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# Restaurant Industry Award 2010

A temporary schedule (Schedule I) has been added to allow for award flexibility. This change begins the first full pay period on or after 31 March until 30 June 2020, this date may be extended.

The award flexibility is within the following:

## **Change in Duties**

While Schedule I applies employers can tell their employees to do any tasks that they have the skills and competency for, the tasks don't need to be a part of their normal classification and duties.

- The tasks must be safe, and the employee must have all appropriate licenses and qualifications related to the task
- When an employee works at a higher classification for less than 2 hours, they need to be paid at the higher rate for those hours
- When an employee works at a higher classification for more than 2 hours, they need to be paid at the higher rate for the whole day
- If the tasks are below their usual classification their usual rate of pay applies

## **Hours of Work – Full time and Part Time employees**

Employers can reduce permanent employees' hours of work so that they work an average of:

- Between 22.8 and 38 ordinary hours per week for full time employees
- Between 60% and 100% of the guaranteed hours per week of over the roster cycle for part time employees

The changes in hours needs to be discussed with the employees making sure the employer:

- Follows the awards consultation rules around changes to rosters/hours of work
- Provides as much notice as possible
- If the employee is a member of the United Workers Union, the employer needs to let the union know this change is happening

Employees working reduced hours under Schedule I will continue to accumulate and take their paid leave based on their ordinary hours before the employer reduced the hours.

## **Annual Leave**

Employers can direct an employee to take annual leave under Schedule I. Employers need to:

- Give their employees at least 24 hours' notice
- Consider their employee's personal circumstances.

Employees can take twice as much annual leave at half pay if their employer agrees.

Employees and employers can still agree to take annual leave at any time.

If the business is closing down for a period, employers can direct employees to take annual leave under Schedule I by giving them at least 1 weeks' notice (or any shorter period of notice that is agreed).

If an employee doesn't have enough paid annual leave to cover the whole period, the employer can direct them to take unpaid leave for the remainder of the close down. The period of unpaid leave counts as service for entitlements under the Restaurant Award and National Employment Standards.