



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

## Farm Employees' WA Award Summary

Things to check as an employee or employer include:

- ✓ Pay rates
- ✓ Employment of children
- ✓ Allowances
- ✓ Overtime rates
- ✓ Public holidays
- ✓ Meal breaks
- ✓ Leave entitlements
- ✓ Dismissal laws and entitlements due on termination
- ✓ Time and wages record keeping
- ✓ Laws relating to [taxation](#), [superannuation](#), [workers compensation](#), [discrimination](#) and [occupational health and safety](#)

This WA award summary outlines only the most common entitlements within the Western Australian state system of industrial relations under the *Farm Employees' Award*.

It applies only to sole traders and partnerships. If the business is a Pty Ltd company, it does not apply. If you are unsure contact **Wageline** on **1300 655 266**.

To access the full version of the WA award, which details all entitlements and obligations, visit [www.wairc.wa.gov.au](http://www.wairc.wa.gov.au).

### Adult wages – apply as of the first pay period on or after 1 July 2015

**Adult wages – applicable from the first pay period on or after 1 July 2015 until end of last pay period commenced in June 2016 (new rates applied first pay period on or after 1 July 2016).**

Farm employee	Weekly	Hourly	Casual 20% loading
General Farm Hand or Farm Tradesperson	\$679.90	\$17.89	\$21.47

### Junior wages – apply as of the first pay period on or after 1 July 2015

**Junior wages – applicable from the first pay period on or after 1 July 2015 until end of last pay period commenced in June 2016 (new rates applied first pay period on or after 1 July 2016).**

Age	% of farm employee	Weekly*	Hourly*	Casual* 20% loading
Under 16 years of age	45%	\$306.00	\$8.05	\$9.66
16 years of age	50%	\$340.00	\$8.95	\$10.74
17 years of age	55%	\$408.00	\$10.74	\$12.88
18 years of age	65%	\$476.00	\$12.53	\$15.03
19 years of age	75%	\$544.00	\$14.32	\$17.18
20 years of age	90%	\$612.00	\$16.11	\$19.33

\* Where rates of pay under this WA award, fall below those prescribed by the Minimum Award Wage General Order the legally required rate of pay is that which is listed in the General Order, not the WA award.

## 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.

Exemptions may apply to children working in a family business where the business is carried out by a parent or relative of the child, in a not-for-profit organisation or when they are participating in a school program.

School aged children must not be employed during school hours, unless they are participating in a school program or have received an exemption from the Department of Education.

A child under 18 must not be employed in a job that jeopardises their wellbeing.

Please contact **Wageline** on **1300 655 266** or visit the Commerce website at [When Can Children Work?](#) for employers, or [Young Workers](#) for employees for more information.

## Hours and overtime

The hours of work shall be by agreement between the employer and the employee provided that subject to necessary attention to stock, all employees shall be allowed one full day off each week.

### Public holidays

Full-time employees are entitled to public holidays (or days substituted for public holidays) without deduction of pay. Part-time employees are entitled to public holidays (or days substituted for public holidays) without deduction of pay if they would ordinarily be required to work on that day.

If a public holiday falls on a Saturday or Sunday, the following Monday will be considered to be the public holiday. If Boxing Day falls on a Sunday or Monday, the following Tuesday will be 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 for the purposes of the WA award.

To view public holiday dates please visit our website [www.commerce.wa.gov.au/LabourRelations](http://www.commerce.wa.gov.au/LabourRelations).

## Leave entitlements

The table below outlines the basic leave entitlements for employees covered by this WA award. For more information relating to leave entitlements, please contact **Wageline** on **1300 655 266** or access the full version of the WA award at [www.wairc.wa.gov.au](http://www.wairc.wa.gov.au).

Type of leave	Entitlement
Annual leave	Full-time and part-time employees are entitled to a period of 4 weeks leave with payment of ordinary wages after a period of 12 months' continuous service. Leave accumulates from year to year. In addition, a loading of 17.5% applies. For the annual leave information page please visit <a href="http://www.commerce.wa.gov.au/labourrelations">www.commerce.wa.gov.au/labourrelations</a> .
Personal leave	Full-time and part-time employees are entitled to two week's personal leave per year of service. This may be used for sick leave or carer's leave and accumulates from year to year. For the personal leave information page visit <a href="http://www.commerce.wa.gov.au/labourrelations">www.commerce.wa.gov.au/labourrelations</a> .
Bereavement leave	Two days without deduction of pay per occasion for any employee (including casuals), applies on the death within Australia of a close relative. This clause must be read in conjunction with the <i>Minimum Conditions of Employment Act 1993</i> , as a better entitlement may be

	applicable. For the Minimum Conditions of Employment Guide visit <a href="http://www.commerce.wa.gov.au/labourrelations">www.commerce.wa.gov.au/labourrelations</a> .
Parental leave	See the <a href="#">parental leave information</a> on the Commerce website or contact <b>Wageline</b> on <b>1300 655 266</b> for details.
Long service leave	In accordance with the <i>Long Service Leave Act 1958</i> , 8.667 weeks after 10 years' continuous employment for any employee (including casuals), and a further 4.333 weeks every subsequent 5 years, with pro-rata due payments on termination any time after 7 years of continuous employment. For the long service leave information page please visit <a href="http://www.commerce.wa.gov.au/labourrelations">www.commerce.wa.gov.au/labourrelations</a> .

## Time and wages record keeping

Employers must keep time and wages records which demonstrate that employees have been paid all entitlements under the relevant WA award or legislation.

For information about time and wages record keeping, contact **Wageline** on **1300 655 266** or visit [Record Keeping Requirements](#) on the Commerce website.

## Termination

### Notice by an employer

It is recommended that an employer call **Wageline** on **1300 655 266** before any termination, to receive information about dismissal laws.

### Termination by employer

Full-time and part-time employees may be terminated by the following period of notice (or payment in lieu):

Period of Continuous Service	Period of Notice Under the <i>Fair Work Act 2009</i> *
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 at least two years continuous service with the employer are entitled to an additional week's notice.

\***For employers** the notice provisions of the WA award must be read in conjunction with the *Fair Work Act 2009*, as a greater period of notice may be required.

### Notice by an employee

A full-time or part-time employee may terminate their employment by providing one week's notice.

### Termination of an apprentice

An apprentice or trainee cannot be terminated without permission from the Department of Training and Workforce Development Apprenticeship Office (formerly the Apprenticentre) on 13 19 54. For information about notice periods for apprentices, please contact **Wageline** on **1300 655 266**.

### Redundancy

Please contact **Wageline** on **1300 655 266** for information relating to redundancy.

## Other entitlements

The WA Award also includes:

- Apprentices

- Accommodation
- Protective clothing
- Resolution of disputes requirement

To access the full version of the WA Award please visit [www.wairc.wa.gov.au](http://www.wairc.wa.gov.au).

**This WA award summary has only included the most common employee entitlements.**

**To minimise the risk of non-compliance with State employment laws, please contact Wageline on 1300 655 266 to clarify your understanding of this WA award summary.**

**Wageline offers advice and publications to assist employees and employers better understand their rights and obligations in the workplace.**

**To keep informed and receive practical information on employment issues, please subscribe to Wageline's email newsletters at [www.commerce.wa.gov.au/labourrelations](http://www.commerce.wa.gov.au/labourrelations).**

***Disclaimer:** The Department of Commerce has prepared this state 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 of Commerce does not accept liability for any claim which may arise from any person acting on, or refraining from acting on, this information.*

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