

The *Higher Education Industry – General Staff Award* covers trainees engaged by a company to perform work in the higher education industry in general staff classifications. General Staff means all employees in the higher education industry and employees of university unions and student unions, other than:

- persons employed as academic staff;
- persons employed principally to teach ELICOS, TESOL or other English language course;
- persons principally employed in the operation of theatrical venues used predominantly for commercial purposes or production companies engaged in the production of theatrical, musical or other entertainments on a commercial basis; and
- persons primarily employed to teach TAFE subjects that may be offered by an employer bound by this award.

The admin, clerical, computing and technical variation of the award covers trainees engaged by a host in these areas.

Should you have a shiftworker under this variation please reach out to AFL SportsReady as soon as practicable as other conditions specific to shiftwork apply that are not listed below.

A copy of the Award can be found on the [FairWork Australia](#) site under alphabetic order or by clicking the award here [Higher Education Industry – General Staff Award](#).

## MAIN CONDITIONS

### Full time Trainees

- Ordinary hours are 36.75 hours per week.
- Ordinary hours may be worked in a manner agreed between the host and the trainee over a 4 week cycle between the hours of 8.00am and 6.00pm Monday to Friday.

### Part time trainees

- Ordinary hours are less than 36.75 hours per week.
- Ordinary hours may be worked in a manner agreed between the host and the trainee over a 4 week cycle between the hours of 8.00am and 6.00pm Monday to Friday.

### Ordinary Hours

- All award entitlements are paid on a pro rata basis, calculated by reference to the time worked.

### Work Schedules

- A work schedule which sets out the days and times the trainee is required to work must be provided to trainees and AFL SportsReady.
- Work schedules can be changed by agreement with the trainee, but if changed, please notify AFL SportsReady as soon as possible.
- Where there is a temporary change in the work schedule (e.g. where a trainee swaps a shift from one day to another), this can be changed by the trainee's manager in ConnX.

### Meal Breaks

- Entitled to an 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.

Overtime penalty rates apply for all authorised work performed outside of, or in excess of, the trainee's ordinary or rostered hours.

#### Overtime rates

### Overtime

- Monday to Saturday: 150% of the ordinary hourly rate for the first 3 hours
- Monday to Saturday: 200% of the ordinary hourly rate after 3 hours
- Sunday: 200% of the ordinary hourly rate
- Public holidays: 250% of the ordinary 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.

- By mutual agreement and recorded as a TOIL 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. Once approved by a manager, TOIL will be banked and appear on the trainee's leave balance in ConnX.

#### How does TOIL accrue?

TOIL accrues at the overtime penalty rate. For example:

- 1.5 hours of TOIL for each hour of overtime worked for the first 3 hours Monday to Saturday.
- 2 hours of TOIL for each hour after 3 hours Monday to Saturday, or for all overtime worked on Sunday.
- 2.5 hours of TOIL for each hour of overtime worked on a Public Holiday.

### Time off in lieu (TOIL)

#### 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.

#### 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 and Field Officers will 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.

### Weekend Penalty Rates

Time of ordinary hours worked:

**Saturday:** All hours worked 150% of the minimum hourly rate.

**Sunday:** All hours worked 200% of the minimum hourly rate.

- These penalty rates and those in the overtime clause are not cumulative., where entitled to more than 1 penalty rate, only the highest single penalty rate will apply.

### Public Holidays

- Overtime worked on a public holiday is to be paid at 250% of the ordinary hourly rate.
- A trainee and host may agree to substitute another day or part-day for a day or part-day that would otherwise be a public holiday.

### Annual Leave

- 4 weeks each year accrues progressively.
- A host can require a trainee to take annual leave during a temporary shut down period, (eg Christmas/New Year holidays), provided at least 28 days' written notice is given.

<b>Annual Leave Loading</b>	Trainees are entitled to an annual leave loading of 17.5% of their ordinary pay for their period of annual leave. This will automatically be paid by payroll during periods of annual leave.	
<b>Other Leave</b>	<b>Personal/Carer's Leave:</b> <b>Compassionate Leave:</b> <b>Community Service Leave:</b> <b>Family and Domestic Violence Leave:</b> <b>Cultural Leave (First Nations):</b>	10 days each year accumulates progressively. 3 days per occasion. Unpaid other than the first 10 days jury service leave. 10 days paid leave annually 2 days of paid leave annually
<b>Rest Period</b>	Trainee must have a minimum 10 hours rest period after working overtime. If less than 10 hours break, a trainee is entitled to be absent from work without loss of pay until a 10 hour break has been taken, or be paid at 200% of the minimum hourly rate until released from duty.	
<b>Rostered days off (RDOs)</b>	<ul style="list-style-type: none"> <li>There is no provision for Rostered days off (RDOs) under this award. See TOIL for flexibility options.</li> </ul>	

## 2 ALLOWANCES

Allowance	Details	Cost	How to claim
<b>Overtime meal allowance - weekdays</b>	This will apply where a trainee is required to work more than 2 hours overtime beyond ordinary hours.	\$17.62	<ul style="list-style-type: none"> <li>Applied automatically in ConnX</li> <li>Note: where meal has been provided, manager will need to add meal allowance reversal to timecard.</li> </ul>
<b>Overtime meal allowance</b>	This will apply where a trainee has worked overtime for more than 5 hours.	\$17.62	<ul style="list-style-type: none"> <li>Applied automatically in ConnX</li> <li>Note: where meal has been provided, manager will need to add meal allowance reversal to timecard.</li> </ul>
<b>Vehicle Allowance</b>	Where a trainee is authorised to use his/her own motor vehicle in the performance of duties. Allowance paid is in accordance with the ATO guidelines as at 1 July each year.	Currently \$0.85 per kilometre travelled.	Claimable by a trainee when submitting their time sheet by selecting the allowance and entering the number of kilometres travelled. All trainees must be advised to keep a log book of KM and trips.
<b>Accommodation, meals and incidental expenses when travelling.</b>	Where a trainee is absent overnight on host business, the trainee is entitled to reimbursement of reasonable expenses or a reasonable allowance to cover the costs of meals, accommodation and incidentals expenditure.	Not fixed	Please contact AFL SportsReady should you have a trainee who incurs out of pocket expenses, and we will guide you through the process for reimbursement.
<b>Reimbursement of fares</b>	Where a trainee is required to travel on host business, the trainee must be reimbursed for the reasonable cost of travel upon production of receipts. Unless otherwise authorised, a trainee must travel by public transport or employer supplied vehicle.	Not Fixed	Please contact AFL SportsReady should you have a trainee who incurs out of pocket expenses, and we will guide you through the process for reimbursement.

<p><b>Out of pocket expenses, and expenses incurred travelling and living away from home</b></p>	<p>Where a trainee incurs out of pocket expenses in the course of their employment, or incurs expenses when travelling or living away from home, they will be entitled to be reimbursed for these expenses.</p>	<p>Not fixed</p>	<p>Please contact AFL SportsReady should you have a trainee who incurs out of pocket expenses, and we will guide you through the process for reimbursement.</p> <p>Note there is no entitlement when the host provides the required items.</p>
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All rates above are accurate as of **February 2024**, but will be updated in accordance with annual Fair Work updates.

### 3 HELPFUL HINTS

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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](mailto:awardenquires@aflsportsready.com.au)

