



## WA award summary

# Restaurant, Café and Catering (WA) Award

31 July 2025

## About this award summary

---

This document is a summary of the state Restaurant, Café and Catering (WA) 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 Restaurant, Café and Catering (WA) Award that is available on the Western Australian Industrial Relations Commission website [www.wairc.wa.gov.au](http://www.wairc.wa.gov.au). Provisions of other employment legislation also apply to employees and have been included in this WA award summary where appropriate. You should refer to the *Minimum Conditions of Employment Act 1993*, the *Long Service Leave Act 1958*, and the *Industrial Relations Act 1979* for full details.

This document is formatted for viewing on the Wageline website and contains web links to other relevant information. If using a printed copy in which links are not visible, all additional information can be found at [www.lgirs.wa.gov.au/wageline](http://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

<b>Step 1</b> Is the business in the state system	<p>This WA award summary applies to businesses in the <b>state industrial relations system</b>. The state system covers businesses (and their employees) that operate as:</p> <ul style="list-style-type: none"><li>✓ <b>sole traders</b></li><li>✓ <b>unincorporated partnerships</b></li><li>✓ <b>unincorporated trust arrangements</b></li><li>✓ <b>incorporated associations and other non-profit bodies</b> that are not trading or financial corporations</li></ul> <p>This summary does <b>not</b> apply to businesses and organisations in the national industrial relations system which operate as:</p> <ul style="list-style-type: none"><li>✗ <b>Pty Ltd businesses</b> that are trading or financial corporations</li><li>✗ <b>incorporated partnerships or incorporated trusts</b></li><li>✗ <b>incorporated associations and other non-profit bodies</b> that are trading or financial corporations</li></ul> <p>For more information visit <a href="#">Which system of employment law applies</a>. If the business or organisation is in the national system visit the Fair Work Ombudsman website <a href="http://www.fairwork.gov.au">www.fairwork.gov.au</a></p>									
<b>Step 2</b> Is the business covered by the Restaurant, Café and Catering (WA) Award	<p>The Restaurant, Café and Catering (WA) Award applies to businesses in the state industrial relations system which are:</p> <ul style="list-style-type: none"><li>✓ cafés and restaurants (not part of a hotel or motel or licenced club)</li><li>✓ take away food outlets</li><li>✓ catering establishments servicing weddings, parties, festivals and sporting events</li><li>✓ catering contractors</li></ul> <p>The Award covers paid employees working in school canteens run by P&amp;Cs, and canteens at community sporting activities, where the organisation operating the canteen is in the <b>state</b> industrial relations system. See page 14 for details.</p> <p>The Restaurant, Café and Catering (WA) Award <b>does not</b> apply to state system businesses in Western Australia trading as:</p> <table><tr><td>• Red Rooster</td><td>• KFC</td><td>• McDonalds</td></tr><tr><td>• Pizza Hut</td><td>• Chicken Treat</td><td>• Subway</td></tr><tr><td>• Hungry Jacks</td><td>• Chooks Fresh and Tasty</td><td>• Heros Pizza</td></tr></table> <p>These businesses are covered by the <a href="#">Fast Food Outlets Award</a>.</p>	• Red Rooster	• KFC	• McDonalds	• Pizza Hut	• Chicken Treat	• Subway	• Hungry Jacks	• Chooks Fresh and Tasty	• Heros Pizza
• Red Rooster	• KFC	• McDonalds								
• Pizza Hut	• Chicken Treat	• Subway								
• Hungry Jacks	• Chooks Fresh and Tasty	• Heros Pizza								
<b>Step 3</b> Is the employee’s job covered by the Restaurant, Café and Catering (WA) Award	<p>The Restaurant, Café and Catering (WA) Award sets pay rates, working hours and other employment arrangements for full time, part time and casual employees in the business covered by the award working as:</p> <table><tr><td>✓ wait and bar staff</td><td>✓ baristas</td></tr><tr><td>✓ chefs, cooks, kitchen and catering staff</td><td>✓ counter staff in cafés and take away food outlets</td></tr></table>	✓ wait and bar staff	✓ baristas	✓ chefs, cooks, kitchen and catering staff	✓ counter staff in cafés and take away food outlets					
✓ wait and bar staff	✓ baristas									
✓ chefs, cooks, kitchen and catering staff	✓ counter staff in cafés and take away food outlets									

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 effective from **31 July 2025**.
- An employee employed prior to 31 July 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 31 July 2025.

### Adult (20 years and older) rates of pay

Classifications (See page 14 – 16 for definitions)	Full time/Part time employee				Casual employee (Rate includes casual loadings)		
	Weekly	Hourly Mon - Fri*	Hourly Sat/Sun	Public holiday (min 4 hours)	Hourly Mon - Fri	Hourly Sat/Sun	Public holiday
Level 1	\$953.00	\$25.08	\$37.62	\$62.70	\$31.35	\$37.62	\$56.43
Level 2	\$985.20	\$25.93	\$38.89	\$64.82	\$32.41	\$38.89	\$58.33
Level 3	\$1,008.90	\$26.55	\$39.83	\$66.38	\$33.19	\$39.83	\$59.74
Level 4	\$1,055.10	\$27.77	\$41.65	\$69.41	\$34.71	\$41.65	\$62.47
Level 5	\$1,112.60	\$29.28	\$43.92	\$73.20	\$36.60	\$43.92	\$65.88
Level 6	\$1,138.70	\$29.97	\$44.95	\$74.91	\$37.46	\$44.95	\$67.42

\*A full time or part time employee must receive an extra **\$2.78 per hour** for any ordinary hours or part thereof worked prior to 7.00am or after 7.00pm on Monday to Friday.

### Annualised salary

Full and part time employees may agree with their employer to be paid an annualised salary, which must be equivalent to their normal wage plus at least 25%, and be sufficient to cover what the employee would have been entitled to if they had received all their overtime and penalty rates entitlements. More details are in Clause 27 of the Award.

### Juniors – under 20 years of age

- Junior employees are paid a percentage of the appropriate adult rate for their relevant classification.
- Any junior worker employed in Levels 4, 5 or 6 must be paid full adult rates.
- Under the *Children and Community Services Act 2004*, it is illegal to employ children under the age of 13 in this industry, except if the child is working as part of a school program (e.g. work experience placement) or in a family business or a not-for-profit organisation. Employees who are 13 or 14 years of age cannot be employed before 6.00am or after 10.00pm.

### Junior rates of pay as a % of Level 1

Age (per cent)	Full time/Part time employee				Casual employee (Rate includes casual loading)		
	Weekly	Hourly Mon - Fri*	Hourly Sat/Sun	Public Holiday (min 4 hours)	Hourly Mon - Fri	Hourly Sat/Sun	Public Holiday
19 (90%)	\$857.70	\$22.57	\$33.86	\$56.43	\$28.21	\$33.86	\$50.78
18 (80%)	\$762.40	\$20.06	\$30.09	\$50.16	\$25.08	\$30.09	\$45.14
17 (70%)	\$667.10	\$17.56	\$26.33	\$43.89	\$21.94	\$26.33	\$39.50
16 (60%)	\$571.80	\$15.05	\$22.57	\$37.62	\$18.81	\$22.57	\$33.86
Under 16 (50%)	\$476.50	\$12.54	\$18.81	\$31.35	\$15.67	\$18.81	\$28.21

\*A full time or part time employee must receive an extra **\$2.78 per hour** for any ordinary hours or part thereof worked prior to 7.00am or after 7.00pm on Monday to Friday.

### Junior rates of pay as a % of Level 2

Age (per cent)	Full time/Part time employee				Casual employee (Rate includes casual loading)		
	Weekly	Hourly Mon - Fri*	Hourly Sat/Sun	Public Holiday (min 4 hours)	Hourly Mon - Fri	Hourly Sat/Sun	Public Holiday
19 (90%)	\$886.70	\$23.33	\$35.00	\$58.34	\$29.17	\$35.00	\$52.50
18 (80%)	\$788.20	\$20.74	\$31.11	\$51.86	\$25.93	\$31.11	\$46.67
17 (70%)	\$689.60	\$18.15	\$27.22	\$45.37	\$22.68	\$27.22	\$40.83
16 (60%)	\$591.10	\$15.56	\$23.33	\$38.89	\$19.44	\$23.33	\$35.00
Under 16 (50%)	\$492.60	\$12.96	\$19.44	\$32.41	\$16.20	\$19.44	\$29.17

\*A full time or part time employee must receive an extra **\$2.78 per hour** for any ordinary hours or part thereof worked prior to 7.00am or after 7.00pm on Monday to Friday.

### Junior rates of pay as a % of Level 3

Age (per cent)	Full time/Part time employee			Public Holiday (min 4 hours)	Casual employee (Rate includes casual loading)		
	Weekly	Hourly Mon - Fri*	Hourly Sat/Sun		Hourly Mon - Fri	Hourly Sat/Sun	Public Holiday
19 (90%)	\$908.00	\$23.89	\$35.84	\$59.74	\$29.87	\$35.84	\$53.76
18 (80%)	\$807.10	\$21.24	\$31.86	\$53.10	\$26.55	\$31.86	\$47.79
17 (70%)	\$706.20	\$18.58	\$27.88	\$46.46	\$23.23	\$27.88	\$41.81
16 (60%)	\$605.30	\$15.93	\$23.89	\$39.82	\$19.91	\$23.89	\$35.84
Under 16 (50%)	\$504.50	\$13.28	\$19.91	\$33.19	\$16.60	\$19.91	\$29.87

\*A full time or part time employee must receive an extra **\$2.78 per hour** for any ordinary hours or part thereof worked prior to 7.00am or after 7.00pm on Monday to Friday.

### Apprentice rates of pay

Apprentice	Age	Weekly Mon - Fri	Hourly Mon - Fri	Hourly Sat - Sun	Hourly Public Holiday
1st year	Under 21	\$580.30	\$15.27	\$22.91	\$38.18
	21 or over	\$791.30	\$20.82	\$31.24	\$52.06
2nd year	Under 21	\$791.30	\$20.82	\$31.24	\$52.06
	21 or over	\$791.30	\$20.82	\$31.24	\$52.06
3rd year	All ages	\$928.50	\$24.43	\$36.65	\$61.09

\*A full time or part time employee must receive an extra **\$2.78 per hour** for any ordinary hours or part thereof worked prior to 7.00am or after 7.00pm on Monday to Friday.

- 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.
- An employer is 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).

### 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 Restaurant, Café and Catering (WA) Award is a WA state award, pay rates come from a national modern award that is not otherwise applicable to restaurant and catering 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 Restaurant, Café and Catering (WA) 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.

### Higher duties

An employee who is performing work for 2 or more hours in any day at a higher classification level than their normal level must be paid the higher pay rate for those hours. If the employee is required to perform higher duties for more than half of one day or one shift, they must be paid the higher wage rate for the whole day or shift.



## Allowances

### Split shift allowance

If a full time or part time employee works their ordinary hours in more than one period on any one day (split shift) they must be paid **\$5.34** for each separate work period that day.

### Meal money

If an employee is required to work two or more hours of overtime on any day without being notified on the previous day (or earlier), the employer must:

- pay the employee a meal allowance of **\$16.73**; or
- supply the employee with a meal.

### Work equipment

If a cook or apprentice cook is required to use their own tools (knives, choppers, tools, brushes, towels and other utensils) they must be paid **\$2.03 per day or part day** up to a maximum of **\$9.94 per week**.

### Uniforms and laundry allowance

**Cooks** - If a cook wears the ordinary apparel usually worn by cooks such as black and white check trousers, white shirt, white apron and cap and the employer has not paid for their laundering they must be paid **\$11.00 per fortnight**, or **\$5.50 per fortnight** for employees working less than 38 ordinary hours per fortnight.

**Other employees** - If the employer requires a special uniform (as defined in the award) and the employer has not paid for the laundering they must be paid **\$7.20 per fortnight**, or **\$3.60 per fortnight** for employees working less than 38 ordinary hours per fortnight. (Such a uniform must be provided by the employer).

### 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 from the 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

## 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.

## Ordinary working hours

### All employees

The ordinary hours of work for all employees include the following conditions:

- an employee must not be required to commence work on more than 10 days per fortnight;
- ordinary hours of work are exclusive of unpaid meal breaks;
- an employer must seek the agreement of each employee where the employee is to be rostered over more than 7 consecutive days or the ordinary hours of work exceed 8 on any day; and
- if more than 8 ordinary hours are regularly worked, 2 of the employee's non-working days must be consecutive.

### Full time employees

Full time employees can be employed on a 3 month probation period.

**In addition** to the ordinary hours of work for all employees above, the ordinary hours of work for full time employees are:

- 76 hours per fortnight;
- a minimum of 4 hours and no more than 10 hours per day;
- a maximum spread of shift of 12 hours; and
- if an employee is rostered for split shifts, a minimum of 3 hours per shift.

### Part time employees

Part time employees can be employed on a 3 month probation period.

**In addition** to the ordinary hours of work for all employees above, the ordinary hours of work for part time employees are:

- a minimum of 20 hours per fortnight;
- a minimum of 3 hours and no more than 10 hours per day;
- a maximum spread of shift of 12 hours; and
- if an employee is rostered for split shifts, a minimum of 3 hours per shift.

An employer and a part time employee may agree to the employee working additional ordinary hours in a particular pay period (up to a maximum of 76 hours) and these extra hours are paid for at ordinary rates of pay.

### 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 76 hours per fortnight;
- a minimum of 2 hours and no more than 10 hours per day;
- a maximum spread of shift of 12 hours; and
- if an employee is rostered for split shifts, a minimum of 2 hours per shift.

## Overtime

- Overtime is payable for all work performed by an employee in excess of or outside the ordinary hours of work or outside the employee's ordinary rostered hours.
- In the calculation of overtime, each day stands alone.
- For casual employees, overtime is calculated on the base rate of pay (excluding casual loading).
- A full time or part time employee and the employer may agree in writing to the employee taking time off instead of being paid for overtime that has been worked. Time off must be equivalent to the overtime rate that otherwise would have been paid. The time off must be taken within 8 weeks of it being accrued or in conjunction with a future period of annual leave.

When overtime is worked	Overtime rates
Monday - Friday	Time and a half for the first 2 hours and double time after that.
Saturday or Sunday	Double time.
Public holiday	Double time and a half for a minimum of 4 hours.

## Penalty rates

The following penalty rates apply to all employees for work performed during ordinary hours.

Day worked	Full time and part time employees % of hourly rate	Casual employees % of hourly rate (inclusive of casual loading)
Saturday	50%	50%
Sunday	50%	50%
Public holiday	150%	125%

Full time and part time employees who are required to work ordinary hours prior to 7.00am or after 7.00pm on any day Monday to Friday, must be paid **\$2.78** for each hour or part thereof worked, in addition to their ordinary hourly rate.

## Meal breaks – all employees

- All employees are entitled to:
  - an unpaid meal break of between 30 minutes and one hour after not more than 6 hours of work; and
  - a 10 minute paid break if the shift is 6 or more hours long.
- If it is not possible for the employer to grant a meal break on any day, the meal break must be treated as time worked and the employee must be paid a 50% loading on the employee's ordinary hourly rate, until the employee is released for a meal or the shift ends.

## Employment of children

- Under the *Children and Community Services Act 2004*, the minimum age for employment in a restaurant, café, 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.

## Public holidays

Under this award:

- When a public holiday falls on a Saturday or Sunday, the public holiday is on that actual day.
- When 26 January falls on a Saturday or Sunday, the following Monday is the Australia Day public holiday.
- If any public holiday (including Easter Sunday) under the award falls on a full time employee's non-working day (referred to as a 'rostered day off'), the public holiday is observed on the next rostered working day. In this situation the next rostered working day is considered to be a public holiday, while the non-working day is not. If the employee is required to work on the next rostered working day, they are entitled to be paid at public holiday rates of pay.

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 they must be paid at the public holiday pay rates required by this award.

## 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 Restaurant, Café and Catering (WA) Award but does **not** include all details on leave obligations and entitlements. Full details of conditions are contained in the Restaurant, Café and Catering (WA) Award on the WA Industrial Relations Commission website [www.wairc.wa.gov.au](http://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%. If an employee would have received any additional rates for work performed in ordinary hours, had they not been on leave, and this would be a greater amount than the 17.5% loading, then such additional rates must be paid in lieu of the 17.5% loading.
- 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.
- Where a transfer of business occurs, an employee's untaken annual leave accrued with the old employer will transfer to the new employer.
- 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 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 [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 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

Full time and part time employees must give:

Period of continuous service	Notice period
Not more than 1 year	1 day
More than 1 year but not more than 2 years	1 week
More than 2 years	2 weeks

A casual employee must give one hour's notice to the employer.

### Termination

An employer must 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 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 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.

### 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.

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 [Redundancy](#) 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.

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 *Restaurant, Café and Catering (WA) 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.



## School canteens and canteens run by other not for profit organisations

This award covers paid employees working in school canteens, and canteens at community sporting activities, where the organisation operating the canteen is in the **state** industrial relations system.

If the organisation operating the canteen is a not for profit organisation, such as a school P&C or community sports organisation, the organisation will be in the national fair work industrial relations system (i.e. **not** in the state system) if it is a 'constitutional corporation' because it engages in sufficiently substantial trading or financial activities, even if the purpose of the organisation is something other than trading or finance. In that case this award will not apply and organisations should contact the [Fair Work Ombudsman](#) for information on pay rates.

Wageline **cannot** provide specific information on, or determine, whether a particular organisation is a constitutional corporation, and each organisation would need to seek its own legal or financial advice to determine this question. Visit [Which system of employment law applies](#) for more information.

## Classifications / Job duties

### Food and Beverage employees

**Food and Beverage Attendant Grade 1 (Level 1)** means an employee who is engaged in any of the following:

- picking up glasses;
- general assistance to food and beverage attendants of a higher grade not including service to customers;
- removing food plates;
- setting and/or wiping down tables;
- cleaning and tidying of associated areas.

**Food and Beverage Attendant Grade 2 (Level 2)** means an employee who is engaged in any of the following:

- supplying, dispensing or mixing of liquor including the sale of liquor from the bottle department;
- assisting in the cellar or bottle department;
- undertaking general waiting duties of both food and/or beverage including cleaning of tables;
- receipt of monies;
- attending a snack bar;
- engaged on delivery duties.

**Food and Beverage Attendant Grade 3 (Level 3)** means an employee who is required to perform work above and beyond the skills of a Food and Beverage Attendant Grade 2 and is engaged in any of the following:

- supplying, dispensing or mixing of liquor including the sale of liquor from the bottle department;
- assisting in the cellar or bottle department, where duties could include working up to 4 hours per day (averaged over the relevant work cycle) in the cellar without supervision;
- undertaking general waiting duties of both food and liquor including cleaning of tables;
- receipt and dispensing of monies;
- engaged on delivery duties; or
- In addition to the tasks performed by a food and beverage attendant grade 2 the employee may also be involved in:
  - the operation of a mechanical lifting device; or
  - attending a wagering (e.g. TAB) terminal, electronic gaming terminal or similar terminal.
- and/or means an employee who is engaged in any of the following:
  - full control of a cellar or liquor store (including the receipt, delivery and recording of goods within such an area);
  - mixing a range of sophisticated drinks;
  - supervising food and beverage attendants of a lower grade;
  - taking reservations, greeting and seating guests;
  - training food and beverage attendants of a lower grade.

**Food and Beverage Attendant (Tradesperson) Grade 4 (Level 4)** means an employee who has the appropriate level of skills and experience or who has completed an appropriate qualification and carries out specialised skilled duties in a fine dining room or restaurant.

**Food and Beverage Supervisor (Level 5)** means an employee who has the appropriate level of skills and experience or who has completed an appropriate qualification and who has the responsibility for supervision, training and co-ordination of food and beverage staff, or stock control for a bar or series of bars.

## Kitchen employees

**Kitchen Attendant Grade 1 (Level 1)** means an employee engaged in any of the following:

- general cleaning duties within a kitchen or food preparation area and scullery, including the cleaning of cooking and general utensils used in a kitchen and restaurant;
- assisting employees who are cooking;
- assembly and preparation of ingredients for cooking; or
- general pantry duties.

**Kitchen Attendant Grade 2 (Level 2)** means an employee who has the appropriate level of skills and experience, and who is engaged in specialised non-cooking duties in a kitchen or food preparation area or supervision of kitchen attendants.

**Kitchen Attendant Grade 3 (Level 3)** means an employee who has the appropriate level of skills and experience or who has completed an appropriate qualification, and has the responsibility for the supervision, training and co-ordination of kitchen attendants of a lower grade.

**Cook Grade 1 (Level 2)** means an employee who carries out cooking of breakfasts and snacks, baking, pastry cooking or butchering.

**Cook Grade 2 (Level 3)** means an employee who has the appropriate level of skills and experience or who has completed an appropriate qualification and who performs cooking duties including baking, pastry cooking or butchering.

**Cook (Tradesperson) Grade 3 (Level 4)** means a “commi chef” or equivalent who has completed an apprenticeship or an appropriate qualification, and who is engaged in cooking, baking, pastry cooking or butchering duties.

**Cook (Tradesperson) Grade 4 (Level 5)** means a “demi chef” or equivalent who has completed an apprenticeship or an appropriate qualification, and who is engaged to perform general or specialised cooking, butchering, baking or pastry cooking duties and/or supervises and trains other cooks and kitchen employees.

**Cook (Tradesperson) Grade 5 (Level 6)** means a “chef de partie” or equivalent who has completed an apprenticeship or a specialist qualification in cooking, butchering, baking or pastry cooking who performs any of the following:

- general and specialised duties including supervision or training of other kitchen staff;
- ordering and stock control; or
- solely responsible for other cooks and other kitchen employees in a single kitchen establishment.

## Guest service employees

**Guest Service Grade 1 (Level 1)** means an employee who performs any of the following:

- laundry and/or linen duties which may include minor repairs to linen or clothing such as buttons, zips, seams, and working with flat materials;
- performs general cleaning duties; or
- parking guest cars.

**Guest Service Grade 2 (Level 2)** means an employee who is engaged in any of the following:

- assisting in the dry cleaning process; or
- cleaning duties using specialised equipment and chemicals.

**Guest Service Grade 3 (Level 3)** means an employee who has the appropriate level of skills and experience and who is engaged in any of the following:

- supervising guest service employees of a lower grade;
- major repair of linen and/or clothing including basic tailoring and major alterations and refitting; or
- dry cleaning.

**Guest Service Grade 4 (Level 4)** means an employee who has completed an apprenticeship or an appropriate qualification or who has the appropriate level of skills or experience to perform the work of a tradesperson in dry cleaning or tailoring.

## Store employees

**Storeperson Grade 1 (Level 2)** means an employee who receives and stores general and perishable goods and cleans the store area.

**Storeperson Grade 2 (Level 3)** means an employee who, in addition to the duties for a storeperson Grade 1, may also operate mechanical lifting equipment such as a forklift or who may perform duties of a more complex nature.

**Storeperson Grade 3 (Level 4)** means an employee who has the appropriate skills and experience and who:

- implements quality control techniques and procedures;
- understands and is responsible for a stores/warehouse area or a large section of such an area; and
- has a highly developed level of interpersonal and communications skills; and
- is able to supervise and provide direction and guidance to other employees including the ability to assist in the provision of on-the-job training and induction; and

who may perform tasks such as:

- liaising with management, suppliers and customers with respect to stores operations; detailing and co-ordinating activities of other storepersons and acting in a leading hand capacity for in excess of 10 storepersons; and
- maintaining control registers including inventory control and being responsible for preparation and reconciliation or regular reports or stock movements, dispatches, etc.; and
- supervising the receipt and delivery of goods, records, outgoing goods, responsible for the contents of a store.

### Security employees

**Doorperson/security officer Grade 1 (Level 2)** means a person who assists in the maintenance of dress standards and good order at an establishment.

**Timekeeper/security officer Grade 2 (Level 3)** means a person who is responsible for the timekeeping of employees, the security of keys, the checking in and out of delivery vehicles or the supervision of doorperson/security officer grade 1 employees.

### School canteen employees

- These classifications apply only to school canteen employees employed in government schools, who are not employed direct by the Department of Education.
- Canteen employees must commence employment at a level not lower than Grade 2.
- 'Committee' means a person or persons delegated with the function of overseeing the management of a school canteen.

**Canteen Employee Grade 2** means a canteen employee who is engaged in any of the following:

- Supplying, dispensing, warming or generally preparing light snack meals;
- Undertaking general serving duties of both food and/or refreshments;
- Maintaining canteen cleanliness;
- Attending a canteen customer service counter;
- Receipt of monies and dispensing change;
- Delivery duties to classrooms, when required.

**Canteen Employee Grade 3** means a canteen employee who coordinates volunteers and a maximum of 2 other canteen employees per week, and/or in addition to Grade 2 is engaged in any of the following:

- Controls canteen stock (including the weekly receipt, recording and ordering of basic pro forma stock);
- In consultation with Committee coordinates rosters for staff and volunteers;
- In consultation with Committee coordinates and/or prices snack food menus.

**Canteen Supervisor Grade 4** means a canteen employee who supervises volunteers and more than 2 other canteen employees and/or in addition to Grade 3 manages canteen stock (including responsibility for stock take and budgeted ordering).