



WA award summary

Retail Pharmacists Award

1 July 2021

About this award summary

This WA award summary is a summary of the state Retail Pharmacists Award and does not include all obligations required by the award. It is important that you also refer to the full Retail Pharmacists Award that is available on the WA 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 may need to 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 you are using a printed copy in which links are not visible, all additional information can be found at www.dmirs.wa.gov.au/wageline or by contacting Wageline on 1300 655 266.

How can we help?

 Pay rates  Leave entitlements  Long service leave
 Employment arrangements  Record keeping obligations



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

<p>Step 1 Is the business in the state system?</p>	<p>This WA award summary applies to businesses in the state industrial relations system. It covers businesses (and their employees) that operate as:</p> <ul style="list-style-type: none"> ✓ sole traders (e.g. Jane Smith trading as Jane’s Pharmacy) ✓ unincorporated partnerships (e.g. Jane and Bob Smith trading as Jane’s Pharmacy) ✓ unincorporated trust arrangements (Jane and Bob Smith as trustees for the Smith Family Trust trading as Jane’s Pharmacy) ✓ incorporated associations and other non-profit bodies (that are not trading or financial corporations) <p>This summary does not cover businesses and organisations in the national ‘fair work’ industrial relations system which operate as:</p> <ul style="list-style-type: none"> ✗ Pty Ltd or Ltd businesses that are trading or financial corporations (e.g. Smith Pty Ltd trading as Jane’s Pharmacy) ✗ incorporated partnerships or incorporated trusts ✗ incorporated associations and other non-profit bodies (that are trading or financial corporations) <p>For more information, visit the Guide to who is in the WA state system page.</p> <p>If the business or organisation is in the national system visit the Fair Work Ombudsman website www.fairwork.gov.au</p>						
<p>Step 2 Is the business covered by the Retail Pharmacists Award?</p>	<p>The Retail Pharmacists Award applies to registered pharmacies. This award operates throughout the state of Western Australia.</p> <p>A full copy of the Retail Pharmacists Award can be viewed on the WA Industrial Relations Commission website www.wairc.wa.gov.au</p>						
<p>Step 3 Is the employee’s job covered by the Retail Pharmacists Award?</p>	<p>The Retail Pharmacists Award sets pay rates, working hours and other employment entitlements for employees at retail pharmacies and/or dispensaries working as:</p> <table border="0" style="width: 100%;"> <tr> <td>✓ pharmacist managers</td> <td>✓ pharmacists-in-charge</td> <td>✓ pharmacists</td> </tr> <tr> <td>✓ pharmacy trainees (interns)</td> <td>✓ pharmacy students</td> <td></td> </tr> </table> <p>Please note: Pharmacy assistants are not covered by this award.</p>	✓ pharmacist managers	✓ pharmacists-in-charge	✓ pharmacists	✓ pharmacy trainees (interns)	✓ pharmacy students	
✓ pharmacist managers	✓ pharmacists-in-charge	✓ pharmacists					
✓ pharmacy trainees (interns)	✓ pharmacy students						



Employers covered by this WA Award are legally required to keep employment records. Employers can be fined up to \$5,000 for not keeping employment records, for keeping inadequate or fraudulent records, or for not providing records to industrial inspectors when required to do so. Page 7 details record keeping requirements.

The Retail Pharmacists Award is a legal document that outlines the minimum wages and conditions of employment that must be provided to employees who are covered by the award. Employers and employees cannot agree to lesser conditions.

Industrial inspectors at the Department of Mines, Industry Regulation and Safety have statutory powers to investigate employee complaints about underpayment of wages or leave entitlements under this WA award and state employment laws. The department can prosecute employers in the Industrial Magistrate’s Court for not paying the rates of pay, including overtime, penalty rates and allowances required by this WA award.

Employees who believe that they have been underpaid should visit the [Making a complaint about underpayment of wages or entitlements](#) page for more information.



Rates of pay

All rates of pay are gross rates (before tax). The tables below provide the rates that apply from the first pay period on or after **1 July 2021**.

Pharmacists - full time and part time employees

Classification (See page 13)	Weekly	Hourly Mon-Sat 8am-9pm	Mon-Sat 7am-8am and 9pm-12am (25%)	Sunday 7am-12am (25%)	Public holidays 7am-12am (50%)	Hourly 12am-7am (200%)
Pharmacist Manager						
Grade 1	\$1,266.90	\$33.34	\$41.67	\$41.67	\$50.01	\$66.68
Grade 2	\$1,339.30	\$35.24	\$44.06	\$44.06	\$52.87	\$70.49
Grade 3	\$1,411.60	\$37.15	\$46.43	\$46.43	\$55.72	\$74.29
Pharmacist-In-Charge						
Grade 1	\$1,194.40	\$31.43	\$39.29	\$39.29	\$47.15	\$62.86
Grade 2	\$1,218.50	\$32.07	\$40.08	\$40.08	\$48.10	\$64.13
Pharmacist	\$1,126.50	\$29.64	\$37.06	\$37.06	\$44.47	\$59.29

Pharmacists - casual employees

All rates are inclusive of 20% casual loading. Casual employees receive the same penalty rates as full-time and part-time employees in addition to the casual loading.

Classification (See page 13)	Hourly Mon-Sat 8am-9pm	Mon-Sat 7am-8am and 9pm-12am (25%)	Sunday 7am-12am (25%)	Public holidays 7am-12am (50%)	Hourly 12am-7am (200%)
Pharmacist Manager					
Grade 1	\$40.01	\$50.01	\$50.01	\$60.01	\$80.01
Grade 2	\$42.29	\$52.87	\$52.87	\$63.44	\$84.59
Grade 3	\$44.58	\$55.72	\$55.72	\$66.87	\$89.15
Pharmacist-In-Charge					
Grade 1	\$37.72	\$47.15	\$47.15	\$56.58	\$75.44
Grade 2	\$38.48	\$48.10	\$48.10	\$57.72	\$76.96
Pharmacist	\$35.57	\$44.47	\$44.47	\$53.36	\$71.15

Annualised salary

Pharmacists, Pharmacists-in-Charge or Pharmacist Managers may agree with their employer to be paid an annualised salary, which must be sufficient to cover what the employee would have been entitled to if they had received all their overtime, allowances and penalty rates entitlements under the Award. It is important for employers choosing to pay an annualised salary to keep correct time and wages records ensuring on-going compliance with the award. More details are in Clause 4.3 of the Award.

Trainee pharmacists (interns) and pharmacy students – full time and part time employees

Classification (See page 13)	Weekly	Hourly Mon-Sat 8am-9pm	Mon-Sat 7am-8am and 9pm-12am (25%)	Sunday 7am-12am (25%)	Public holidays 7am-12am (50%)	Hourly 12am-7am (200%)
Trainee pharmacists (interns)*						
1 st half of traineeship/internship	\$887.40	\$23.35	\$29.19	\$29.19	\$35.03	\$46.71
2 nd half of traineeship/internship	\$958.60	\$25.23	\$31.53	\$31.53	\$37.84	\$50.45
Pharmacy students						
First year (under 21)	\$743.50	\$19.57	\$24.46	\$24.46	\$29.35	\$39.13
First year (over 21)	\$779.00	\$20.50	\$25.63	\$25.63	\$30.75	\$41.00
Second year	\$790.80	\$20.81	\$26.01	\$26.01	\$31.22	\$41.62
Third year	\$837.90	\$22.05	\$27.56	\$27.56	\$33.08	\$44.10
Fourth year	\$861.50	\$22.67	\$28.34	\$28.34	\$34.01	\$45.34

Trainee pharmacists (interns) and pharmacy students – casual employees

Classification (See page 13)	Hourly Mon-Sat 8am-9pm	Mon-Sat 7am-8am and 9pm-12am (25%)	Sunday 7am-12am (25%)	Public holidays 7am-12am (50%)	Hourly 12am-7am (200%)
Trainee pharmacists (interns)					
1 st half of traineeship/internship	\$28.02	\$35.03	\$35.03	\$42.03	\$56.05
2 nd half of traineeship/internship	\$30.27	\$37.84	\$37.84	\$45.41	\$60.54
Pharmacy students					
First year (under 21)	\$23.48	\$29.35	\$29.35	\$35.22	\$46.96
First year (over 21)	\$24.60	\$30.75	\$30.75	\$36.90	\$49.20
Second year	\$24.97	\$31.22	\$31.22	\$37.46	\$49.95
Third year	\$26.46	\$33.08	\$33.08	\$39.69	\$52.92
Fourth year	\$27.21	\$34.01	\$34.01	\$40.81	\$54.41



To receive email updates when WA award pay rates change, subscribe to the [Wageline News](#).



Allowances

Garment allowance

Where an employee is required to wear a uniform, the employer shall arrange for its cleaning or shall pay the employee an allowance of **\$1.62** per day.

Meal allowance

A meal allowance of **\$10.66** is payable where a meal break is required to be taken between a period of ordinary time and overtime or during a period of overtime, and the employee has not received 24 hours' notice of the requirement to work overtime.

Location allowance for employees in regional areas

- Employees employed in certain regional towns must be paid the location allowance relevant to that town. Rates listed below are for adult employees working full time. Casual and part time employees 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 dependent (a spouse or partner, or a child if there is no spouse or partner) the employee is entitled to receive double the allowance specified for the relevant town, except if the dependent also receives a location or district allowance payment as part of their own employment.
- If an employee has a 'partial dependent' (a dependent who receives a district or location allowance of their own which is less than the location allowance the employee is entitled to under this award) the employee is entitled to receive:
 - the relevant location allowance for the employee's town; plus
 - an amount equal to the difference between the employee's location allowance and the amount their partial dependent receives in district or location allowance.
- If an employee receives free board and lodging, or is paid an allowance for board and lodging, the rate of location allowance is adjusted to 66.67% (two thirds) of the rate for the relevant town.

Location allowance rates effective 1 July 2021

Town	\$ per week	Town	\$ per week	Town	\$ per week
Agnew	\$22.70	Halls Creek	\$53.30	Norseman	\$20.10
Argyle	\$60.80	Kalbarri	\$8.10	Nullagine	\$58.90
Balladonia	\$23.50	Kalgoorlie	\$9.70	Onslow	\$39.50
Barrow Island	\$39.50	Kambalda	\$9.70	Pannawonica	\$29.60
Boulder	\$9.70	Karratha	\$38.20	Paraburdoo	\$29.40
Broome	\$36.50	Koolan Island	\$40.00	Port Hedland	\$31.60
Bullfinch	\$10.60	Koolyanobbing	\$10.60	Ravensthorpe	\$11.90
Carnarvon	\$18.70	Kununurra	\$60.80	Roebourne	\$44.00
Cockatoo Island	\$40.00	Laverton	\$23.20	Sandstone	\$22.70
Coolgardie	\$9.70	Learmonth	\$33.40	Shark Bay	\$18.70
Cue	\$23.30	Leinster	\$22.70	Southern Cross	\$10.60
Dampier	\$31.80	Leonora	\$23.20	Telfer	\$54.20
Denham	\$18.70	Madura	\$24.50	Teutonic Bore	\$22.70
Derby	\$37.90	Marble Bar	\$59.00	Tom Price	\$29.40
Esperance	\$6.60	Meekatharra	\$20.10	Whim Creek	\$37.80
Eucla	\$25.40	Mount Magnet	\$25.20	Wickham	\$36.50
Exmouth	\$33.40	Mundrabilla	\$25.00	Wiluna	\$22.90
Fitzroy Crossing	\$46.10	Newman	\$21.80	Wyndham	\$56.90

Other allowances

The Retail Pharmacists Award contains a range of other allowances, including vehicle allowance, which apply to specific working arrangements. Please view the award on the WA Industrial Relations Commission website www.wairc.wa.gov.au or contact Wageline.



Meal breaks

- All employees are entitled to:
 - An unpaid meal break of at least 30 minutes after not more than 5 hours of work, unless the employee is within one hour of finishing work
 - A 10 minute paid rest break each morning and afternoon.
- If the employee is required to remain on the premises during a meal break to attend to urgent matters, the period of the meal break is counted as time worked (and paid for at time and a half).
- If an employee is required to work beyond 5 hours without a meal break, they must be paid at time and a half until a meal break is allowed.



Hours and overtime

Ordinary hours of work

The ordinary hours of work are:

- An average of 38 hours per week.
- Worked between 7.00am to midnight Monday to Sunday.
- Not more than 12 hours on any day.
- A minimum engagement of 3 hours per shift, unless an exception in Clause 3.1.1(d) applies.
- A minimum break of 10 hours between shifts.

Penalty rates (all employees)

When penalty rates apply	Penalty rates
Monday to Saturday inclusive between 7.00am and 8.00am and between 9.00pm and midnight	Ordinary rate of pay plus 25%
Sundays between 7.00am and midnight	Ordinary rate of pay plus 25%
Public holidays (including Easter Saturday) between 7.00am and midnight	Ordinary rate of pay plus 50%
Any time between midnight and 7.00am	Double time

Casual employees receive the same penalty rates as full-time and part-time employees in addition to the casual loading.

Overtime (all employees)

When overtime applies to an employee	Overtime rates
In excess of 12 hours per day or an average of 38 hours per week	<ul style="list-style-type: none"> • Monday to Saturday - time and a half for the first 2 hours and double time thereafter • Sunday - double time
Any work performed outside rostered hours	<ul style="list-style-type: none"> • Monday to Saturday - time and a half for the first 2 hours and double time thereafter • Sunday - double time



Public holidays

- Full time and part 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 it was not a public holiday.
- A full list of the public holidays recognised under the award is contained in Clause 6.5.1(a). **Easter Saturday is recognised as a public holiday under this award.**
- Under this award, if a public holiday falls on a Saturday or Sunday, the following Monday is considered to be the public holiday. However, 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 for the purposes of the WA award.
- When Christmas falls on a Saturday or Sunday, permanent full-time and part-time employees required to work on 25 December shall receive the Saturday or Sunday rate plus a loading of 50% (of the ordinary time rate) and be entitled to the benefit of a substitute day.
- Visit the [Public Holidays in Western Australia](#) page to view the public holiday dates.

Additional provisions

A number of additional public holiday provisions apply to full time and part time employees under the award. Refer to Clause 6.5 of the award on the WA Industrial Relations Commission website www.wairc.wa.gov.au for further details.



Deductions from pay

An employer may **only** make a deduction from an employee's pay if:

- the employee has agreed to the deduction in writing, (as part of a written employment contract or otherwise) and the deduction is paid on behalf of the employee;
- the employer is authorised by the WA award to make the deduction and the deduction is paid on behalf of the employee; or
- 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).



Employment records

- Employers are legally required to keep employment records that demonstrate that employees have been paid all entitlements under the Retail Pharmacists Award and relevant legislation.
- Employers must keep all employment records for at least seven years after they are made for both current and past employees. Records relating to long service leave must be kept for seven years from the date employment ends.
- Employers can be fined up to \$5,000 by the Industrial Magistrate's Court for not keeping employment records or for keeping inadequate or fraudulent records. Employers often fail to keep sufficient detail in their employment records.
- Employers must keep records that detail:
 - Employee's name
 - Date of birth if under 21 years of age
 - Date employee commenced with the employer
 - Total number of hours worked each week
 - The gross and net amounts paid to the employee
 - All information required to calculate long service leave entitlements and payment
 - All pay deductions and reasons for them
 - Name of WA award that applies
 - Daily start and finish time and meal breaks taken
 - Employment status (full time, part time, casual)
 - Employee's classification under the award
 - All leave taken, whether paid, partly paid or unpaid
 - Any other information necessary to prove that the wages received by an employee comply with the requirements of the Retail Pharmacists Award, such as overtime hours worked and allowances paid. Contact [Wageline](#) or view the full Retail Pharmacists Award on the WA Industrial Relations Commission website www.wairc.wa.gov.au for details.
- Employment records can be written or electronic as long as they are in a form that can be printed. Time and wage books can be used to keep employment records, however, it is the employer's responsibility to ensure the time and wage book includes all of the required information.
- The records must be in English.
- Wageline's [Employment record obligations for WA award employers](#) publication helps state system employers keep correct employment records. The publication features helpful step-by-step guides to record keeping and Wageline's new look [record keeping templates](#).

Payslips

- It is recommended that employers provide a pay slip to each employee showing the number of ordinary hours and overtime hours worked for each pay period, the wages and any allowances paid, and any deductions made.
- If a payslip is not provided, the employer must grant the employee access to the time and wages record at the time of payment.
- Wageline's [Employment record obligations for WA award employers](#) publication includes a payslip template.



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.
- The [When children can work in Western Australia](#) page has more information.



Leave entitlements

Quick reference guide

Leave entitlement	Full time	Part time	Casual
Annual leave	✓	✓	✗
Sick and carer's leave	✓	✓	✗
Unpaid carer's leave	✓	✓	✓
Bereavement leave	✓	✓	✓
Unpaid parental leave	✓	✓	✓
Long service leave	✓	✓	✓

This WA award summary covers the basic leave entitlements for employees covered by the Retail Pharmacists Award but does **not** include all details on leave obligations and entitlements. Full details of conditions are contained in the Retail Pharmacists 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](#).

Bereavement leave

- All employees, including casual employees, are entitled to two days paid bereavement leave on the death of a spouse, de facto partner, parent, step-parent, grandparent, child, step-child, grandchild, sibling or any other member of the employee's household. The two days need not be consecutive.
- Bereavement leave is a minimum entitlement from the *Minimum Conditions of Employment Act 1993*.

Annual leave

- Full time employees are entitled to a minimum of four weeks paid annual leave for each completed year of service. Part time employees are entitled to a minimum of four weeks annual leave per year paid on a pro rata basis according to the number of hours they are required ordinarily to work in a four week period. If the number of hours have varied for a part time employee, annual leave is calculated based on the average hours worked by the employee during the year. Casual employees are not entitled to annual leave.
- Annual leave is a minimum entitlement under the *Minimum Conditions of Employment Act 1993* and the Retail Pharmacists Award sets out additional requirements regarding annual leave and annual leave loading.
- During a period of annual leave, an employee must be paid annual leave loading of 17.5% calculated on the employee's ordinary rate of pay.
- On termination, annual leave loading of 17.5% is paid out on fully accrued annual leave entitlements for completed years of employment. Annual leave loading is not paid on proportionate leave (leave accrued in an incomplete year of employment) on termination.
- 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.
 - Visit Wageline's [Annual leave calculation guide](#) to work out annual leave entitlements.
- Wageline's [Employment record obligations for WA award employers](#) publication includes a leave record template.

Long service leave

- Long service leave is a paid leave entitlement for employees who have continuous employment with 'one and the same employer' for a specified period. Full time, part time and casual employees are entitled to long service leave under the *Long Service Leave Act 1958*.
- To be entitled to long service leave, an employee's employment with their employer must be continuous. The amount of their long service leave is determined by the employee's period of continuous employment.
- There is a range of paid and unpaid absences or interruptions to an employee's employment that 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. See the [Long service leave – What is continuous employment](#) page for more information.

'The one and the same employer' also includes employers who previously owned a business, where there has been a transmission of business. This means an employer who buys or otherwise acquires a business or part of a business will take on the long service leave obligations for existing employees if there has been a transmission of business. This applies regardless of anything written in a sale of business contract.

Taking long service leave	
<p>The long service leave entitlement for full time, part time and casual employees is:</p> <ul style="list-style-type: none"> • after 10 years of continuous employment with the one and the same employer – $8^{2/3}$ (8.667) weeks of leave on ordinary pay; and • for every 5 years of continuous employment with the one and the same employer after the initial 10 years – $4^{1/3}$ (4.333) weeks of leave on 'ordinary pay'. 	
When employment ceases	
Employee with between 7 and 10 years of continuous employment	<p>When an employee with at least 7 but less than 10 years of continuous employment resigns or is terminated, they are entitled to pro rata long service leave on the basis of $8^{2/3}$ (8.667) weeks for 10 years of continuous employment. This entitlement:</p> <ul style="list-style-type: none"> • is calculated on the employee's entire period of employment; that is, years, months, weeks and days; • applies to employees who resign, are made redundant, die or whose employer has terminated them for any reason other than serious misconduct; and • does not apply to an employee whose employer has terminated them for serious misconduct.
Employee with 10 or more years of continuous employment	<p>Full entitlement – 10 years or more of continuous employment</p> <p>An employee who resigns or whose employment is terminated for any reason is entitled to:</p> <ul style="list-style-type: none"> • $8^{2/3}$ (8.667) weeks of leave if they have completed 10 years of continuous employment; and • an additional $4^{1/3}$ (4.333) weeks of leave for each subsequent 5 years after the initial 10 years of continuous employment. <p>Pro-rata entitlement – more than 10 years of continuous employment</p> <p>When an employee with more than 10 years but less than 15 years of continuous employment resigns or is terminated, they are entitled to pro rata leave. This entitlement:</p> <ul style="list-style-type: none"> • is calculated on the basis of $8^{2/3}$ weeks for 10 years of continuous employment for each year of employment since they completed 10 years of continuous employment; • is calculated on completed years of employment only; that is, it does not include months, weeks or days; and • does not apply to an employee whose employer has terminated them for serious misconduct. <p>This pro rata entitlement (calculated on the basis of $8^{2/3}$ weeks for 10 years of continuous employment) will also apply to each year of employment since an employee completed 15, 20, 25, 30, 35 years etc. of employment.</p>

- The [Long service leave](#) pages of the Wageline website contain extensive information on:
 - What counts as continuous employment, including details on the impact of various types of paid and unpaid absences or interruptions on continuous employment.
 - What happens when business ownership changes.
- The [WA long service leave calculator](#) can provide an estimate of an employee's long service leave entitlement when employment ends as a result of resignation, dismissal, death or redundancy. The WA long service leave calculator is available at www.dmirs.wa.gov.au/lslcalculator.

Sick and carer's leave

- Sick and carer's leave entitles a full time or part time employee to paid time off work due to either illness or injury to themselves (sick leave), 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 (carer's leave).
- Full time and part time employees are entitled to paid sick and carer's leave equal to the number of hours they would ordinarily work in a two week period, up to 76 hours per year. Sick and carer's leave is a cumulative entitlement, and any leave not taken in one year is carried over to the next year.
- Sick and carer's leave accrues on a weekly basis for full and part time employees. Wageline's [Sick leave calculation guide](#) can assist with calculating sick and carer's leave entitlements.
- In the second and subsequent years of employment, a full time employee can only use a maximum of 76 hours of their accrued sick leave entitlement for caring purposes, or a part time employee the relevant proportion of 76 hours based on their ordinary hours of work.
- An employee is entitled to up to two days of unpaid carer's leave per occasion if an employee does not have sufficient paid leave accrued or has exceeded the maximum amount of carer's leave that can be taken in any 12 month period.
- Casual employees are not entitled to paid sick leave or paid carer's leave. Casual employees can access up to two days' unpaid carer's leave per occasion.
- Sick and carer's leave is a minimum entitlement from the *Minimum Conditions of Employment Act 1993*.
- Visit Wageline's [Sick leave](#) page for definitions of 'member of the family or household' or for more information.
- Wageline's [Employment record obligations for WA award employers](#) publication includes a leave record template.

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*, as well as a number of beneficial conditions contained in the *Minimum Conditions of Employment Act 1993* (a return to work after parental leave on a modified basis and a reversion to pre-parental leave working conditions). Visit the [Parental leave](#) page for more details.



Resignation, termination and redundancy

Resignation by the employee

- A casual employee can resign by providing one hours' notice.
- Full time and part time employees are required to provide:
 - If employed for less than 1 year – 1 weeks' notice
 - If employee for 1 year or more but less than 3 years – 2 weeks' notice
 - If employed for 3 years or more but less than 5 years – 3 weeks' notice
 - If employed for 5 years or more – 4 weeks' notice.

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.
- The [Dismissal information](#) page outlines obligations and requirements when an employee is terminated.

Termination

- An employer is required to give a casual employee one hours' notice of termination (or payment in lieu).
- An employer must provide a Pharmacist Manager with four weeks' notice of termination (or payment in lieu).
- Except in cases of serious misconduct, an employer is required to give full time and part time employees (other than a Pharmacist Manager) 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 two or more years of continuous service must receive an additional weeks' notice (this also applies in the case of a Pharmacist Manager).

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 the [Redundancy – General information](#) page for information on redundancy obligations.

Award severance pay – Employers who employ less than 15 employees

- Employers covered by the Retail Pharmacists Award who employ less than 15 employees must pay the severance pay entitlements in the award when an employee is made redundant, as outlined in the table below.
- Award severance pay does not need to be paid to casual employees, apprentices, employees who have been engaged for a specific period of time or for a specified task or tasks, or employees terminated as a consequence of conduct that justifies instant dismissal.

Period of continuous service*	Number of weeks' severance pay
less than 1 year	Nil
1 year and less than 2 years	4 weeks' pay
2 years and less than 3 years	6 weeks' pay
3 years and less than 4 years	7 weeks' pay
4 years and over	8 weeks' pay

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

- 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 the [Redundancy payments](#) page for more information on redundancy payments.

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 following table.

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 transmission of the business.

- 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 the [Redundancy payments](#) page for information on redundancy payments.



Classifications

Pharmacist means a person who is registered as a pharmaceutical chemist pursuant to the *Pharmacy Act 1964* (note: Pharmacists are now registered under the *Health Practitioner Regulation National Law (WA) Act 2010*).

Pharmacist Manager means a pharmacist who is responsible to the proprietor for all aspects of the business.

Grade 1 – Manages a small pharmacy with two or less full time supervised staff.

Grade 2 – Manages a medium pharmacy with more than two but less than five full time supervised staff.

Grade 3 – Manages a large pharmacy with more than five full time supervised staff.

Pharmacist-in-Charge means a pharmacist who assumes responsibility for the day-to-day supervision and functioning of a community pharmacy practice.

Grade 1 – Is in charge of more than 10 but not more than 20 other employees.

Grade 2 – Is in charge of more than 20 other employees.

Pharmacy Student means a person who is undertaking an accredited course of study leading to the degree of Bachelor of Pharmacy.

Pharmacy Trainee means a person who has satisfied the examination requirements for the degree of Bachelor of Pharmacy and is engaging in the period of pre-registration training required under the *Pharmacy Act* (note: Pharmacists are now registered under the *Health Practitioner Regulation National Law (WA) Act 2010*).

Disclaimer

The Department of 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.