

P&C and Principal run canteens – 1 July 2011

Educational Services (Schools) General Staff Award 2010 (MA000076)

Leased canteens

Hospitality Industry (General) Award 2010 (MA000009).

** No other Awards apply to Canteen Staff effective 1st July 2010.

As the employer you must provide information to your employees on the National Employment Standard.

A 'Fairwork Information Sheet' must be provided to all employees and can be downloaded from the Fairwork link.

Modern awards are industry or occupation-based minimum employment standards which apply in addition to ten National Employment Standards (NES). They were created to establish a single set of minimum conditions for employers and employees across Australia working in the same industries and occupations.

A national workplace relations system covers Australian businesses including schools and P&C Associations. It ensures that all employers and employees maintain equal rights and obligations, irrespective of the State that they are employed in.

Compliance is required to the following:

- 10 minimum workplace entitlements as advised under the NES *
- *(only some entitlements to casual staff check with the office of the Fair Work Ombudsman)
- Industry and occupation specific Modern Awards
- Where applicable a national minimum wage order
- Unfair dismissal protection

What is the National Employment Standards (NES)?

The NES sets out 10 minimum workplace entitlements that apply to all employers and employees in the national workplace relations system from 1 January 2010.

Canteen Manager Employers

From 1 January 2010, all employers have an obligation to give each new employee a Fair Work Information Statement before, or at commencement of employment.

The employer also has obligations in relation to pay-slips and keeping employee records.

Canteen Employees

From 1 July 2010, all canteen managers now fall under the conditions outlined in the new Modern Award. This includes changes to pay rates. Many canteen staff are employed as casuals and as such have different pay and conditions to full time or part time employees. However, casual employees are now entitled to:

- Long service leave

- Unpaid maternity and parental leave
- A minimum 2-hour shift

Transitional arrangements for Modern Award pay rates

Transitional arrangements, found in most Modern Awards, give employers and employees time to adjust to the changes in pay rates.

The **Educational Services (Schools) General Staff Award 2010** has transitional amounts that phase in changes to pay rates from 1 July 2010 across a four year period. Transitional amounts can be found in a schedule at the end of the Modern Award document.

In most cases, the model transitional amounts will apply. The model transitional amounts allow employers to wait until 1 July 2010 to start paying the new base rates of pay and certain loadings and penalties as per the new Modern Award. These pay rates will be phased in over a period of four years until the full modern award rate applies on or after 1 July 2014.

In this period, pay rates need to be calculated with reference to the pre-Modern Award entitlement that used to cover the employee before 1 January 2010 as well as the relevant Modern Award entitlement. The difference is to be 'phased' in 20% increments over 4 years.

www.fairwork.gov.au and click on the **Pay Rates Calculator** to best calculate the rate of pay that will apply to your canteen manager.

There will be incremental changes to the hourly rate every year on the 1st July, until 2014. We have provided some calculations for new base rates of pay for P&C and Principal run canteens as at **1st July, 2011** for 3 common employment situations under the previous Shop Employees (State) Award (Special Shops) AN120499.

If you previously paid your canteen manager as a "SUPERVISOR with up to 4 assistants with the duty of buying" under the NAPSA, the following pay rates now apply:

	Full Time weekly (38hrs)	Part Time (per hour)	CASUAL (per hour)
Level 1			
1.1	\$638.78	\$16.81	\$20.84
1.2	\$648.66	\$17.07	\$21.16
1.3	\$652.46	\$17.17	\$21.29
Level 2			
2.1	\$657.78	\$17.31	\$21.46
2.2	\$668.80	\$17.60	\$21.83
Level 3			
3.1	\$672.60	\$17.70	\$21.94
3.2	\$677.54	\$17.83	\$22.11
Level 4			
4.1	\$688.56	\$18.12	\$22.47
4.2	\$703.76	\$18.52	\$22.96

*The casual rate also includes the casual annual leave loading.

If you previously paid as an "ASSISTANT aged 20yrs and over" under the NAPSA the following pay rates now apply:

	Full Time weekly (38hrs)	Part Time (per hour)	CASUAL (per hour)
Level 1			
1.1	\$631.18	\$16.61	\$20.60
1.2	\$629.66	\$16.57	\$20.55
1.3	\$650.56	\$17.12	\$21.23
Level 2			
2.1	\$652.84	\$17.18	\$21.30
2.2	\$661.58	\$17.41	\$21.58
Level 3			
3.1	\$665.00	\$17.50	\$21.70
3.2	\$670.32	\$17.64	\$21.87
Level 4			
4.1	\$680.96	\$17.92	\$22.22
4.2	\$696.16	\$18.32	\$22.72

*The casual rate also includes the casual annual leave loading.

Determination as to which is the appropriate classification level for the employee needs to be made by the employer. Further details for this are clearly described in the Award. Download a copy of the award from www.fairwork.gov.au or call the Fair Work helpline on 13 13 94*.

As the employer it is your responsibility to determine the correct pay rate for your employees.

Source: Australian Government Fair Work Ombudsman <http://www.fairwork.gov.au> 2011.