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

Transport Workers (Passenger Vehicles) 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 Transport Workers (Passenger Vehicles) 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 Transport Workers (Passenger Vehicles) 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 and organisations in the national industrial relations system which operate as: ✘ **Pty 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 business covered by the Transport Workers (Passenger Vehicles) Award?	The Transport Workers (Passenger Vehicles) Award applies to private sector businesses in the state industrial relations system which employ bus drivers, including service, tour, charter and school bus drivers.
Step 3 Is the employee's job covered by the Transport Workers' (Passenger Vehicles) Award?	The Transport Workers (Passenger Vehicles) Award sets pay rates, working hours and other employment arrangements for full time, part time and casual employees working as bus drivers.

Not the current wage rate

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.

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 table below provides the rates that apply from the first full pay period on or after **1 July 2023.**

Classification	Weekly	Hourly	Casual (includes 20% loading)
Bus driver – vehicle with seating capacity of under 25 adult persons	$924.50	$24.33	$29.19
Bus driver – vehicle with seating capacity of 25 adult persons or more	$939.40	$24.72	$29.67

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.

Allowances

Leading hand allowance

A leading hand must be paid **$23.84** per week more than the highest rate of the employees they supervise.

Distant work

An employee engaged on work from which they are unable to return to their home at night must be supplied with reasonable food and accommodation or must be paid for personal expenses as they reasonably incur.

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.

at the current wage rate

Location allowance rates effective from 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

Ordinary working hours, penalty rates and overtime

Full time employees

- The ordinary hours for full time employees is as follows:
  - An average of 38 hours per week to be worked in one of the following arrangements:
    - 38 hours within a work cycle not exceeding 7 consecutive days; or
    - 76 hours within a work cycle not exceeding 14 consecutive days; or
    - 114 hours within a work cycle not exceeding 21 consecutive days; or
    - 152 hours within a work cycle not exceeding 28 consecutive days.
  - Ordinary hours may be worked on any or all days of the week, Monday to Sunday inclusive.
- Ordinary hours may not exceed 10 hours on any day. Any arrangement of ordinary working hours that exceeds 8 hours on any day must have the agreement of the employer and the majority of employees in the workplace.

Part time employees

- A part time employee is an employee required to work less than 38 ordinary hours per week. Part time employees receive the same wages and conditions as full time employees but on a proportionate basis to the hours they work.
- A part time employee driving a service, tour or charter bus must receive a minimum payment of 4 hours for each day worked. A part time employee employed to drive a school bus must receive a minimum payment of 1.5 hours for work performed in each of the periods between 6.00am and 12 noon and 12 noon and 6.00pm.

Casual employees

- A casual employee is an employee who is employed on a casual basis.
- While working ordinary hours a casual employee must be paid a casual loading of 20%.
- A casual employee driving a service, tour or charter bus must receive a minimum payment of 4 hours for each day worked. A casual employee driving a school bus must receive a minimum payment of 1.5 hours for work performed in each of the periods between 6.00am and 12 noon and 12 noon and 6.00pm.

Additional rates for ordinary hours

- For any ordinary hours worked prior to 6.30am, or after 5.30pm, Monday to Friday, an employee must be paid an additional loading of 15%.
- All ordinary hours on a Saturday must be paid at the rate of time and one half with a minimum rostered shift of 4 hours.
- All ordinary hours worked on a Sunday must be paid at the rate of double time.
- All time worked on a public holiday must be paid at the rate of double time and a half.

Not the current Wa

Overtime

- All work performed in excess of ordinary hours or outside of the usual roster must be paid for at overtime rates.
- All overtime worked on any day, Monday to Friday, must be paid for at the rate of time and one half for the first 2 hours and double time thereafter.
- All overtime worked on a Saturday must be paid for at the rate of time and a half for the first 2 hours and double time thereafter, however all overtime worked after 12 noon on a Saturday must be paid for at the rate of double time.
- All overtime worked on a Sunday must be paid for at the rate of double time.
- All time worked on a rostered day/s off must be paid at the rate of time and one half for the first 2 hours and double time thereafter with a minimum payment for 3 hours work.

Where any of the penalty rates or overtime rates overlap, the highest of such rates is to be paid. Payment is not required to be made twice if there are overlapping rates for the same period of time.

Public holidays

- Full time employees are entitled to public holidays (or days substituted for public holidays) without 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.
- Under this award, if a public holiday (except Easter Sunday) falls on a Saturday or 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 and employees must receive a minimum of 4 hours pay.
- By agreement in writing between the employee and employer, work performed on a public holiday may be paid for at time and a half, with an additional day being added to the employee's Annual Leave.
- 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 Transport Workers (Passenger Vehicles) Award but does **not** include all details on leave obligations and entitlements. Full details of conditions are contained in the Transport Workers' (Passenger Vehicles) 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*.

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 an entitlement from the *Minimum Conditions of Employment Act 1993.*

Not the current wage rate

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 annual leave of four weeks 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 Transport Workers (Passenger Vehicles) 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 service.
  - 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.

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*.

Not the current wage rate

- 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 to provide the same notice as required of the employer (outlined in the table below) except that there is no additional notice based on the age of the employee.

The employer and employee may agree to a shorter notice period to suit individual circumstances.

Termination

Casual workers must be notified at the end of the day if their services are not required next day, and if such notice is not given, a full day's wages must be paid to the employee.

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.

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 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 rate

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 transmission 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.

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.

Not the current wage rate

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 Transport Workers (Passenger Vehicles) 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 Rate

- 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