

The *Registered and Licensed Clubs Award* covers trainees engaged by a company to perform work in a club. A club is defined as any club which is registered and licensed under the provisions of relevant State or Commonwealth Statutes (Liquor and/or Gaming Acts, Associations' Incorporation Acts or Corporations Acts) and which is established and operates on a not-for-profit basis for the benefit of members and the community.

There are two variations to the *Registered and Licensed Clubs Award*: 1) Horticulture Variation, 2) General Variation. This document provides information on the Horticulture Variation, which is defined below.

- **Horticultural Variation:** this covers trainees engaged as greenkeepers, ground attendants, gardeners, propagators, lawn mower and motor roller drivers and general labourers in the construction and maintenance of gardens, lawns and greens.

A copy of Award can be found on the [FairWork Australia](http://FairWorkAustralia.gov.au) site under alphabetical order or by clicking the award here [Registered and Licensed Clubs Award](#).

## 1. MAIN CONDITIONS

### Full Time

- Ordinary hours are 38 hours per week, or an average of 38 hours per week over the roster cycle.
- Ordinary hours are to be worked between 6.00am and 6.00pm Monday to Friday and 6.00am and 12 noon on Saturday, with a maximum number of 8 ordinary hours on any one day (Mon-Fri) and 4 hours on a Saturday. While ordinary hours can be worked over the weekend, Saturday (outside of 6.00am to 12 noon) and Sunday penalty rates apply.
- Full time trainees are entitled to 2 full days off per week, and no trainee is to work more than 10 days in a row without a normal rostered day off.
- Arrangements for working weekly hours are to be agreed between the host and the trainee.

### Part Time

- Ordinary hours must be a minimum of 8 hours and fewer than 38 hours per week.
- Ordinary hours are to be worked 6.00am to 6.00pm Monday to Friday and 6.00am to 12 noon on Saturday. While ordinary hours can be worked over the weekend, Saturday (outside of 6.00am to 12 noon) and Sunday penalty rates apply.
- At the time of engagement, the host and trainee must agree in writing upon:
  - **The guaranteed hours:** the number of hours of work guaranteed each week, or where the host operates a roster, each roster cycle;
  - **The trainee's availability:** the days of the week, and hours on those days, when the trainee will be available to work the guaranteed hours.
- Any change to guaranteed hours may only occur with the written consent of the trainee.
- A host may roster the working of a trainee's guaranteed hours and any additional hours, provided that:
  - a trainee must not be rostered to work to work in excess of 12 or less than 3 hours in a day;
  - the trainee must have 2 days off each week; and
  - a trainee must not be rostered for any hours outside their availability.

### Ordinary Hours

### Shiftwork

- In the industries where the Registered and Licensed Clubs Award applies shiftwork arrangements are common. Should a Host Employer require a trainee to be engaged in genuine shiftwork – that is a rotating 7-day shift roster with that includes regular Sunday and Public Holiday shifts, please contact AFL SportsReady as soon as possible to discuss, as specific conditions and penalty rates apply.

### 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 at any time, or on 7 days' notice, but if changed, please notify AFL SportsReady as soon as possible.
- Where there is a temporary change in the work schedule (eg 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 unpaid meal break of at least 30 minutes where shift is more than 5 hours.
- Meal break is to start between 1.5 and 5 hours after the shift commences. If a break is not given within this period, the trainee will be paid at 150% of the ordinary hourly rate from either 5 hours until the meal break is given, or the shift ends.
- If a trainee works more than 5 hours after the first meal break is given, the trainee must be given an additional 20 minute paid break.
- If the host employs fewer than 10 people covered by this award, then the 30 minute unpaid meal break may be substituted by a paid 20 minute crib break, which can be taken at any time within the shift. A crib break is a paid break where the trainee is required to take their break on-premise, as they may be required to resume work at anytime during the break.

## Breaks

### Rest Breaks

- In addition to the 30 minute unpaid meal break, trainees are also entitled to 2 tea breaks of 10 minutes duration each, to be counted as work time, in the morning and afternoon, at a time to be arranged by the host. Alternatively, the trainee and host may agree to combine the breaks into one 20 minute break.
- When working more than 1.5 hours overtime, a trainee is entitled to a 20 minute paid meal break after ordinary hours before starting overtime, then a further 20 minute paid crib break after each 4 hours of overtime.

### Full time trainees

Overtime penalty rates apply for all time worked:

- in excess of 38 hours per week or, where the trainee works in accordance with a roster, an average of 38 hours per week over the roster cycle; or
- outside the previously agreed roster of work.

### Part time trainees

Overtime penalty rates apply for all time worked:

- in excess of 38 hours per week or, where the trainee works in accordance with a roster, an average of 38 hours per week over the roster cycle; or
- in excess of the trainee's rostered hours.

## Overtime

### Overtime rate

- Monday to Friday: 150% for the first 2 hours, then 200% after 2 hours.
- Saturday: 175% for the first 2 hours, then 200%
- Sunday: 200% for all time worked
- Public holidays: 250% for all time worked, with a minimum of 4 hours.
- On a rostered day off: 200% for all time worked, with a minimum of 4 hours.

### 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 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 2 hours, then 2 hours of TOIL for each hour of overtime worked after that.
- 2 hours of TOIL for each hour of overtime worked on a Sunday.

### 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 and evening penalty rates

#### Saturday after 12 noon:

- 150% of the minimum hourly rate after 12 noon for 2 hours, then 200% following 2 hours.

#### Sunday:

- 200% of the minimum hourly rate for all hours worked.

These penalty rates and those in the overtime clause are not cumulative. Where a trainee is entitled to more than one penalty rate, only the highest single penalty rate will apply.

### Public Holidays

- All time worked on a public holiday is paid at 250% of the ordinary rate, for a minimum of 4 hours.
- Alternatively, if a trainee agrees, they can be paid for time worked at 150% provided that:
  - equivalent paid time is added to the trainee's annual leave; or
  - an alternative day or part-day off instead of the public holiday may be taken during the same week or within 28 days of the holiday falling due.
- A full time employee whose RDO falls on a public holiday must be paid an extra day's pay, or provided with an alternative day off within 28 days, or receive an additional day's annual leave.

### Annual Leave

- 4 weeks each year accrues progressively for non shift workers.

### Annual Leave Loading

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.

### Other Leave

**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 annually  
**Cultural Leave (First Nations):** 2 days of paid leave annually

### Rest Period

Trainee must have a minimum 10 hours rest period after working overtime. If less than 10 hours break, trainee is to be paid overtime rates until they have had at least 8 hours of rest.

### Roster Days Off (RDO)

- Where agreed with the host and AFL SportsReady, 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 take up to 12 RDOS in any 12 month period and bank a maximum of 5 days of credit to be taken at a time or times that are mutually agreeable to the host and trainee.
- **Important to note that AFL SportsReady must be advised to ensure the trainee does not accrue RDO time and be paid overtime.**

#### Monthly RDOS

- 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 supervisor, 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
Overtime meal allowance	Where a trainee is required to work overtime for more than 2 hours without being notified on the previous day or earlier of the requirement to work.	\$15.30 or supplied with a meal.	<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>
First aid allowance	<b>ONLY</b> applicable where the trainee holds a first aid qualification and is <b>appointed by the host</b> as a first aid attendant.	\$11.94 per week (pro rate for part time).	<ul style="list-style-type: none"> <li>• Applied automatically in ConnX.</li> <li>• Please advise AFL SportsReady as soon as possible if trainee is entitled to allowance.</li> </ul>
Broken periods of work	Where a trainee is required to work any of their ordinary hours on any day in more than one period, other than for meal breaks.	\$3.98 per day	<ul style="list-style-type: none"> <li>• Needs to be claimed manually by a trainee when submitting their time sheet. They will need to select the allowance for the applicable day.</li> </ul>
Uniform/clothing/laundry allowance	Uniform allowances only apply to Club Managers under this award. However, where a trainee is required to wear any special clothing, including safety footwear and protective clothing, the host must reimburse the trainee the cost of the clothing. The trainee must also be reimbursed for costs of laundering where they are responsible for laundering.	Not fixed	<ul style="list-style-type: none"> <li>• Not applicable where the host supplies the special clothing.</li> <li>• In relation to laundering, the host and the trainee may agree on a sum of money to be paid to the trainee for washing and ironing special clothing.</li> <li>• Please contact AFL SportsReady should you have a trainee who is entitled to this allowance and we will guide you through the process for reimbursement.</li> </ul>
Vehicle allowance	Where a trainee is required and authorised to use their own motor vehicle in the course of their duties.	\$0.96 per kilometre travelled.	<ul style="list-style-type: none"> <li>• Claimable by a trainee when submitting their time sheet by selecting the allowance and entering the number of kilometres travelled.</li> <li>• All trainees must be advised to keep a log book of KM and trips.</li> </ul>

Tools reimbursement	Where a trainee is required to supply and use own tools, they are entitled to be reimburse for the cost of such tools.	Not fixed	<ul style="list-style-type: none"> <li>Please contact AFLSR should you have a trainee who is entitled to this allowance and we will guide you through the process for reimbursement.</li> </ul>
Transport – working late	Where a trainee is required to work until it is unreasonable to travel by their normal method of transport home, the host must pay the cost of transport for the trainee to get home.	Not fixed	<ul style="list-style-type: none"> <li>Not applicable where the host provides accommodation free of charge or provides transport for the trainee to get home. Please contact AFL SportsReady should you have a trainee who is entitled to this allowance and we will guide you through the process for reimbursement.</li> </ul>
Transport – working early	Where a trainee is required to start work before their normal starting time and before their normal method of transport is available, the host must pay the cost of transport to get to work.	Not fixed	<ul style="list-style-type: none"> <li>Not applicable where the host provides transport for the trainee to get to work.</li> <li>Please contact AFL SportsReady should you have a trainee who is entitled to this allowance and we will guide you through the process for reimbursement.</li> </ul>
Working away from usual place of work	Where a trainee is required to work at a place more than 80km from their usual place of work, the host must pay an amount equal to the cost of fares from the usual place of work to the new place of work.	Not fixed	<ul style="list-style-type: none"> <li>Please contact AFL SportsReady should you have a trainee who is entitled to this allowance and we will guide you through the process for reimbursement.</li> </ul>

All rates above are accurate as at **February 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 February 2023.

### 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@afsportsready.com.au](mailto:awardenquires@afsportsready.com.au)

