Department of Local Government, Industry Regulation and Safety
Private Sector Labour Relations

GOVERNMENT OF WESTERN AUSTRALIA

wageline 1300 655 266

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

WA award summary

Building Trades and Labourers (General) Award

1 July 2025 – 30 June 2026

About this award summary

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

This document is formatted for viewing on the Wageline website and contains web links to other relevant information. If using a printed copy in which links are not visible, all additional information can be found at www.lgirs.wa.gov.au/wageline or by contacting Wageline on 1300 655 266.

This WA award summary includes information on employment entitlements introduced by the *Industrial Relations Legislation Amendment Act 2024* effective from 31 January 2025 www.lgirs.wa.gov.au/new-employment-laws

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.

Not the current wage

Three Step Check: to make sure this WA award summary is relevant to you

Step 1 Is the business in the state system?	This WA award summary applies to businesses in the **state industrial relations system.** The state system covers businesses (and their employees) that operate as: ✓ **sole traders** ✓ **unincorporated partnerships** ✓ **unincorporated trust arrangements** ✓ **incorporated associations and other non-profit bodies** that are not trading or financial corporations This summary does **not** apply to businesses and organisations in the national system which operate as: ✘ **Pty Ltd businesses** that are trading or financial corporations ✘ **incorporated partnerships or incorporated trusts** ✘ **incorporated associations and other not-for-profit bodies** that are trading or financial corporations For more information visit Which system of employment law applies. If the business or organisation is in the national system visit the Fair Work Ombudsman website www.fairwork.gov.au
Step 2 Is the business covered by the Building Trades and Labourers (General) Award?	The Building Trades and Labourers (General) Award applies to building trades workers who are **not** working "on-site", such as those working in shops or factories. The Building Trades and Labourers (General) Award **does not** apply to workers who are covered by another state award, including: ✘ Pipe, Tile and Pottery Manufacturing Industry Award ✘ Furniture Trades Industry Award ✘ Building Trades and Labourers (Construction) Award ✘ Building Trades (Government) Award ✘ Brick Manufacturing Award ✘ Industrial Spraypainting and Sandblasting Award ✘ Monumental Masonry Industry Award
Step 3 Is the employee's job covered by the Building Trades and Labourers (General) Award?	The Building Trades and Labourers (General) Award sets pay rates, working hours and other employment arrangements for employees working in the occupations listed on page 3 in businesses that are covered by the award.

Not the current wage rates

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 – applicable from the first full pay period that started on or after 1 July 2025 to the last full pay period that ended on or before 30 June 2026

All rates of pay are gross rates (before tax). The tables below provide the rates that apply from the beginning of the first full pay period that started on or after **1 July 2025**.

Adult rates of pay

Classification	Weekly (includes special payment of $40.78 per week)	Hourly	Casual (includes 25% loading)	Tool allowance (payable where an employer does not provide the employee with all necessary tools)
Bricklayers, Stone workers	$1,040.08	$27.37	$34.21	$15.60
Plasterer	$1,040.08	$27.37	$34.21	$18.20
Carpenter, Joiner	$1,040.08	$27.37	$34.21	$22.10
Joiner - Assembler A	$996.88	$26.23	$32.79	$11.10
Joiner - Assembler B	$979.08	$25.77	$32.21	$11.10
Plumber	$1,040.08	$27.37	$34.21	$22.10
Plumber - Registered	$1,051.88	$27.68	$34.60	$22.10
Painter, Glazier, Sign writer	$1,040.08	$27.37	$34.21	$5.40
Concreter (Cert III qualified)	$1,040.08	$27.37	$34.21	N/A
Stonemason	$1,040.08	$27.37	$34.21	N/A
Labourer Group 1*	$1,017.08	$26.77	$33.46	N/A
Labourer Group 2*	$997.48	$26.25	$32.81	N/A
Labourer Group 3*	$993.78	$26.15	$32.69	N/A
Labourer Group 4*	$993.78	$26.15	$32.69	N/A

***Labourer Group 1** includes: Rigger, Drainer, Dogman; **Labourer Group 2** includes: Scaffolder, Powder Monkey, Hoist or Winch Driver, Concrete Finisher, Steel Fixer including Tack Welder and Operator Concrete Pump; **Labourer Group 3** includes: Bricklayer's Labourer, Plasterer's Labourer, Assistant Powder Monkey, Assistant Rigger, Demolition Worker (after 3 months experience), Gear Hand, Pile Driver, Tackle Hand, Jackhammer Hand, Mixer Driver (Concrete), Steel Erector, Aluminium Alloy Structural Erector, Gantry Hand or Crane Hand, Crane Chaser, Concrete Gang including Concrete Floater, Steel or Bar Bender to patter or plan, Concrete Formwork Stripper, Concrete Pump Hose Hand; **Labourer Group 4** includes: Builders' Labourers employed on work other than specified in Groups 1 – 3.

Apprentice rates of pay

Bricklayers, Stoneworkers, Plasterers, Carpenters, Joiners, Plumbers, Painters, Glaziers, Sign writers, Stonemasons, Concreters (Cert III qualified)

4 Year Term	3.5 Year Term	3 Year Term	2 Year Term	Age	Weekly*	Hourly
1st year	0-6 months			Under 21	$436.80	$11.49
				21 or over	$791.30	$20.82
2nd year	7-18 months	1st Year	1st year	Under 21	$572.00	$15.05
				21 or over	$791.30	$20.82
3rd year	19-30 months	2nd year	2nd year	Under 21	$780.10	$20.53
				21 or over	$791.30	$20.82
4th year	31-42 months	3rd year		All ages	$915.30	$24.09

* includes special payment where applicable.

Apprentice tool allowance

Year of apprenticeship	1st year	2nd year	3rd/4th year
Bricklayers, Stoneworkers	$5.20	$10.40	$15.60
Plasterers	$6.07	$12.13	$18.20
Carpenters, Joiners	$7.37	$14.73	$22.10
Plumbers	$7.37	$14.73	$22.10
Painters, Glaziers, Sign writers	$1.80	$3.60	$5.40

- 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).

Not the current wage rates

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 those outlined in Schedule E – National Training Wage of the national Joinery and Building Trades Award 2020. *Although the Building Trades and Labourers (General) Award is a WA state award, pay rates come from a national modern award that is not otherwise applicable to building 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 Joinery and Building Trades 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 Joinery and Building Trades Award 2020.
- Registered trainees in this industry are covered by all other provisions of the WA Building Trades and Labourers (General) 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.

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

Leading hand allowance

An employee specifically appointed to be a leading hand must be paid in addition to the applicable weekly rate:

If in charge of 1 employee (excludes apprentices)	**$13.49** per week
If in charge of between 2 and 5 employees	**$30.09** per week
If in charge of between 6 and 10 other employees	**$38.19** per week
If in charge of more than 10 other employees	**$50.86** per week

Meal money

If required to work for more than two hours beyond usual finish time and the employer does not supply a meal an employee must be paid **$9.90** per occasion. This does not apply if the employee was notified the previous day or earlier that they would be required to work overtime.

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.

Not the current wage rates

- 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

Travel allowance

- Where an employee is required to work away from their usual shop or depot, they must be paid fares in excess of those they would incur travelling between their home and their shop or depot.
- An employee is entitled to their ordinary rate of pay for travel time that exceeds normal travelling time from their home to the shop or depot if it is outside their normal hours of work.
- When an employee uses their own car to travel from their home to the shop or depot and the kilometres exceed what they would normally travel, they must receive **0.73 cents** per additional kilometre if the employer requests they use their car. An employer may pay an allowance of **$13.30** per day to satisfy the above entitlements. An allowance of **0.69 cents** per kilometre must be paid when an employee uses their own car during working hours at the employer's request or fares/expenses must be otherwise paid.

Other allowances

A range of other special rates and allowances apply in certain circumstances and when employees are undertaking particular tasks. View the Building Trades and Labourers (General) Award on the WA Industrial Relations Commission website www.wairc.wa.gov.au for details.

Ordinary working hours

Ordinary hours of work are:

- an average of 38 hours a week to be worked in one of the following arrangements:
  - 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;
- worked Monday and Friday, between 6.30am and 6.00pm each day; and
- no more than 8 hours each day (or 10 hours each day by agreement of the employer and the majority of relevant employees).

In the case of emergency work an employee in the plumbing industry may be rostered to work on Saturday morning and such work may be counted as part of the 38 hours per week. The altered starting and finishing times necessitated by such an arrangement are to be agreed between the employee and the employer.

Not the current wage rates

Part time employees

A part time employee works consistent hours each week and works less than an average of 38 hours per week.

Shift work

If an employee is required to work shift work, different ordinary hours and additional allowances apply. Please access a full version of the Building Trades and Labourers (General) Award on the WA Industrial Relations Commission website.

Overtime

When overtime is worked	Overtime rates
Time worked in excess or outside the ordinary hours of work, or outside the employee's ordinary rostered hours	Time and a half for the first 2 hours and double time after that
On a Sunday	Double time
On a public holiday or substituted day	Double time and a half
Hours worked between 12 midnight and 6am	Double time until the usual starting time.

Meal breaks

- An unpaid meal break of not less than 45 minutes must be allowed. The meal break or the spread of hours may be altered by agreement between the employer and employee. Where it is necessary for work to continue uninterrupted, a lunch break of not less than 30 minutes must be allowed between the hours of 11.15am and 1.30pm to employees engaged on such work.
- If an employee is required to work during the recognised meal break so that the commencement of the meal break is postponed for more than 30 minutes the employee must be paid at the rate of double time until the employee is released for their meal.

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 considered to be the public holiday.
- When a public holiday is substituted with another day, the public holiday itself is no longer considered a public holiday.
- 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 the rate of double time and a half for all time worked.

Not the current wage rates

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.

Employment of children

- Under the *Children and Community Services Act 2004*, it is illegal to employ children under the age of 15 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.
- School aged children must not be employed during school hours, unless participating in a school program.
- Visit When children can work in Western Australia 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 Building Trades and Labourers (General) Award but does **not** include all details on leave obligations and entitlements. Full details of conditions are contained in the Building Trades and Labourers (General) 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* (or the *Construction Industry Portable Paid Long Service Leave Act 1985* where applicable).

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 annual leave of 4 weeks per year paid on a pro rata basis according to the number of hours they are required ordinarily to work in a 4 week period. Casual employees are not entitled to annual leave.
- Annual leave is a minimum entitlement in the *Minimum Conditions of Employment Act 1993* and the Building Trades and Labourers (General) Award sets out additional requirements regarding annual leave and annual leave loading.
- Annual leave loading of 17.5% applies when employees take annual leave. Where the employee would have received any additional shift loadings for work performed in shift work had they not been on leave during the relevant period and such shift loadings would have entitled them to a greater amount than the loading of 17.5%, the shift loadings must be paid instead 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.
  - The 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.

Not the current wage rates

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.
- Bereavement leave is a minimum entitlement from the *Minimum Conditions of Employment Act 1993.*
- 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. The 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.
- Personal leave is a minimum entitlement from the *Minimum Conditions of Employment Act 1993* and the Building Trades and Labourers (General) Award sets out additional requirements regarding 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.

Long service leave

- This WA award summary provides information based on the provisions of the *Long Service Leave Act 1958*. Employees who work on site in the construction industry may instead be covered by the *Construction Industry Portable Paid Long Service Leave Act 1985*. Visit www.myleave.wa.gov.au for more information.
- 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.

Not the current wage rates

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.

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 are required to provide one week's notice.

A casual employee is required to provide one hour's notice to the employer.

Termination

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

Except in cases of serious misconduct, an employer is required to give full time and part time employees the following period of notice of termination (or payment in lieu):

Period of continuous service	Notice period
Not more than 1 year	1 week
More than 1 year but not more than 3 years*	2 weeks
More than 3 years but not more than 5 years*	3 weeks
More than 5 years*	4 weeks

- *Employees over 45 years of age with 2 or more years of continuous service must receive an additional week's notice.
- These obligations are in the *Fair Work Act 2009* which applies rather than the notice provisions in the Building Trades and Labourers (General) Award.

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.

Not the current wage rates

Severance pay – Employers who employ 15 or more employees

Employers covered by this award who employ 15 or more employees must pay severance pay when an employee is made redundant, as outlined in the table below.

Period of continuous service*	Number of weeks severance pay
Less than 1 year	Nil
1 year and less than 2 years	4 weeks
2 years and less than 3 years	6 weeks
3 years and less than 4 years	7 weeks
4 years and less than 5 years	8 weeks
5 years and less than 6 years	10 weeks
6 years and less than 7 years	11 weeks
7 years and less than 8 years	13 weeks
8 years and less than 9 years	14 weeks
9 years and less than 10 years	16 weeks
10 years and over	12 weeks

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

Not the current wage rates

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 *Building Trades and Labourers (General) 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 o 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.

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.

Not the current wage rates