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

Social and Community Services (Western Australian) Interim Award

Pay rates applicable from 1 July 2023 to 30 June 2023

Not the current Wage

About this award summary

This document is a summary of the state Social and Community Services (Western Australian) Interim Award, referred to in this document as the Social and Community Services 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 Social and Community Services 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 organisation in the state system?	This WA award summary applies to organisations in the **state industrial relations system.** The state system covers organisations (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 and organisations in the national 'fair work' industrial relations system which operate as: ✘ **Pty Ltd or Ltd businesses** that are trading or financial corporations ✘ **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 organisation covered by the Social and Community Services Award?	The Social and Community Services Award applies to the social and community services industry and to each employer within the industry.

Step 3 Is the employee's job covered by the Social and Community Services Award?	The Social and Community Services Award applies to employees in the social and community services industry who are employed in a classification to which the award applies. The Social and Community Services Award does not apply to people employed: • in a service which mainly provides crisis and supported accommodation and/or related support services, except those specifically providing services to people with disabilities; • in a service which mainly provides a community based labour market program; or • in a service which mainly provides family day care and child care services.

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 of this summary.

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.

Not the current wage rates

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.

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.** These rates include the equal remuneration payment as set out in Schedule 1 of this award.

For classification definitions see the separate Classifications publication on the Social and Community Services (WA) Interim award summary page of the Wageline website.

Classification	Annual	Weekly	Hourly	Casual (includes 20% loading)
Community Services Worker 1				
1.1	$47,068	$902.30	$23.74	$28.49
1.2	$48,364	$927.10	$24.40	$29.28
Community Services Worker 2				
2.1	$61,192	$1,173.00	$30.87	$37.04
2.2	$63,033	$1,208.30	$31.80	$38.16
2.3	$64,738	$1,241.00	$32.66	$39.19
Community Services Worker 3				
3.1	$67,903	$1,301.70	$34.26	$41.11
3.2	$69,650	$1,335.10	$35.13	$42.16
3.3	$70,979	$1,360.60	$35.81	$42.97
Community Services Worker 4				
4.1	$74,359	$1,425.40	$37.51	$45.01
4.2	$75,717	$1,451.40	$38.19	$45.83
4.3	$77,547	$1,486.50	$39.12	$46.94
4.4	$81,214	$1,556.80	$40.97	$49.16
Community Services Worker 5				
5.1	$86,009	$1,648.70	$43.39	$52.06
5.2	$87,912	$1,685.20	$44.35	$53.22
5.3	$89,629	$1,718.10	$45.21	$54.26
Community Services Worker 6				
6.1	$93,537	$1,793.00	$47.18	$56.62
6.2	$95,477	$1,830.20	$48.16	$57.80
6.3	$97,424	$1,867.60	$49.15	$58.98
Community Services Worker 7				
7.1	$100,785	$1,932.00	$50.84	$61.01
7.2	$102,755	$1,969.70	$51.83	$62.20
7.3	$104,724	$2,007.50	$52.83	$63.39
Community Services Worker 8				
8.1	$110,962	$2,127.10	$55.98	$67.17
8.2	$112,973	$2,165.60	$56.99	$68.39
8.3	$114,988	$2,204.20	$58.01	$69.61
Community Services Worker 9				
9.1	$120,655	$2,312.90	$60.87	$73.04

Not the current wage rate

Registered trainees

For pay rates for registered trainees working in this industry, please email Wageline at wageline@dmirs.wa.gov.au.

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 accept goods, accommodation or other services instead of money as part of the employee's pay.

Employment of children

- There are restrictions on the type of job and working hours for children under 15 years of age. These laws apply to all Western Australian employers.
- As long as the work does not prevent school attendance, children of any age can:
  - work in a family business owned by a relative such as a parent, aunt, uncle or grandparent;
  - perform professionally as an actor, musician, entertainer or in an advertisement; and
  - work for charities and other not-for-profit organisations.
- School aged children must not be employed during school hours, unless participating in a school program (e.g. work experience placement).
- Visit the When children can work in Western Australia page for more information.

Allowances

First aid allowance

If an employee is required by an employer to perform first aid duty at the workplace and holds a current first aid certificate they must be paid **$10.22** per week.

On call allowance

If an employee has written instruction to remain at employee's residence or to otherwise be immediately contactable by telephone or paging system outside of normal hours of duty in case of a call to immediately return to duty they must be paid **$6.59** per hour.

Availability allowance

If an employee has written instruction to remain contactable outside normal hours of duty and available and in a fit state for recall to duty they must be paid **$3.29** per hour.

Overtime meal allowance

See the full award on the WA Industrial Relations Commission website www.wairc.wa.gov.au for details on overtime meal allowances.

Motor vehicle allowance

See the full award on the WA Industrial Relations Commission website www.wairc.wa.gov.au for details on motor vehicle allowance.

Other allowances

The Social and Community Services Award contains a number of allowances for employees. Details of these allowances can be found in the award which is available on the WA Industrial Relations Commission website www.wairc.wa.gov.au.

Not the current wage rates

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 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

Hours and overtime

Ordinary hours of work

- The ordinary hours for a **full time and part time** employee are:
  - no more than 10 hours in any one day;
  - no more than an average of 38 hours per week;
  - worked over 152 hours within a work cycle not exceeding 28 days; and
  - worked within a designated spread of 12 hours between 6.00am and 8.00pm Monday to Friday to be fixed at the time of engagement and varied only by agreement.
  - For counselling services, ordinary hours may be extended to 10.00pm by mutual agreement with staff.
- The ordinary span of hours for a **part time** and **casual** employee are the same as that for full time employees.
- **Casual** employees must be rostered for no less than 2 consecutive hours per shift.
- A majority of employees and the employer may agree to a system of rostered days off with certain limitations.

Not the rates

Shift work

- **Shift worker** means an employee who is required to work all or part of their ordinary hours of work outside the spread of ordinary hours on a rostered basis.
- **Day shift –** a shift that commences earlier than 12 noon and finishes at or before 7.00pm.
- **Afternoon shift –** a complete rostered shift of any number of hours commencing at or after 12 noon and finishing at or after 7.00pm on the same day.
- **Night shift –** a complete rostered shift worked between the hours of 7.30pm and 8.00am inclusive and finishing at or after 12 midnight.
- All time worked in excess of 8 hours on a rostered extended night shift is credited towards a rostered day off.
- An employee changing from night duty to day duty or day duty to night duty must be free from duty during the 20 hours immediately preceding the commencement of the changed duty.
- Shift penalty – Monday to Friday:
  - an employee working on an afternoon shift from Monday to Friday must be paid an allowance of 12.5% of the ordinary rate in addition to their normal pay; and
  - an employee working on a night shift from Monday to Friday must be paid an allowance of 15% of the ordinary rate in addition to their normal pay.
- Saturday and Sunday work:
  - an employee must be paid an allowance of 50% of the ordinary rate in addition to their normal pay for ordinary hours worked between midnight Friday and midnight Saturday; and
  - an employee must be paid an allowance of 75% of the ordinary rate in addition to their normal pay for ordinary hours worked between midnight Saturday and midnight Sunday.

Overtime

- All authorised time worked by employees in excess of ordinary hours of work is overtime.
- Overtime worked on Monday to Saturday is paid at the rate of time and a half for the first 3 hours and double time thereafter.
- Overtime worked on Sunday is paid at double time.
- All overtime worked by shift workers is paid at the rate of double time.
- An employee who is required to work overtime on a Saturday, Sunday or Public Holiday is to be paid for a minimum of 2 hours and is not required to work the full 2 hours if the work is completed in a shorter period.
- Wherever reasonably practicable, an employee who has worked overtime must have at least ten consecutive hours off duty between successive shifts.
- In the case of casual employees, overtime payments are in addition to the 20% casual loading, so that:
  - where time and a half is applicable, the rate will be 170% of the base hourly rate (not the casual loaded rate); and
  - where double time is applicable, the rate of pay will be 230% of the base hourly rate (not the casual loaded rate).

Meal breaks

Non-shift work

- An employee cannot be required to work more than 5 hours without a break for a meal.
- Employees must be allowed an unpaid meal break of between 30 minutes and 1 hour for lunch each day.
- An employee who is required to work during a meal break must be paid at time and a half until a break is provided.
- Where an employee is required by the employer to have a meal with a client(s) as part of the normal work routine, they must be paid for the meal period. They may then elect to take an unpaid meal break.
- By agreement, a part time employee may forgo their unpaid meal break and work continuously. However, they must take an unpaid meal break on any day in which they work more than 6 hours continuously.

Shift work

- An unpaid meal break of between 30 minutes and 1 hour must be allowed during each shift.
- When an employee is interrupted during a meal break and has to return to duty, the interruption is counted as time worked and the employee is allowed to continue the meal break as soon as practicable. If they are unable to complete the meal break during the remainder of the shift, they must be paid overtime for the time worked.
- Where an employee is required by the employer to have a meal with a client(s) as part of the normal work routine, they must be paid for the duration of the meal period. They may then elect to take an unpaid meal break.
- Shift workers must receive at least one tea break of not less than 10 minutes when working shifts of 4 hours or longer, and this break is counted as time worked.

Not the current wage rates

Public holidays

- Full time employees are entitled to public holidays (or days substituted for public holidays) without a deduction of pay. Part time employees are entitled to public holidays (or days substituted for public holidays) 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:
  - When Christmas Day falls on a Saturday or Sunday, a holiday in lieu is observed on 27 December;
  - When Boxing Day falls on a Saturday or Sunday, a holiday in lieu is observed on 28 December; and
  - When New Year's Day or Australia Day falls on a Saturday or Sunday, a holiday in lieu is observed on the following Monday.
  - Easter Saturday is considered a public holiday.
- 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.
- When an employee is required to be on duty on a public holiday, the employee is entitled to be paid at the rate of double time and a half or by agreement, the employee may be granted time off in ordinary hours equivalent to the time worked on a mutually agreed day and without loss of pay.
- When a public holiday other than Easter Saturday falls on an employee's rostered day off, the employee is entitled to a day in lieu to be taken at an agreed time.
- 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 Social and Community Services 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 Social and Community Services Award, the *Minimum Conditions of Employment Act 1993* and the *Long Service Leave Act 1958.*

Bereavement leave

- Bereavement leave is a minimum entitlement from the *Minimum Conditions of Employment Act 1993.*
- Under the *Minimum Conditions of Employment Act 1993* 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.
- The Social and Community Services Award also contains provisions regarding bereavement leave which are more beneficial in certain circumstances, including:
  - Full time and part time employees are entitled to take up to three days bereavement leave on each occasion of a death within Australia of the employee's immediate family or household.
  - Full time and part time employees are also entitled to take up to three days bereavement leave on each occasion of the death outside Australia of a member of the employee's immediate family or household, where the employee travels outside Australia to attend the funeral.
  - Employees who are Indigenous Australians are entitled to extended bereavement leave in accordance with the requirements of their culture and community, provided that the extended leave totals no more than five days leave.

Not the current wage rates

Aboriginal and Torres Strait Islander ceremonial leave

An employee legitimately required by the employee's Aboriginal or Torres Strait Islander tradition to be absent from work for ceremonial purposes will be entitled to up to 10 working days unpaid leave in any one year.

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 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.
- An employee who is regularly rostered for duty over seven days of the week or who works permanent night shift is entitled to up to five weeks of annual leave for each year of completed service (that is, they accrue up to an additional week of leave each year). For further details of how this additional leave accrues refer to Clause 24.2 of the award.
- Full time and part time employees stationed in any locality in WA north of the 24th parallel of South Latitude or in Carnarvon are entitled to additional annual leave – full time employees are entitled to an additional 38 hours leave and part time employees are entitled to an additional one week of leave calculated on the basis of average weekly number of hours worked over the previous 12 months.
- Annual leave is a minimum entitlement in the *Minimum Conditions of Employment Act 1993* and the Social and Community Services 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%. Shift workers are to be paid an average of the shift penalties they would have received had they been working, or 17.5%, whichever is the higher.
- On termination, annual leave loading 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.
- Wageline's Annual leave calculation guide can assist with calculating annual leave entitlements.
- Visit Wageline's Annual leave page for more information.

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.
- 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

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.
- 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 the same notice period for resignation from their position as the employer is required to provide the employee in respect of termination, but there is no requirement on the employee to give additional notice based on the age of the employee concerned.

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
1 year or less	1 week
Over 1 year and up to the completion of 3 years*	2 weeks
Over 3 years and up to the completion of 5 years*	3 weeks
Over 5 years of completed service*	4 weeks

*Employees over 45 years of age with not less than two years continuous service are entitled to an additional week's notice.

Not the current wage rates

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 under 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.

Award severance pay – Employers who employ less than 15 employees

Employers covered by the Social and Community Services 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 or probationary employees, apprentices or trainees, 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 serious misconduct that justifies dismissal without notice.

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

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

Severance pay – Employers who employ 15 or more employees

Employers covered by the Social and Community Services 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 transmission of the business.

Not the current wage rates

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.

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 Social and Community Services (Western Australian) Interim Award);
- date the employee commenced employment with the employer;

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- 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 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.

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