



WA award summary

Baking Industry Award

1 October 2025

About this award summary

This document is a summary of the state Baking Industry Award. From **1 October 2025**, employees who were previously covered by the state Bakers (Metropolitan) Award, the Bakers (Country) Award and the Pastrycooks Award are all covered under the Baking Industry Award. Information on the changes to provisions and coverage of the award is available at [Changes to awards for bakers and pastrycooks](#).

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 Baking Industry Award that is available on the Western Australian Industrial Relations Commission website www.waipc.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.lgirs.wa.gov.au/wageline or by contacting Wageline on 1300 655 266.

Disclaimer

The Department of Local Government, Industry Regulation and Safety has prepared this WA award summary to provide information on pay rates and major award provisions. It 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

<p>Step 1</p> <p>Is the business in the state system?</p>	<p>This WA award summary applies to businesses in the state industrial relations system. The state system covers businesses (and their employees) that operate as:</p> <ul style="list-style-type: none"> ✓ sole traders ✓ unincorporated partnerships ✓ unincorporated trust arrangements ✓ incorporated associations and other non-profit bodies that are not trading or financial corporations <p>This summary does not apply to businesses and organisations in the national 'fair work' industrial relations system which operate as:</p> <ul style="list-style-type: none"> ✗ 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 <p>For more information visit Which system of employment law applies.</p> <p>If the business or organisation is in the national system visit the Fair Work Ombudsman website www.fairwork.gov.au</p>
<p>Step 2</p> <p>Is the business covered by the Baking Industry Award?</p>	<p>The Baking Industry Award covers businesses in the state industrial relations system that are in the baking industry.</p> <p>Baking industry means the manufacturing, making and baking of bread, yeast goods, cakes, pies, pastries, pastry products and sponge goods for sale and includes bakeries, patisseries and bakehouses.</p>
<p>Step 3</p> <p>Is the employee's job covered by the Baking Industry Award?</p>	<p>The Baking Industry Award sets pay rates, working hours and other employment arrangements for employees working as:</p> <ul style="list-style-type: none"> ✓ Bakers ✓ Doughmakers ✓ Pastrycooks ✓ Cake decorators ✓ Assistants <p>The Baking Industry Award does not apply to shop assistants who are employed in a bakery. In the state system, shop assistants are covered by the Shop and Warehouse (Wholesale and Retail Establishments) Award.</p>

Industrial inspectors at the Department of Local Government, 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 \$18,000 for individuals and \$93,000 for bodies corporate. Higher penalties apply for serious contraventions of up to \$180,000 for individuals and \$930,000 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 wages or leave entitlements under state employment laws, can follow the [Steps to making an underpayment complaint](#).

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 **1 October 2025**.
- **An employee employed prior to 1 October 2025 who continues to be employed with the same employer after that date must not be paid less than they would have been paid for the same work prior to 1 October 2025.**

Adult rates of pay – 20 years and older

Classification (see page 12)	Full time/part time employee					Casual employee (rates include 25% casual loading)			
	Mon-Fri Weekly rate	Hourly rate				Hourly rate			
		Mon-Fri		Saturday	Sunday	Mon-Fri		Saturday	Sunday
		6am – 6pm	6pm – 6am			6am – 6pm	6pm – 6am		
Doughmaker	\$1,053.70	\$27.73	\$37.71	\$41.60	\$55.46	\$34.66	\$44.64	\$48.53	\$62.39
Single hand baker	\$1,053.70	\$27.73	\$37.71	\$41.60	\$55.46	\$34.66	\$44.64	\$48.53	\$62.39
Single hand pastrycook	\$1,034.10	\$27.21	\$37.01	\$40.82	\$54.42	\$34.02	\$43.81	\$47.62	\$61.23
Baker	\$1,032.70	\$27.18	\$36.96	\$40.77	\$54.36	\$33.97	\$43.75	\$47.56	\$61.15
Pastrycook	\$1,031.20	\$27.14	\$36.91	\$40.71	\$54.28	\$33.92	\$43.69	\$47.49	\$61.06
Cake decorator	\$975.30	\$25.67	\$34.91	\$38.51	\$51.34	\$32.08	\$41.32	\$44.92	\$57.75
Assistant	\$953.00	\$25.08	\$34.11	\$37.62	\$50.16	\$31.35	\$40.38	\$43.89	\$56.43

Apprentice rates of pay

3 Year Term	Age of apprentice	Weekly	Hourly
1st Year	Under 21	\$568.00	\$14.95
	21 or over	\$791.30	\$20.82
2nd Year	Under 21	\$774.50	\$20.38
	21 or over	\$791.30	\$20.82
3rd Year	All ages	\$908.80	\$23.92

- An adult apprentice (21 years of age or older) must be paid the minimum pay rate for adult apprentices, or the apprentice pay rate for the relevant year of their apprenticeship, whichever is higher.
- Employers are required to pay an apprentice for the 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 apprentice.
- If the apprentice is a high school student undertaking a school based apprenticeship they must be paid the relevant hourly rate for the year of their apprenticeship for:
 - all hours spent working on the job; plus
 - hours spent in off the job training (deemed to be 25% of actual hours worked each week).

Junior rates of pay

Junior employees (19 years and under) are paid a percentage of the adult rate applicable to their classification.

Age	% of adult
19 years of age	90%
18 years of age	80%
17 years of age	70%
16 years of age	60%
15 years of age	45%

Registered trainees

- Registered trainees are employees who are undertaking a traineeship registered with the [Apprenticeship Office](#) at the Department of Training and Workforce Development. Traineeships can be undertaken on a full time, part time or school-based basis.
- The minimum rates of pay applicable to trainees are outlined in Schedule E – National Training Wage of the national Miscellaneous Award 2020. *Although the Baking Industry Award is a WA state award, pay rates come from a national modern award that is not otherwise applicable to baking industry businesses operating in the state industrial relations system.*
- The pay rates for a registered trainee under 21 years of age are based on the Industry / Skill Level of the traineeship being undertaken, the highest level of schooling the trainee has completed, and how long they have been out of school. These rates are in Schedule E of the [Miscellaneous Award 2020](#).
- The pay rates for a registered trainee 21 years of age or over are based on the highest weekly wage rate for the Industry / Skill level relevant to the traineeship (i.e. it does not matter how long the trainee has been out of school, or what level of schooling they completed). These rates are in Schedule E of the [Miscellaneous Award 2020](#).
- Note however, that registered trainees are covered by all other provisions of the Baking Industry Award including working hours, penalty rates, allowances and leave entitlements.
- 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.

Employment of children

- Under the *Children and Community Services Act 2004*, the minimum age for employment in a restaurant, cafe, fast food or takeaway food business is 13 years of age, except if the child is working as part of a school program (e.g. work experience placement) or in a family business.
- A child who is 13 or 14 years old may work in a restaurant, café or fast food or takeaway food outlet between 6.00am and 10.00pm (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 6.00am or after 10.00pm – a fine of up to \$24,000 or \$120,000 for a corporation.

Visit [When children can work in Western Australia](#) for more information.

Deductions from pay

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

Allowances

Foreperson allowance

In addition to the wage applicable to a doughmaker, a **foreperson** must be paid the following allowance if in charge of:

- 1 - 3 employees **\$28.45 per week**
- 4 - 9 employees **\$46.36 per week**
- 10 - 19 employees **\$71.65 per week**
- 20 or more employees **\$92.73 per week**

Laundry allowance

Where the employer requires uniforms to be worn they shall be supplied, laundered and remain the property of the employer. An employee required to launder their uniform shall be paid **\$5 per week** towards the costs of laundering.

Meal allowance

- If an employee is required to work 2 or more hours of overtime, they must be provided with a meal or paid **\$18.38**.
- If an employee works such overtime that a second meal is required, they must be provided with a meal or paid **\$18.38**.

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. 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 they do not have a spouse or partner) who does not get a location allowance the employee must receive double the relevant location allowance.
- If an employee has a 'partial dependant' (a dependant who gets a district or location allowance which is less than the location allowance the employee gets) the employee must be paid their relevant location allowance rate plus the difference between the employee's location allowance and what the partial dependant is receiving in district or location allowance.
- If an employee receives free meals and accommodation, or is paid an allowance for meals and accommodation, the employee is only entitled to receive 66.67% of the amount for the relevant town.

Location allowance rates effective first pay period on or after 1 July 2025

Town	\$ per week	Town	\$ per week	Town	\$ per week
Agnew	\$25.90	Halls Creek	\$61.40	Norseman	\$23.30
Argyle	\$70.00	Kalbarri	\$9.40	Nullagine	\$68.10
Balladonia	\$27.20	Kalgoorlie	\$11.10	Onslow	\$45.60
Barrow Island	\$45.60	Kambalda	\$11.10	Pannawonica	\$33.90
Boulder	\$11.10	Karratha	\$44.10	Paraburdoo	\$33.80
Broome	\$41.90	Koolan Island	\$45.80	Port Hedland	\$36.40
Bullfinch	\$12.10	Koolyanobbing	\$12.10	Ravensthorpe	\$13.60
Carnarvon	\$21.50	Kununurra	\$70.00	Roebourne	\$50.80
Cockatoo Island	\$45.80	Laverton	\$26.60	Sandstone	\$25.90
Coolgardie	\$11.10	Learmonth	\$38.50	Shark Bay	\$21.50
Cue	\$26.70	Leinster	\$25.90	Southern Cross	\$12.10
Dampier	\$36.50	Leonora	\$26.60	Telfer	\$62.50
Denham	\$21.50	Madura	\$28.20	Teutonic Bore	\$25.90
Derby	\$43.50	Marble Bar	\$68.20	Tom Price	\$33.80
Esperance	\$7.40	Meekatharra	\$23.10	Whim Creek	\$43.60
Eucla	\$29.10	Mount Magnet	\$29.00	Wickham	\$42.00
Exmouth	\$38.50	Mundrabilla	\$28.70	Wiluna	\$26.10
Fitzroy Crossing	\$52.90	Newman	\$24.90	Wyndham	\$65.40

Meal breaks

- All employees must receive:
 - a meal break of not less than 30 minutes after not more than 5 hours of work; and
 - a paid 10 minute break if they work 4 or more hours.
- If it is not possible for the employer to grant a meal break on any day, the employee must be paid at overtime rates until the meal break is granted or the shift ends.

Ordinary working hours

All employees

- The ordinary hours of work for all employees including the following conditions:
 - no more than 10 hours (exclusive of meal breaks) per day; and
 - no more than 5 consecutive shifts per week and at least one of the days not worked in a 7 day cycle must be a Saturday or Sunday.
- Rosters must be posted 7 working days before the commencement of each working week.

Full time employees

In addition to the ordinary hours of work for all employees above, the ordinary hours of work for full time employees are an average of 38 hours per week worked on one of the following cycles:

- 38 hours within a work cycle not exceeding 7 consecutive days;
- 76 hours within a work cycle not exceeding 14 consecutive days;
- 114 hours within a work cycle not exceeding 21 consecutive days; or
- 152 hours within a work cycle not exceeding 28 consecutive days.

Casual employees

In addition to the ordinary hours of work for all employees above, the ordinary hours of work for casual employees are:

- a maximum of 38 hours per week
- no more than 7.6 hours per day; and
- a minimum of 3 hours per shift.

Overtime

- All time worked in excess of or outside of ordinary hours must be paid for at overtime rates.
- Overtime performed between Monday and Saturday must be paid for at the rate of time and a half for the first 2 hours and double time after that.
- All overtime worked on Sunday must be paid for at double time.
- In the calculation of overtime, each day stands alone.
- If a full time or part time employee works so much overtime that they do not have 10 consecutive hours off work in between shifts, they must be released from duty without loss of pay until they have had 10 consecutive hours off work. If they are not released from duty, they must be paid double time for these hours.
- For the purposes of calculating overtime:
 - 8 to 22 minutes shall be deemed $\frac{1}{4}$ hour
 - 23 to 37 minutes shall be deemed $\frac{1}{2}$ hour
 - 38 to 52 minutes shall be deemed $\frac{3}{4}$ hour
 - 53 to 67 minutes shall be deemed 1 hour

Penalty rates

The following penalty rates apply for work performed during ordinary hours:

Time of hours worked	Applicable rate
Monday to Friday: <ul style="list-style-type: none">• Midnight to 6.00am; and• 6.00pm to midnight	36% of the ordinary hourly rate of pay
Saturdays	Time and a half
Sundays	Double time
Public holidays	Double time and a half.

Public holidays

Under this award:

- If a public holiday (except Easter Sunday) falls on a Saturday or Sunday, the following Monday is considered to be the public holiday. If Boxing Day falls on a Sunday or Monday, the following Tuesday is observed as the public holiday.
- When a public holiday is substituted with another day, the public holiday itself is no longer considered a public holiday.
- The Easter Sunday public holiday is on the actual day and it **is not** substituted to another day.

Visit [Public Holidays in Western Australia](#) to view public holiday dates.

Minimum entitlement to be absent on a public holiday

- All employees have a minimum entitlement to be absent from work on a day that is a public holiday.
- An employer is able to request an employee to work on a public holiday if the request is reasonable, but an employee is entitled to refuse a request to work on a public holiday if the request is not reasonable or refusal is reasonable.
- There are a range of specific factors that need to be taken into account when determining whether a request or a refusal of a request is reasonable. These are outlined on [Public holiday pay and arrangements](#).

Payment for public holidays

- If a full time or part time employee is absent from work on a public holiday (and their absence is consistent with the minimum entitlements described above) they are entitled to be paid:
 - as if they were required to work their ordinary hours on the public holiday; and
 - at the rate they would have received as payment for those hours under this WA award.
- If a casual employee does not work on a public holiday they are not entitled to payment.
- Employees who would not ordinarily work on the public holiday (such as part time employees who do not work on that day of the week) and employees on unpaid leave on the public holiday are not entitled to payment.
- If a full time, part time or casual employee works on a public holiday (or a substituted public holiday) they must be paid at double time and a half for all time worked (or by agreement time off in lieu at the equivalent rate – i.e. 2.5 hours time off for every hour worked).

Flexible working arrangement requests

- Written requests for a flexible work arrangement can be made by employees with at least 12 months' service. Requests can only be made in relation to specific circumstances, which include pregnancy, caring responsibilities, disability, and family and domestic violence. The employer must consider the request and provide a written response within 21 days.
- An employer can refuse the request for specified reasons, including reasonable business grounds.
- Any flexible work arrangement agreed between the employer and employee must be consistent with the working hours and employment arrangements in this WA award.
- Visit [Flexible work requests](#) for more information.

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 Baking Industry Award but does **not** include all details on leave obligations and entitlements. Full details of conditions are contained in the Baking Industry 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, up to 152 hours. Part time employees are entitled to a minimum of 4 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 4 week period. Casual employees are not entitled to annual leave.
- During a period of annual leave an employee must be paid annual leave loading of 17.5% or regular shift loadings – whichever is higher. See the award for details.
- Annual leave accrues on a weekly basis:
 - A full time employee accrues 2.923 hours of annual leave for each completed week of work.
 - A part time employee accrues the relevant proportion of 2.923 hours annual leave for each completed week of work.
 - Wageline's [Annual leave calculation guide](#) can assist with calculating annual leave entitlements.
- For annual leave entitlements when employment ends see the *Resignation, termination and redundancy* section.
- Visit [Annual leave](#) for more information.

Bereavement leave

- All employees, including casual employees, are entitled to 2 days paid bereavement leave on the death of a member of the employee's family or household. The 2 days need not be consecutive.
- Visit [Bereavement leave](#) 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*. Visit [Parental leave](#) 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 2 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 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.
- When a business changes ownership, an employee's paid personal leave balance with the old employer must be credited to the employee by the new employer if under the *Long Service Leave Act*:
 - there has been a transmission / transfer of business; and
 - the employee's service is deemed continuous.
- Unused personal leave entitlements are not paid out on termination.
- Visit [Personal leave](#) for definitions of 'member of the family or household' or for more information.

Family and domestic violence leave

- All employees are entitled to 10 days' **paid** family and domestic violence leave under the national *Fair Work Act 2009*.
- In addition, all state system employees are entitled to 5 days' **unpaid** family and domestic violence leave under the *Minimum Conditions of Employment Act 1993*.
- Family and domestic violence 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 leave is available in full to part time and casual employees (i.e. it is not pro rata).
- Visit [Family and domestic violence leave](#) 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 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 [What is continuous employment](#) 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 [When a business changes ownership](#) for details.
- The [WA long service leave calculator](#) can provide an estimate of the number of weeks of long service leave an employee is entitled to 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) and is also paid out when the employee resigns and gives the notice required under the WA award. Annual leave loading is not paid on pro rata annual leave.

Resignation by the employee

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

Full time and part time employees are required to provide notice as per the table below:

Period of continuous service	Period of notice
Not more than 1 year	1 week
More than 1 year but less than 3 years	2 weeks
More than 3 years but less than 5 years	3 weeks
More than 5 years	4 weeks

Termination

An employer is required to give a casual employee one hour's notice of termination.

Prior to terminating an apprentice, an employer must contact the Department of Training and Workforce Development Apprenticeship Office on 13 19 54 to discuss any proposed termination of an apprentice.

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 less than 3 years*	2 weeks
More than 3 years but less than 5 years*	3 weeks
More than 5 years*	4 weeks

*Employees over 45 years of age with 2 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.

[Dismissal and unfair dismissal](#) outlines obligations and requirements when an employee is terminated.

Redundancy

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

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

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

Visit [Redundancy](#) for information on redundancy obligations.

Award severance pay – Employers who employ less than 15 employees

Employers covered by the Baking Industry Award who employ less than 15 employees must pay the severance pay entitlements in the award when an employee is made redundant, as outlined in the table below.

Award severance pay does not need to be paid to casual employees, apprentices, employees who have been engaged for a specific period of time or for a specified task or tasks, or employees terminated as a consequence of conduct that justifies instant dismissal.

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 transfer of business.

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 business.

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

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

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

Visit [Redundancy](#) for 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.

Visit [Pay slip requirements](#) for 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 *Baking Industry 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 [Long service leave](#) 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 [Record keeping obligations](#) 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.

Classifications

- **"Assistant"** means an employee, not being a Baker, Pastrycook or apprentice, who assists in the operations involved in the making and baking of bread, cakes or pastries, but does not handle, mix, mould or bake dough. Indicative tasks of an Assistant include sweeping up, scrubbing tables, greasing tins, sifting and emptying flour, pre-heating ovens, packaging products, preparing and weighing ingredients, papering tins, washing utensils, labelling, simple icing and piping, operating machines and other similar work.
- **"Baker"** means an employee who is competent by training and experience to perform and who may be required to perform any or all of the operations involved in the baking of bread. Such operations, without limiting the definition, include the mixing, handling, moulding or baking of dough. Provided that such a baker may be required by the employer to perform any general work in connection with the bakehouse.
- **"Cake decorator"** means a person skilled in the art and employed in decorating and ornamenting cakes.
- **"Pastrycook"** means an employee other than an Assistant, Baker or apprentice who is employed in manufacturing, making, baking or ornamenting cakes, pastry, sponge goods and yeast goods for sale.
- **"Single hand baker"** means a Baker who is employed in a bakehouse where there is no other person regularly employed in the mixing, handling or baking of dough, except where the employer regularly and substantially works in the bakehouse.
- **"Single hand pastrycook"** means a tradesperson pastrycook employed in a bakehouse where there is no other tradesperson pastrycook employed.