WA award summary

Restaurant, Tearoom and Catering Workers Award

This document is a summary of the state Restaurant, Tearoom and Catering Workers 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.

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 awardWA awards are legal

The Department of Energy, Mines, Industry Regulation and Safety has prepared this WA award summary to provide information on pay rates and major award provisions. It is provided as a general guide only and is not designed to be comprehensive or to provide legal advice. The department does not accept liability for any claim which may arise from any person acting on, or refraining from acting on, this information.

	This WA award summary applies to businesses in the The				
Is the business in the state system?	state system covers businesses (and their employees) that operate as:				
	that are not trading or financial corporations				
	This summary does apply to businesses and organisations in the national industrial relations system which operate as:				
	that are trading or financial corporations				
	that are trading or financial corporations For more information visit the <u>Which system of employment law applies</u> page.				
	If the business or organisation is in the national system visit the Fair Work Ombudsman website <u>www.fairwork.gov.au</u>				
ls the business	The Restaurant, Tearoom and Catering Workers Award applies to businesses in the state industrial relations system which are:				
covered by the Restaurant, Tearoom and Catering Workers Award?	cafes and restaurants (not part of a hotel or motel or licenced club) take away food outlets				
	catering establishments servicing weddings, parties, festivals and sporting events catering contractors				
	The Award covers paid employees working in school canteens run by P&Cs, and canteens at community sporting activities, where the organisation operating the canteen is in the industrial relations system. See page 14 for details.				
	The Restaurant Tearoom and Catering Workers Award does apply to state system businesses in Western Australia trading as:				

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

(See nore 12 15	(Rate includes casual loadings)		
(See page 13 15 for definitions)			

				(Rate inc	ludes casua	l loading)	
				(min 4 hours)			
19 (90%)	\$1,653.48	\$21.76	\$32.63	\$54.39	\$27.20	\$32.63	\$48.95
18 (80%)	\$1,469.76	\$19.34	\$29.01	\$48.35	\$24.17	\$29.01	\$43.51
17 (70%)	\$1,286.04	\$16.92	\$25.38	\$42.30	\$21.15	\$25.38	\$38.07
16 (60%)	\$1,102.32	\$14.50	\$21.76	\$36.26	\$18.13	\$21.76	\$32.63
Under 16 (50%)	\$918.60	\$12.09	\$18.13	\$30.22	\$15.11	\$18.13	\$27.20

* A full time or part time employee must receive an extra for any ordinary hours worked prior to 7.00am or after 7.00pm on Monday to Friday. If the employee works the majority of their ordinary hours in a shift between midnight and 7.00am they must instead be paid extra for each such hour or part hour.

1st year - under 21	\$1,118.70	\$14.72	\$22.08	\$36.80
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1st year - 21 or over - Adult apprentice

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):

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

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 the <u>Redundancy information</u> page for information on redundancy obligations.

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.

Less than 1 year	Nil
1 year and less than 2 years	4 weeks

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.

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 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:

- o 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:

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- o the number of hours worked during the period to which the pay slip relates; and
- o 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.

Pay slip information page provides more information and a pay slip template to assist employers.

It is compulsory for all employers to keep employment records which include the following information:

the name of the WA award that applies (in this case the Restaurant, Tearoom and Catering Workers A) yard date the employee commenced employment with the employer;

for each day of work:

- o the time at which the employee started and finished work;
- o period/s for which the employee was paid; and
- o details of work breaks including meal breaks;

for each pay period:

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- o the gross and net amounts paid to the employee;
- o any amount withheld as tax; and
- o 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;

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has passed the appropriate trade test, and who is engaged in cooking, baking, pastry cooking or butchering duties.

has passed the appropriate trade test 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.

or has passed the appropriate trade test in cooking, butchering, baking or pastry cooking and has completed additional appropriate training and who performs any of the following:

general and specialised duties including supervision or training of other kitchen staff;

ordering and stock control; or

who has sole responsibility for other cooks and other kitchen employees in a single kitchen establishment.

means an employee who performs any of the following:

laundry and/or linen duties which may include minor repairs to linen or dothing such as buttons, zips, seams, and working with flat materials;

performs general cleaning duties; or

parking guest cars.

means an employee who has not achieved the appropriate level of training and who is engaged in any of the following:

assisting in the dry cleaning process;

cleaning duties using specialised equipment and chemicals; or

means an employee who has the appropriate level of training and who is engaged in any of

the following:

supervising guest service employees of a lower grade;

major repair of linen and/or dothing including basic tailoring and major alterations and refitting; or dry cleaning.

means an employee who has completed an apprenticeship or who has passed the

appropriate trade test or otherwise has the appropriate level of training to perform the work of a tradesperson in dry cleaning or tailoring.

These classifications apply only to school canteen workers employed in government schools, who are not employed direct by the Department of Education.

Canteen workers must commence employment at a level not lower than Grade 2.

means a person or persons delegated with the function of overseeing the management of a school canteen.

means a canteen worker 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.

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