



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

WA Award Summary

Electrical Contracting Industry Award

1 July 2019

About this Award Summary

This WA Award Summary is a summary of the state Electrical Contracting Industry Award and does not include all obligations required by the award. It is important that you also refer to the full Electrical Contracting Industry Award 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.

This WA Award Summary was updated in April 2020 to include information on the provisions of the COVID-19 General Order issued by the Western Australian Industrial Relations Commission (WAIRC) on 14 April 2020. The COVID-19 General Order applies until 31 July 2020 unless extended. The WA Award Summary was further updated in May 2020 to include information on the provisions of the COVID-19 JobKeeper General Order issued by the WAIRC on 15 May 2020. The COVID-19 JobKeeper General Order applies until 28 September unless extended.

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 which operate as:</p> <ul style="list-style-type: none"> ✓ sole traders (eg Jane Smith trading as Jane’s Electrical) ✓ unincorporated partnerships (eg Jane and Bob Smith trading as Jane’s Electrical) ✓ unincorporated trust arrangements (eg Jane and Bob Smith as trustees for Jane’s Electrical) <p>This summary does not apply to businesses in the national industrial relations system which operate as:</p> <ul style="list-style-type: none"> ✗ Pty Ltd businesses (eg Smith Pty Ltd trading as Jane’s Electrical) ✗ 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. 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 Electrical Contracting Industry Award?</p>	<p>The Electrical Contracting Industry Award applies to businesses in the state industrial relations system that undertake electrical contracting work.</p>
<p>Step 3 Is the employee’s job covered by the Electrical Contracting Industry Award?</p>	<p>The Electrical Contracting Industry Award sets pay rates, working hours and other employment arrangements for full time, part time and casual employees working in the classifications listed below, including</p> <ul style="list-style-type: none"> ✓ electricians ✓ electrical trades assistants ✓ apprentice electricians ✓ electrical fitter / installer ✓ linesperson / cable jointer



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 6 details record keeping requirements.

The Electrical Contracting Industry 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 Magistrates 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). Current rates applied from the first pay period on or after **1 July 2019**.

Level	Classification Title	Weekly	Hourly	Casual (includes 20% loading)
Level 1	Electronics Tradesperson	\$996.10	\$26.21	\$31.46
Level 2	Instrument Fitter/Electrical Grade 2	\$939.90	\$24.73	\$29.68
	Electrician - Special Class	\$931.20	\$24.51	\$29.41
Level 3	Instrument Fitter/Electrical Grade 1	\$923.80	\$24.31	\$29.17
	Electrical Installer/Mechanic	\$904.40	\$23.80	\$28.56
	Electrical Fitter	\$904.40	\$23.80	\$28.56
	Cable Joiner	\$904.40	\$23.80	\$28.56
	Linesperson Grade 1	\$904.40	\$23.80	\$28.56
Level 4	Linesperson Grade 2	\$886.50	\$23.33	\$27.99
Level 5	Electrical Assistant	\$822.10	\$21.63	\$25.96

Adult rates in this table do not include grievance allowance or tool allowance; see the allowances table on page 7.



Apprentice rates of pay

Apprentices aged 21 and above must be paid the minimum adult apprentice rate of **\$638.20** per week or the appropriate apprenticeship rate for their year, whichever is the higher, for ordinary hours of work.

4 Year Term	Age	% of electrical installer rate	Weekly	Hourly	Tool Allowance	Grievance Allowance
1st year	Under 21 years old	39%	\$352.70	\$9.28	\$6.55	\$13.53
	21 years or over		\$638.20	\$16.79	\$11.26	\$23.25
2nd year	Under 21 years old	51%	\$461.20	\$12.14	\$8.57	\$17.70
	21 years or over		\$638.20	\$16.79	\$11.26	\$23.25
3rd year	Under 21 years old	67%	\$605.90	\$15.94	\$11.26	\$23.25
	21 years or over		\$638.20	\$16.79	\$11.26	\$23.25
4th year	All ages	79%	\$714.50	\$18.80	\$13.27	\$27.41



Junior wages

- Juniors working in the electrical contracting industry must be paid at adult rates.
- 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 or in a family business.



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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 or in a family business.
- School aged children must not be employed during school hours except as part of a school program.
- Visit the [When children can work in Western Australia](#) page for more information.



Meal breaks

- The ordinary hours of work must be consecutive except for a meal break of not more than an hour.
- When an employee is required for duty during their usual meal break and the meal break is therefore postponed for more than half an hour, the employee must be paid at overtime rates until they are provided with a meal.
- A paid rest period of ten minutes for refreshments must be allowed each morning and must be arranged at a time and in a manner to suit the convenience of the employer.



Ordinary working hours, penalty rates and overtime – full time employees

The ordinary hours of work are:

- Worked Monday to Friday
- Worked between 6.00 am and 6.00 pm (unless altered by agreement between the employer and the majority of employees in the work section concerned)
- Not more than 10 hours on any day
- An average of 38 per week to be work on one of the following basis:
 - 38 hours within a work cycle not exceeding seven consecutive days
 - 76 hours within a work cycle not exceeding 14 consecutive days
 - 114 hours within a work cycle not exceeding 21 consecutive days
 - 152 hours within a work cycle not exceeding 28 consecutive days.
- Shift workers have different hours and overtime provisions see Clause 13 of the Electrical Contracting Industry Award on the WA Industrial Relations Commission_ website www.wairc.wa.gov.au

Overtime and penalty rates

When overtime applies for a full time employee	Overtime rates
All work done beyond the ordinary working hours on any day, Monday to Friday Ordinary hours means those the hours of work fixed in an workplace in accordance with Clause 11. – Hours of the Award.	Time and one half for the first two hours and double time after that
Work done on Saturdays prior to 12.00 noon	Minimum three hours at overtime rates Time and a half for the first two hours and double time after that
Work done on Saturdays after 12.00 noon or on Sundays	Minimum three hours at overtime rates Double time
Work done on a public holiday or substitute public holiday	Minimum three hours at overtime rates Double time and a half



Ordinary working hours, penalty rates and overtime – part time employees

Part time employees receive the same wages and conditions as full time employees but on a proportionate basis to the hours they work.

- Part time employees cannot work more than 24 hours per week, except by written agreement with the relevant union.

Ordinary hours of work

- The ordinary hours for part time employees is as follows:
 - maximum of 24 hours per week
 - worked Monday to Friday
 - worked between 6.00 am and 6.00 pm (unless altered by agreement between the employer and the majority of employees in the work section concerned)
 - not more than 10 hours on any day

Overtime and penalty rates

When overtime applies for a part time employee	Overtime rates
All work done beyond the ordinary working hours on any day, Monday to Friday Ordinary hours means those the hours of work fixed in an workplace in accordance with Clause 11. – Hours of the Award.	Time and one half for the first two hours and double time after that
Work done on Saturdays prior to 12.00 noon	Minimum three hours at overtime rates Time and a half for the first two hours and double time after that
Work done on Saturdays after 12.00 noon or on Sundays	Minimum three hours at overtime rates Double time
Work done on a public holiday or substitute public holiday	Minimum three hours at overtime rates Double time and a half



Ordinary working hours, penalty rates and overtime – casual employees

- Casual employees can be employed for up to one month.
- Hours and overtime arrangements as per those listed above for full time or part time employees, depending on the number of hours worked by the casual employee.

COVID-19 JobKeeper General Order

The COVID-19 JobKeeper General Order issued by the Western Australian Industrial Relations Commission on 15 May 2020 has introduced temporary provisions for employers and employees who are participating in the Commonwealth JobKeeper scheme.

The state system JobKeeper provisions allow employers to give certain directions to employees and make certain requests of them, including provisions that allow employers to:

- issue a 'JobKeeper enabling direction' to temporarily alter or reduce an employee's working hours (which may be reduced to nil), change an employee's duties and change their location of work; and
- request that an employee change their days/times of work.

There are a range of specific rules and requirements about the state system JobKeeper provisions. The [State system COVID-19 JobKeeper provisions](#) page of the Wageline website has detailed information.

These new provisions apply from 15 May 2020 until 28 September 2020, unless extended.



Employment records

- Employers are legally required to keep employment records which demonstrate that employees have been paid all entitlements under the Electrical Contracting Industry 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 Magistrates Court for not keeping employment records or for keeping inadequate or fraudulent records. A common requirement that employers fail to observe is a lack of detail in keeping 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 Electrical Contracting Industry Award, such as overtime hours worked and allowances paid. Contact [Wageline](#) or view the full Electrical Contracting Industry 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

- All employees must receive a payslip which includes the employee's ordinary rate of wage and hours worked, the number of overtime hours worked, the amount of any allowances and special rates paid, any leave payments paid, the gross amount of wages and allowances, all deductions and the net amount of wages and allowances.
- Wageline's [Employment record obligations for WA award employers](#) publication includes a payslip template.



Deductions from pay

An employer may deduct from an employee's pay an amount:

- the employer is authorised, in writing, by the employee to deduct and pay on behalf of the employee.
- the employer is authorised to deduct and pay on behalf of the employee under the relevant WA award.
- the employer is authorised or required to deduct by law or a court order.



Allowances

Allowance	Description	Rate
Grievance allowance	A special allowance of \$34.70 per week must be paid as a flat amount each week except where direct action takes place. Apprentices receive a percentage of this allowance.	<ul style="list-style-type: none">• \$34.70 per week for employees• Rates for apprentices as shown in the apprentices table above
Tool Allowance	If a tradesperson or an apprentice is not supplied with the tools ordinarily required by that tradesperson or apprentice in the performance of their work, the employer must pay tool allowance.	<ul style="list-style-type: none">• \$16.80 per week for tradespersons.• Rates for apprentices as shown in the apprentices table above
Licence Allowance	A tradesperson who holds and may be required to use a current "A" Grade or "B" Grade licence issued pursuant to the relevant regulation in force at the date of this WA award under the <i>Electricity Act 1945</i> .	\$24.80 per week
Construction allowance	If employed on particular types of construction, an employee must receive a weekly allowance: <ul style="list-style-type: none">• If working on the construction of a multi-storey building which will have less than 5 storeys on completion• If working on the construction of a building which will have at 5 or more storeys on completion, but only until the exterior walls have been erected and the windows completed and a lift made available to carry the employee between the ground floor and the floor upon which the employee is required to work• If working on the construction of a large undertaking or large civil engineering project.	\$27.80 per week \$46.90 per week \$52.20 per week
Leading hand allowance	A leading hand receives an allowance if placed in charge of: <ul style="list-style-type: none">• at least 3 but no more than 10 other employees• more than 10 but no more than 20 other employees• more than 20 other employees	\$29.20 per week \$44.90 per week \$57.90 per week
Meal Allowance	An employee required to work overtime for more than two hours without being notified on the previous day or earlier must be supplied with a meal by the employer or be paid \$13.70 for a meal and \$13.70 for a second or subsequent meal if so required.	Meal allowance of \$13.70 per occasion
Location Allowance	If working in certain regional towns in Western Australia (paid on a proportionate basis to casual/part time employees and apprentices).	Visit the Location Allowance page for the amount payable or Clause 22 of the Award

Travel allowance

- An employee who is required to work away from their usual workshop or depot must be paid for time spent in travelling between their home and the job (to the extent that it exceeds normal time spent in travel) and must be reimbursed for any fares incurred in such travelling (to the extent that the fares exceed normal fares incurred).
- An employee using their own vehicle for travel to or from outside jobs must be paid the amount of excess fares and travelling time which the employee would have incurred in using public transport unless the employee has an arrangement with their employer for a regular allowance.
- Employees engaged on construction work are entitled to alternative allowances for travel. See Clause 20 of the Electrical Contracting Industry Award on the WA Industrial Relations Commission website www.wairc.wa.gov.au for details.

Car allowance

- Where an employee is required and authorised to use their own vehicle in the course of their duties the employee must be paid an allowance of 80.2 cents per kilometre travelled. Provided that the employer and the employee may make any other arrangement as to car allowance not less favourable to the employee.

Other allowances

- A range of other special rates and allowances apply in certain circumstances and when employees are undertaking particular tasks. See Clause 18 of the Electrical Contracting Industry Award on the WA Industrial Relations Commission website www.wairc.wa.gov.au for details.



Public holidays

For the purposes of payment of public holiday rates under this award:

- A full time employee is entitled to public holidays (or days substituted for public holidays) without deduction of pay. A part time employee is entitled to a public holiday (or day substituted for a public holiday) without deduction of pay if they would ordinarily be required to work on that day if it was not a public holiday.
- Another day may be taken as a holiday by arrangement between the parties concerned in lieu of any of the days named in the award.
- If a public holiday falls on a Saturday or Sunday, the following Monday will be considered to be the public holiday. However, 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.
- An employee (other than a casual employee) who has been employed for at least three consecutive months and whose services are terminated by the employer through no fault of the employee within seven days of any of the holidays referred to in the award must be paid for eight hours at the ordinary rate of wage set by the award for that holiday.
- If an employee works on a public holiday or substituted public holiday, they must receive at least three hours' payment at the appropriate overtime rate. All hours worked on a public holiday must be paid for at the rate of double time and a half.



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	✓	✓	✓
Unpaid pandemic leave	✓	✓	✓

This WA Award summary covers the basic leave entitlements for employees covered by the Electrical Contracting Industry Award but does **not** include all details on leave obligations and entitlements. Full details of conditions are contained in the Electrical Contracting Industry 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*.



Annual leave

- Full time employees are entitled to a minimum of four weeks of paid annual leave for each year of completed service, up to 152 hours. Part time employees are entitled to a minimum of four weeks of paid 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. Casual employees are not entitled to annual leave.
- Annual leave is a minimum entitlement in the *Minimum Conditions of Employment Act 1993* and the Electrical Contracting 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%.
- Annual leave loading of 17.5% is payable on unused annual leave entitlements paid out on termination, except where the employee has been terminated for serious misconduct.
- The Electrical Contracting Industry Award specifies arrangements for annual leave if the employer closes the business for a period of weeks for holidays. See Clause 23 of the Award for details.
- Provisions relating to additional annual leave in lieu of certain public holidays apply to employees working some regional areas. See the public holidays information above and Clause 23 of the Award.
- 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.
- Wageline's [Annual leave calculation guide](#) can assist with calculating annual leave entitlements.
- Wageline's [Employment record obligations for WA award employers](#) publication includes a leave record template.
- The COVID-19 General Order has implemented new annual leave flexibility provisions enabling employers and employees to agree to an employee taking twice as much annual leave at half pay or to agree for the employee to take annual leave in advance.
- These provisions apply to all full time and part time employees covered by this WA award effective from 14 April 2020 until 31 July 2020, unless extended.
- The annual leave at half pay provisions in the COVID-19 General Order are:
 - Instead of an employee taking paid annual leave at full pay, the employee and their employer may agree to the employee taking twice as much leave at half pay.
Example: Instead of an employee taking one week's annual leave at full pay, the employee and their employer may agree to the employee taking two weeks' annual leave at half pay. In this example:
 - the employee's pay for the two weeks' leave is the same as the pay the employee would have been entitled to for one week's leave at full pay; and
 - one week of leave is deducted from the employee's annual leave accrual.
 - Any agreement to take twice as much annual leave at half pay must be recorded in writing and signed by the employee (and a parent/guardian if the employee is under 18).
 - The employer must keep the written agreement as part of the employee's employment record.
 - The agreed period of leave must start before 31 July 2020, but may end after that date.
- The granting annual leave in advance provisions in the COVID-19 General Order are:
 - An employee and employer may agree to an employee taking a period of annual leave in advance of the entitlement being accrued if all of the following conditions are met:
 - any agreement to annual leave in advance must be recorded in writing and signed by the employee (and a parent/guardian if the employee is under 18); and
 - the written agreement must state the amount of leave to be taken in advance and the date on which the leave will commence; and
 - the employer must keep the written agreement as part of the employee's employment record.

- If, on the termination of the employee's employment, the employee has not accrued an entitlement to all of the period of paid annual leave taken in advance, the employer may deduct from any money due to the employee on termination an amount equal to the amount that was paid to the employee in respect of any part of the period of annual leave taken in advance to which an entitlement has not been accrued. This provision will continue to apply notwithstanding the expiration of the General Order.
- Where an agreement has been reached under this clause and the leave commenced before the expiration of the General Order, then the arrangement may continue to operate for the period agreed between the parties.



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*.



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 more 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.



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 an ill or injured family or household member (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 can be carried over to the next year.
- Sick and carer's leave accrues on a weekly basis for full and part time employees.
- In the first year of employment, a full time or part time employee can use any paid sick and carer's leave that they have accrued to date for caring purposes.
- 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 exceed 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 day's unpaid carer's leave per occasion.
- Sick and carer's leave is a minimum entitlement from the *Minimum Conditions of Employment Act 1993*.
- Wageline's [Sick leave calculation guide](#) can assist with calculating sick and carer's 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*.
- If the business is working in the construction industry portable long service leave arrangements may apply— please visit the My Leave website www.myleave.wa.gov.au for details.
- 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 are 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

The long service leave entitlement for full time, part time and casual employees is:

- after 10 years of continuous employment with the one and the same employer – $8^{2/3}$ (8.667) weeks of leave on ordinary pay;
- 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 • 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 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 • 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 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 • does not apply to an employee whose employer has terminated them for serious misconduct. <p>This pro rata entitlement (calculated on the 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.



Unpaid pandemic leave

- The COVID-19 General Order has implemented a new entitlement to unpaid pandemic leave for all employees working under this WA award. The new provision is effective from 14 April 2020 and applies until 31 July 2020 unless extended.
- The unpaid pandemic leave provisions in the COVID-19 General Order are:
 - (1) Subject to subclauses (2) and (3), an employee is entitled to take up to two weeks' unpaid leave if the employee is required, by government or medical authorities or acting on the advice of a medical practitioner, to self-isolate or is otherwise prevented from working by measures taken by government or medical authorities in response to the COVID-19 pandemic. An employer and employee may agree that the employee may take more than two weeks' unpaid pandemic leave.
 - (2) The employee must give their employer notice of the taking of leave under subclause (1) and of the reason the employee requires the leave, as soon as practicable. This may be a time after the leave has started.
 - (3) The employee who has given their employer notice of taking leave under subclause (1) must, if required by the employer, give the employer evidence that would satisfy a reasonable person that the leave is taken for a reason given in subclause (1).
 - (4) Leave taken under subclause (1) does not affect any other paid or unpaid leave entitlement of the employee and counts as service for the purposes of entitlements.
 - (5) Such leave:
 - (a) is available in full immediately rather than accruing progressively during any period of service;
 - (b) will be available until 31 July 2020 (unless extended by further variation depending on the duration of the COVID-19 pandemic);
 - (c) will be available to full time, part time and casual employees (it is not pro rata); and
 - (d) must start before 31 July 2020, but may end after that date.
 - (6) It is not necessary for employees to exhaust their paid leave entitlements before accessing unpaid pandemic leave.
 - (7) Such unpaid leave does not operate on a 'per occasion' basis and is available once for those employees compelled to self-isolate, even if they are required to self-isolate on more than one occasion.
 - (8) Those caring for others who are compelled to self-isolate are not entitled to unpaid pandemic leave.



Resignation, termination and redundancy

Resignation by the employee

- Full time and part time employees are required to provide the following notice:
 - One day's notice during the first month of employment
 - One week's notice if employed for less than 1 year but more than 1 months
 - Two weeks' notice if employed more than 1 year, but less than 3 years
 - Three weeks' notice if employed more than 3 years but less than 5 years
 - Four weeks' notice if employed 5 years or more.
- A casual employee can resign by providing one hour's notice to the employer.

Termination

- An employer is required to give a casual employee 1 hours' notice of termination.
- Prior to terminating an apprentice, an employer must contact the Department of Training and Workforce Development Apprenticeship Office on 13 19 54 to discuss any proposed termination of an apprentice.
- Except in cases of serious misconduct, an employer is required to give full time and part time employees 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 week's notice.
- These obligations are in the *Fair Work Act 2009* which apply in addition to the notice provisions in the Electrical Contracting Industry Award.

Redundancy

If an employee ceases to be employed for any reason other than misconduct, the following redundancy/severance payments apply:

Period of continuous service with an employer	Redundancy/severance pay
Less than 12 months - only if the redundancy is initiated by the employer.	1.75 hours per week of service
1 year or more	2.4 weeks' pay plus, for all less than 2 years' service in excess of 1 year, 1.75 hours' pay per completed week of service up to a maximum of 4.8 weeks' pay.
2 years or more	4.8 weeks' pay plus, for all less than 3 years' service in excess of 2 years, 1.6 hours' pay per completed week of service up to a maximum of 7 weeks' pay.
3 years or more	7 weeks' pay plus, for all less than 4 years' service in excess of 3 years, 0.73 hours' pay per completed week of service up to a maximum of 8 weeks' pay.
4 years or more	8 weeks' pay.

- Service as an apprentice will count towards the redundancy benefit if the employee completes an apprenticeship and remains in employment with that employer for a further 12 months.
- Any period of service as a casual does not count towards the redundancy benefit.

Additional redundancy obligations

- Additional redundancy obligations apply if the employee is being terminated because the employer has made a definite decision that the employer no longer wishes the job the employee has been doing done by anyone. Please call Wageline on 1300 655 266 for more information about redundancy.

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.

Not the current wage rates

Disclaimer

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