



## July 2022

### Clerks Private Sector Award 2020 [MA000002]

This award is used for employees who employees wholly or principally engaged in clerical and/or administrative duties.

Wage and allowance rates are from the start of the first full pay period that starts on or after 1 July 2022.

#### Please note the following updates:

- Superannuation guarantee rate changes (10.5 per cent) and removal of \$450 eligibility threshold.
- Increase to minimum rates of pay (clause 16)
- Increase to allowances (clause 19): meal allowance, vehicle allowance, clothing allowance (laundry).

Minimum ordinary rates (base rate of pay) <sup>1</sup>				
Classification/ level <sup>2</sup>	Pay point	Minimum weekly rate (full-time employees) <sup>3</sup>	Minimum hourly rate (part-time employees) <sup>4</sup>	Casual hourly rate (minimum hourly rate + 25%) <sup>5</sup>
	\$	\$	\$	\$
Level 1	Year 1	861.40	22.67	28.34
	Year 2	902.10	23.74	29.68
	Year 3	929.90	24.47	30.59
Level 2	Year 1	940.90	24.76	30.95
	Year 2	958.30	25.22	31.53
Level 3	From commencement	993.80	26.15	32.69
Level 4	From commencement	1043.60	27.46	34.33
Level 5	From commencement	1086.00	28.58	35.73

<sup>1</sup> Employees aged 20 years of age and under must be paid junior rates of pay (a percentage adult minimum rate) as specified in clause 16.4.

<sup>2</sup> An employer must pay an employee who is 21 years of age or older the rate applicable to the employee classification specified in column 1 (column 1 needs to be identified in the table above)(clause 16.1):

- at the minimum hourly rate (part-time employees) or
- the minimum weekly rate (full-time employees).

<sup>3</sup> Minimum weekly and hourly rates are taken from clause 16.1 of the Award (Table 3 – Minimum rates)

<sup>4</sup> An employer must roster a part-time employee on any shift for a minimum of 3 consecutive hours (clause 10.5).

<sup>5</sup> Casual rates are taken from schedule B.3.1 of the Award (Casual adult employees other than shift workers – ordinary and penalty rates). An employer must pay a casual employee for a minimum of 3 hours of work on each engagement (clause 11.4).

## Definitions

### Full-time employees (clause 9.1)

Employees who work a regular or predictable roster of 38 hours per week (or an average of 38 hours over 4-weeks) are full-time.

### Part-time employees (clause 10)

A part-time employee is an employee who is engaged to work for fewer ordinary hours than 38 per week on a reasonably predictable basis (clause 10.1).

At the time of engaging a part-time employee, the employer and employee must agree in writing on all of the following:

- the number of hours to be worked each day; and
- the days of the week on which the employee will work; and
- the times at which the employee will start and finish work each day.

Part-time employees must be rostered for a minimum of three hours on any day. The employee is to be given a written copy of the roster. Changes to the number of hours to be worked (in the employee's contract), or to the times at which the employee will start and finish work each day must be agreed upon in writing between the employer and employee.

If an employer proposes to change the ordinary hours of work of an employee (contracted hours), consultation (including with the employee's representative) must be undertaken in accordance with clause 39.3. At least seven days' notice must be provided by the employer for any proposed change to the employee's regular part-time roster (clause 10.4).

### Casual employees (clause 11)

A casual employee is engaged for short-term, relief purposes with no guarantee of continued employment beyond the period of engagement. Casual employees are paid the ordinary rate plus a loading of 25% and are excluded from certain award provisions.

This loading is in lieu of entitlements to leave and other matters from which casuals are excluded by the terms of

this award and the National Employment Standards.

## Overtime (clause 21)

An employer must pay an employee (non-shiftworker), including a casual employee at the overtime rate for any hours worked at the direction of the employer:

- in excess of their ordinary weekly hours (an average of 38 hours over a 4-week period or over an agreed roster period, not exceeding 12 months) (clause 13.2); or
- outside the spread of ordinary hours (7.00 am - 7.00 pm Monday to Friday and 7.00 am - 12.30 pm Saturday) (clause 13.3); or
- above 10 ordinary hours in any one day, including paid breaks (clause 26.2); or
- **for a part-time employee:** All time worked in excess of their number of agreed ordinary (contracted) hours per week including set start and finish times (clause 10.6); or
- when an employee is required to return to duty after the usual finishing hour of work for that day (with a minimum payment of 3 hours). This does not apply if the work is continuous (subject to a meal break of not more than one hour) with the start or finish of ordinary working time (clause 21.5)

### Payment for working overtime (clause 21.4)

Overtime is calculated on a daily basis and is paid at time and a half for the first two hours and double time thereafter. The minimum period of any overtime payment is a one-half hour per week.

Overtime rates are paid as follows:

Hours of overtime worked per day	Overtime rate Full-time and part-time	Overtime rate Casual employees
	% of minimum hourly rate	% of minimum hourly rate
Monday to Saturday—first 2 hours	150	175

Hours of overtime worked per day	Overtime rate Full-time and part-time	Overtime rate Casual employees
	% of minimum hourly rate	% of minimum hourly rate
Monday to Saturday—after 2 hours	200	225
Sunday—all day	200	225
Public holiday	250	275

**NB:** The overtime rates for casual employees have been calculated by adding the casual loading to the overtime rates for full-time and part-time employees.

## Penalty rates (clause 24)

### Full-time and part-time employees

Work performed on a Saturday is paid at the rate of time and quarter and work done on a Sunday is paid at the rate of double time with a minimum of four hours.

Penalty rate	Rate of pay
Saturday	125% of the employee's minimum hourly rate
Sunday	200% of the employee's minimum hourly rate (not less than 4 hours' pay).
Public holidays	250% of the minimum hourly rate for hours worked on a public holiday or a substituted day.

### Casual employees

Work performed on a Saturday is paid at the rate of time and a half and work done on a Sunday is paid at the rate of double time and a quarter with a minimum of four hours.

Penalty rate	Rate of pay
Saturday	150% of the employee's minimum hourly rate.
Sunday	225% of the employee's minimum hourly rate

Public holidays	275% of the minimum hourly rate for hours worked on a public holiday or a substituted day.
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## Allowances

### Higher duties allowance (clause 19.3)

The employer must pay an employee required to perform any of the duties of a higher classification for more than one day at least the minimum rate applicable to the higher level under this award.

### Vehicle allowance (clause 19.6)

Employees who are approved to use their motor vehicle in the course of their employment are paid at a rate of **91 cents per kilometre** (Maximum 400 km per week).

### Clothing allowance (clause 19.4)

Where an employee is required to wear and launder a uniform any cost of the uniform must be reimbursed and the employee paid a weekly laundry allowance of **\$3.55 per week** for full-time employees or **\$0.71 per shift** for casual and part-time staff.

### Meal allowance (clause 19.5)

Employees who are required to work for more than 1.5 hours of overtime without being given 24 hours' notice after the employee's ordinary time of ending work will be either provided with a meal or paid a meal allowance of **\$16.91 per occasion**.

If the number of hours worked under this requirement exceeds a further 4 hours, the employer must pay a further meal allowance of **\$13.54 per occasion**.

### First aid allowance (clause 19.2)

An employee who is appointed by the employer to perform first aid duty and has current first aid qualifications and training (such as a certificate from St John Ambulance Australia or a similar body) must be paid an allowance of **\$14.11 per week**. This is based on 1.5% of the standard rate.

## Leave

### Annual leave and leave loading (clause 32)

Each full-time or part-time employee is entitled to four weeks of annual leave on ordinary pay. If a public holiday occurs on a day that an employee is normally rostered to work, within an employee's leave period, the leave will be extended by an additional day in respect of each public holiday.

Each employee taking annual leave will be paid a loading of 17.5% calculated on the ordinary rate of pay.

### Personal/carers leave (clause 33)

Employees are entitled to 10 days personal/carer's leave per year (pro-rata for part-time employees). Unused personal leave is fully cumulative. Personal/carer's leave is accrued progressively during the year.

### Term break arrangements

Employees employed under this award are employed for the whole year and will be paid (and be required to work) through term breaks. Annual leave is usually taken over the Christmas period. The Clerks Private Sector Award does not have a provision for term time only employees.

## Annualised wage arrangements (clause 18.1)

An employer may pay a **full-time employee** an annualised wage which must be inclusive of the following provisions in the award:

- minimum rates (clause 16)
- allowances (clause 19)
- overtime (clause 21)
- rest periods after working overtime (clause 22)
- Time off in lieu instead of overtime (clause 23)
- penalty rates (clause 24)
- make-up time (clause 13.8)
- annual leave loading (clause 32.3)

Where an annualised wage is paid, the employer must advise the employee in writing, and keep a record of:

- of the annualised wage that is payable;

- which of the provisions of this award will be satisfied by payment of the annualised wage;
- the method by which the annualised wage has been calculated, including specification of each separate component of the annualised wage and any overtime or penalty assumptions used in the calculation; and
- the outer limit number of ordinary hours which would attract the payment of a penalty rate under the award and the outer limit number of overtime hours which the employee may be required to work in a pay period or roster cycle without being entitled to an amount in excess of the annualised wage.

### Annualised wage review periods

The annualised wage must be no less than the amount the employee would have received under this award for the work performed over the year for which the wage is paid (or, if the employment ceases earlier, over such lesser period as has been worked).

The employer is re

quired to review the annualised wage arrangement every 12 months from its commencement or upon termination of employment. Where there is a discrepancy, the employer shall pay the employee the amount of the shortfall within 14 days.

The employer must keep a record of the starting and finishing times of work, and any unpaid breaks taken, of each employee which is to be signed by the employee, or acknowledged as correct in writing by the employee, each pay period or roster cycle.

Records must be signed by the employee, or acknowledged as correct in writing (including by electronic means) by the employee, each pay period or roster cycle.

## Superannuation (clause 20)

**The superannuation guarantee contribution is now 10.5% as of 1 July 2022.**

As of 1 July 2022, the \$450 monthly minimum wage threshold is now removed, meaning that employers will be

required to make superannuation contributions for all employees (including casual and part-time employees) regardless of how much they earn. Refer to the Australian Taxation Office (ATO) for updates on superannuation at <https://www.ato.gov.au/>.

## Classification Guide for Clerical and Administrative Employees

### Level 1

#### Characteristics

Employees at this level may be a recruit who may have limited relevant experience. Initially work is performed under close direction using established practices, procedures and instructions.

Such employees perform routine clerical and office functions requiring an understanding of clear, straightforward rules or procedures and may be required to operate certain office equipment. Problems can usually be solved by reference to established practices, procedures and instructions.

Employees at this level are responsible and accountable for their own work within established routines, methods and procedures and the less experienced employees' work may be subject to checking at all stages. The more experienced employee may be required to give assistance to less experienced employees in the same classification.

#### Typical duties/skills

Indicative typical duties and skills at this level may include:

- Reception/switchboard, e.g. directing telephone callers to appropriate staff, issuing and receiving standard forms, relaying internal information and initial greeting of visitors.
- Maintenance of basic records.
- Filing, collating, photocopying, etc.
- Handling or distributing mail including messenger service.
- Recording, matching, checking and batching of accounts, invoices, orders, store requisitions, etc.
- The operation of keyboard and other allied equipment in order to achieve competency as prescribed in Level 2.

### Level 2

#### Characteristics

This level caters for the employees who have had sufficient experience and/or training to enable them to carry out their assigned duties under general direction.

Employees at this level are responsible and accountable for their own work which is performed within established guidelines. In some situations, detailed instructions may be necessary. This may require the employee to exercise limited judgment and initiative within the range of their skills and knowledge.

The work of these employees may be subject to final checking and, as required, progress checking. Such employees may be required to check the work and/or provide guidance to other employees at a lower level and/or provide assistance to less experienced employees at the same level.

#### Typical duties/skills

Indicative typical duties and skills at this level may include:

- Reception/switchboard duties as in Level 1 and in addition responding to enquiries as appropriate, consistent with the acquired knowledge of the organisation's operations and services, and/or where presentation, and use of interpersonal skills are a key aspect of the position.
- Operation of computerised radio/telephone equipment, personal computer, printing devices attached to personal computer, Dictaphone equipment, typewriter.
- Word processing, e.g. the use of a word processing software package to create, format, edit, correct, print and save text documents, e.g. standard correspondence and business documents.
- Stenographer/person solely employed to take shorthand and to transcribe by means of appropriate keyboard equipment.
- Copy typing and audio typing.
- Maintenance of records and/or journals including initial processing and recording relating to the following:
  - reconciliation of accounts to balance
  - incoming/outgoing cheques
  - invoices
  - debit/credit items
  - payroll data

- petty cash imprest system
- letters etc.
- Computer application involving use of a software package which may include one or more of the following functions:
  - create new files and records
  - spreadsheet/worksheet
  - graphics
  - accounting/payroll file
- following standard procedures and using existing models/fields of information.
- Arrange routine travel bookings and itineraries, make appointments.
- Provide general advice and information on the organisation's products and services, e.g. front counter/telephone.

### Level 3

#### Characteristics

Employees at this level have achieved a standard to be able to perform specialised or non-routine tasks or features of the work. Employees require only general guidance or direction and there is scope for the exercise of limited initiative, discretion and judgment in carrying out their assigned duties.

Such employees may be required to give assistance and/or guidance (including guidance in relation to quality of work and which may require some allocation of duties) to employees in Levels 1 and 2 and would be able to train such employees by means of personal instruction and demonstration.

#### Typical duties/skills

Indicative typical duties and skills at this level may include:

- Prepare cash payment summaries, banking report and bank statements; calculate and maintain wage and salary records; follow credit referral procedures; apply purchasing and inventory control requirements; post journals to ledger.
- Provide specialised advice and information on the organisation's products and services; respond to client/public/supplier problems within own functional area utilising a high degree of interpersonal skills.
- Apply one or more computer software packages developed for a personal computer or a central computer resource to either/or:

- create new files and records
- maintain computer-based records management systems
- identify and extract information from internal and external sources
- use of advanced word processing/keyboard functions.
- Arrange travel bookings and itineraries; make appointments; screen telephone calls; respond to invitations; organise internal meetings on behalf of executive(s); establish and maintain reference lists/personal contact systems for executive(s).
- Application of specialist terminology/processes in professional offices.

### Level 4

#### Characteristics

Employees at this level will have achieved a level of organisation or industry specific knowledge sufficient for them to give advice and/or information to the organisation and clients in relation to specific areas of their responsibility. They would require only limited guidance or direction and would normally report to more senior staff as required.

Whilst not a pre-requisite, a principal feature of this level is supervision of employees in lower levels in terms of responsibility for the allocation of duties, co-ordinating work flow, checking progress, quality of work and resolving problems. They exercise initiative, discretion and judgment at times in the performance of their duties.

They are able to train employees in Levels 1–3 by personal instruction and demonstration.

#### Typical duties/skills

Indicative typical duties and skills at this level may include:

- Secretarial/Executive support services which may include the following:
  - maintaining executive diary;
  - attending executive/organisational meetings and taking minutes;
  - establishing and/or maintaining current working and personal filing systems for executive;
  - answering executive correspondence from verbal or handwritten instructions.
- Able to prepare financial/tax schedules, calculating costings and/or wage and salary requirements; completing personnel/payroll data



for authorisation; reconciliation of accounts to balance.

- Advising on/provide information on one or more of the following:
  - employment conditions
  - workers compensation procedures and regulations
  - superannuation entitlements, procedures and regulations
- Applying one or more computer software packages, developed for a micro personal computer or a central computer resource to either/or:
- creating new files and records
- maintaining computer-based management systems
- identifying and extract information from internal and external sources
- using of advanced word processing/keyboard functions.

### Typical duties/skills

Indicative typical duties and skills at this level may include:

- Apply knowledge of organisation's objectives, performance, projected areas of growth, product trends and general industry conditions.
- Application of computer software packages within either a personal computer or a central computer resource including the integration of complex word processing/desktop publishing, text and data documents.
- Provide reports for management in any or all of the following areas:
  - account/financial
  - staffing
  - legislative requirements
  - other company activities.
- Administer individual executive salary packages, travel expenses, allowances and company transport; administer salary and payroll requirements of the organisation.

## Level 5

### Characteristics

Employees at this level are subject to broad guidance or direction and would report to more senior staff as required.

Such employees will typically have worked or studied in a relevant field and will have achieved a standard of relevant and/or specialist knowledge and experience sufficient to enable them to advise on a range of activities and features and contribute, as required, to the determination of objectives, within the relevant field(s) of their expertise.

They are responsible and accountable for their own work and may have delegated responsibility for the work under their control or supervision, including, scheduling workloads, resolving operations problems, monitoring the quality of work produced and counselling staff for performance and work-related matters.

They would also be able to train and to supervise employees in lower levels by means of personal instruction and demonstration. They would also be able to assist in the delivery of training courses. They would often exercise initiative, discretion and judgment in the performance of their duties.

The possession of relevant post-secondary qualifications may be appropriate but are not essential.

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