

The *Clerks - Private Sector Award* covers trainees engaged by private sector hosts in roles that wholly or principally involve clerical work. This includes recording, typing, calculating, invoicing, billing, charging, checking, receiving and answering calls, cash handling, operating a telephone switchboard and attending a reception desk, as well as administrative work of a clerical nature. However, where an industry specific award applies to the host, this industry specific award will apply over the *Clerks – Private Sector Award* if the award contains clerical classifications.

There are three variations of this award – the General Variation which covers full time trainees, the Part Time Variation and the Shiftworker Variation. This information sheet covers the General and Part Time Variations.

A copy of Award can be found on the FairWork Australia site under alphabetical order or by clicking the award here [Clerks – Private Sector Award](#)

1. MAIN CONDITIONS

Full time trainees – other than shiftworkers

- Ordinary hours are an average of 38 hours per week (not including unpaid meal breaks) over a period of up to 4 weeks, or over an agreed roster period.
- Ordinary hours can be worked between 7.00am and 7.00pm Monday to Friday, and between 7.00am and 12.30pm Saturday.
- No more than 10 ordinary hours (or by agreement 12 ordinary hours) may be worked on any day/shift. This does not include unpaid breaks

Part time trainees – other than shiftworkers

- Ordinary hours are less than 38 hours per week. Minimum 3 hours per shift.
- Ordinary hours can be worked between 7.00am and 7.00pm Monday to Friday, and between 7.00am and 12.30pm Saturday.
- At the time of engagement, the host and the trainee must agree in writing on the number of hours to be worked each day, the days of the week on which the trainee will work, and the times at which the trainee will start and finish work each day.
- Ordinary hours can be varied by agreement with the trainee. Any agreed variation to the hours of work must be recorded in writing. Please advise AFL SportsReady where any agreement to vary hours has with made with the trainee.
- The days worked may be changed by the host by giving the trainee 7 days' notice.
- A host may require a part time trainee to work reasonable additional hours between 7.00am and 7.00pm Monday to Friday, and between 7.00am and 12:30pm on Saturday, provided the total hours do not exceed more than 8 hours for the day or 38 hours for the week. All time worked in excess of ordinary hours agreed must be paid at the overtime rates. See 'Overtime' below for details of overtime rates for these hours.

Ordinary Hours

Setting ordinary hours by a different award

Ordinary hours can be set by a different award where a trainee works in association with other employees who are covered by another modern award, even if these hours are different to or outside the spread of hours. In this case, the host may direct the trainee to perform work within the spread of ordinary hours prescribed by the award that covers the majority of employees at the workplace. Please contact AFL SportsReady if this applies to your workplace.

Meal breaks

- Entitled to unpaid meal break of at least 30 minutes where shift is more than 5 hours.
- Meal break is to start no later than 5 hours after the shift commences.
- Where required to work through a meal break, a trainee must be paid 200% of the minimum hourly rate from when the meal break would have commenced until a meal break is allowed.

Breaks

- As they are paid breaks, rest breaks do not appear on trainee timesheets or pay slips, but it is essential that trainees are provided with the correct rest breaks each shift.

Rest breaks

- Trainees are entitled to a rest break of 10 minutes for each period of 3 hours worked, with a maximum of two breaks per shift Monday to Friday and one 10 minute paid rest break where working more than 4 hours overtime on a Saturday morning.
- Where a trainee is entitled to 2 rest breaks in a shift, they may take one 20 minute rest break in place of two 10 minute breaks.
- A rest break will be counted as time worked. It is to be taken at a time suitable to the employer and not adjacent to a meal break, unless agreed.

Overtime

- Overtime penalty rates apply for all work performed:
 - in excess of the ordinary weekly hours; or
 - in excess of 10 ordinary hours on any one day, excluding meal breaks; or
 - outside the spread of ordinary hours; or
 - on a rostered day off that is not substituted or banked; or
 - for part time employees, in excess of the number of ordinary hours the trainee has agreed to work.
- Overtime is only payable after a trainee's total overtime in one week reaches 30 minutes.
- Where a trainee has already worked 38 hours over Monday - Friday and is required to work overtime on a weekend, a minimum overtime payment of 3 hours is required on a Saturday and a minimum of 4 hours paid for overtime on a Sunday.

Overtime

Overtime rate

- Monday to Saturday - first 2 hours: 150% of the minimum hourly rate
- Monday to Saturday - after 2 hours: 200% of the minimum hourly rate
- Sunday: 200% of the minimum hourly rate
- Public holidays: 250% of the minimum hourly rate

Overtime meal allowances

If a trainee works overtime, ensure you review meal allowances, as these may apply in addition to overtime penalties. See below for more details.

Time Off In Lieu (TOIL)

By mutual agreement, a trainee can opt to take time off instead of payment for overtime. Trainees will need to elect to take TOIL instead of payment for overtime when they submit their timecard.

How does TOIL accrue?

TOIL accrues on an hour for hour basis.

How can a trainee take TOIL?

A trainee must select the TOIL option on their timecard for the time and day they wish to take TOIL. Once approved, TOIL used will be taken from the trainee's accumulated TOIL balance.

Time off in lieu (TOIL)

Important information about TOIL

- TOIL must be taken within 6 months of accrual.
- TOIL accrued but not taken must be paid out the end of a contract. Hosts should monitor TOIL and ensure TOIL is used to avoid a TOIL payment at the end of a contract.
- Trainees can request to be paid out for TOIL not taken. Please contact AFL SportsReady if you receive a request from a trainee for TOIL to be paid out.
- Hosts are not permitted to exert undue influence or pressure on a trainee in relation to their decision to take or not take TOIL instead of payment for overtime.

Penalty Rates	<p>Ordinary hours on Saturday: 125% (where Saturday time is part of ordinary hours) Sunday: 200% (minimum 4 hours)</p> <p>Note the Sunday penalty only applies instead of the overtime penalty where the trainee is directed to work and the majority of employees in the workplace are under another award that allows ordinary time on Sunday. Otherwise, all time on Sunday is overtime, which carries the same penalty rate in any case.</p>
Public Holidays	<ul style="list-style-type: none"> All time worked on a public holiday is paid at 250% of the minimum rate A host and a trainee may agree to substitute a public holiday with an alternative day or part-day, in which case the trainee will be paid the minimum hourly rate for work on the public holiday.
Annual Leave	<ul style="list-style-type: none"> 4 weeks each year accrues progressively. A host can require a trainee to take annual leave during a temporary shut down period, provided at least 4 weeks' notice is given.
Annual Leave Loading	<p>During a period of annual leave, a trainee must be paid an additional payment, whichever is the greater of:</p> <ul style="list-style-type: none"> 17.5% of the minimum hourly rate for the trainee's ordinary hours of work in the period; or the minimum hourly rate for the trainee's ordinary hours of work in the period, inclusive of weekend penalty rates. <p>Please contact AFLSR if your trainee's ordinary hours include weekend work, so we can determine which additional payment applies to your trainee during periods of annual leave.</p>
Other Leave	<p>Personal/Carer's Leave: 10 days each year accumulates progressively. Compassionate Leave: 2 days per occasion. Community Service Leave: Unpaid other than the first 10 days jury service leave. Family and Domestic Violence Leave: 10 days paid leave. Cultural Leave (First Nations): 2 days of paid leave annually.</p>
Rest Period	<p>A trainee must have a minimum break of 10 consecutive hours between the end of one shift and the beginning of the next. This applies to both ordinary hours and where overtime is worked. If less than 10 hours break, the trainee is to be absent from work without loss of pay until a 10 hour break has been taken, or be paid 200% of the minimum hourly rate until finishing work.</p> <p>Note these entitlements do not apply to a trainee attending a school camp or excursion, or working a broken shift.</p>
Rostered Days Off (RDO)	<ul style="list-style-type: none"> By mutual agreement trainees may work additional hours daily in order to take a monthly or fortnightly RDO. The additional time worked each day will be automatically banked and available for the trainee to use for RDOs. A trainee can bank up to 5 rostered days off in any 12 month period. It is important to note that AFLSportsReady must be advised to ensure the trainee does not accrue RDO time and be paid overtime. <p>Monthly RDOs</p> <ul style="list-style-type: none"> Trainees work 8 hours and 30 minutes per day, which includes a 30 minute unpaid break, instead of the standard 7.6 hours per day. 38 hours are paid and 2 hours banked for RDO each week.

Fortnightly RDOs

- Trainees work 9 hours per day including a 34 minute unpaid break, instead of the standard 7.6 hours per day.
- 38 hours are paid and 3.8 hours banked for RDO each week.

How can a trainee take an RDO?

- Trainees will need to select this option in their time card for the day not worked. Once approved by the trainee's manager, time will be taken from the banked hours to cover the day.
- It is important to check that the trainee has selected the RDO on the day taken to ensure that the RDO hours are used in full before the end of the traineeship.

2. ALLOWANCES

Allowance	Details	Cost	How to claim
First aid allowance	<ul style="list-style-type: none"> • ONLY applicable where the trainee holds a first aid qualification and is appointed by the host to perform first aid duty. 	\$14.93 per week	<ul style="list-style-type: none"> • Applied automatically in ConnX. Please advise AFLSR as soon as possible if trainee is entitled to allowance.
Overtime meal allowance	<ul style="list-style-type: none"> • Payable where a trainee works more than 1.5 hours overtime after ordinary time of ending work. <p>Not payable where trainee is notified at least 24 hours in advance, or where meal is provided.</p>	\$18.23 per allowance, or meal provided Entitled to a further meal allowance of \$14.60 if overtime exceeds 4 hours	<ul style="list-style-type: none"> • Applied automatically in ConnX • Note: where meal has been provided or 24 hour notice given, manager will need to add meal allowance reversal to timecard.
Vehicle allowance	<ul style="list-style-type: none"> • Where a trainee is required to use their own motor vehicle in connection with the performance of their duties. • Maximum allowance payable is 400km per week. 	<ul style="list-style-type: none"> • Motor vehicle \$0.95 per km travelled • Motorcycle - \$0.32 per km travelled 	<ul style="list-style-type: none"> • Claimable by a trainee when submitting their time sheet by selecting the allowance and entering the number of kilometres travelled. <p>All trainees must be advised to keep a log book of KM and trips.</p>
Clothing and footwear allowance	Trainee entitled to be reimbursed for the following: <ul style="list-style-type: none"> • The cost of uniforms, protective clothing and protective footwear where they work in conditions damaging to clothing, or conditions that are wet and damaging to footwear. <p>The cost of purchasing a uniform where they are required to wear a uniform.</p>	Not fixed	Please contact AFLSR should you have a trainee who is entitled to these reimbursements and we will guide you through the process for reimbursement.
Laundry allowance	Payable where the trainee is required to launder the uniform they are required to wear.	<ul style="list-style-type: none"> • \$3.55 per week for 	<ul style="list-style-type: none"> • Applied automatically in ConnX.

		full time trainees <ul style="list-style-type: none"> • \$0.71 each shift for part time trainees 	Please advise AFLSR as soon as possible if trainee is entitled to allowance.
Living away from home allowance	<ul style="list-style-type: none"> • Where a trainee is working temporarily away from the usual place of employment, and required to sleep away from their usual residence, the host is to pay all fares to and from the temporary workplace, plus reasonable expenses for meals and accommodation. • The trainee is also entitled to ordinary rates of pay for time spent travelling between the usual place of employment and the temporary location, to a maximum of 8 hours in 24 hours. 	Not fixed	<ul style="list-style-type: none"> • Not applicable where host provides fares, meals and accommodation • Please contact AFLSR should you have a trainee who is entitled to these reimbursements and we will guide you through the process for reimbursement.

All rates above are accurate as at **January 2024**, but will be updated in accordance with **annual Fair Work** updates.

All care has been taken in calculating the rates contained in this summary. This summary is not a definitive statement of terms and conditions prescribed under the modern award. The full text of the published modern award should be used in determining rates and award terms and conditions applicable to particular classifications, sites and employment arrangements. Last updated January 2024.

3. HELPFUL HINTS

Information about the awards, processes and payments, including links to helpful; website, can be found by scanning (or clicking) the QR code below.

Should you have any questions, please email awardenquires@aflsportsready.com.au

