the assembly of orders, the cleaning of cooking utensils, cutlery and glassware and the maintaining of the working area and whose duties do not normally involve customer contact.

Not the current wage rates