

Penalty Rate Changes 2017

Who do these changes affect?

The only Modern Awards that are affected by these penalty rates changes are:

- General Retail Award 2010
- Fast Food Industry Award 2010
- Hospitality Industry (General) Award 2010
- Pharmacy Industry Award 2010
- Restaurant Industry Award 2010

Please Note: These penalty rate changes do not affect any other Modern Awards, Enterprise Bargaining Agreements (EBA) or Registered Agreements.

When do these changes come into effect?

The changes to public holiday penalty rates will come into full effect on 1 July 2017.

The changes to evening work and after midnight penalty rates, in the Restaurant and Fast Food awards also come into full effect on 1 July 2017.

The Fair Work Commission (FWC) has made the decision to phase in the changes to Sunday penalty rates over 3 or 4 years, commencing 1 July 2017. The final details on all phases have yet to be announced by the FWC.

The first phase of the Sunday penalty rate changes will commence on 1 July 2017.

Which Award?	Phasing in Period	Who is affected?
Fast Food Award	3 years	All Employees
Retail Award	3 years	Full-time and Part-time Employees
	4 Years	Casual Employees
Hospitality Award	3 Years	Full-time and Part-Time Employees (NB. No changes to Sunday penalties for Casual Employees)
Pharmacy Award	4 years	All Employees
Restaurant Award	No changes to Sunday penalties under this award.	

What are the changes?

General Retail Award 2010

Public Holidays

- Full-time and part-time employees: 250% down to 225% loading on the base pay rate.
- Casual employees: 275% down to 250% loading on the base pay rate. This loading rate also includes casual loading.



Sundays

- Full-time and part-time employees (excluding shift-workers):

Effective period	Penalty rate on base pay rate
1 July 2017 to 30 June 2018	195%
1 July 2018 to 30 June 2019	180%
1 July 2019 to 30 June 2020	165%
1 July 2020 onwards	150%

- Casual employees (excluding shift-workers):

Effective period	Penalty rate on base pay rate
1 July 2017 to 30 June 2018	195%
1 July 2018 to 30 June 2019	185%
1 July 2019 onwards	175%

Fast Food Industry Award 2010

Public Holidays

- Full-time and part-time employees: 250% down to 225% loading on the base pay rate.
- Casual employees: 275% down to 250% loading on the base pay rate. This loading rate also includes casual loading.

Sundays

- Level 1 full-time and part-time employees:

Effective period	Penalty rate on base pay rate
1 July 2017 to 30 June 2018	145%
1 July 2018 to 30 June 2019	135%
1 July 2019 onwards	125%

Sunday penalties for Level 2 and 3 full-time and part-time employees remain unchanged. They will continue to receive the 150% loading on their base rate for work performed on a Sunday.

- Level 1 casual employees:

Effective period	Penalty rate on base pay rate
1 July 2017 to 30 June 2018	170%
1 July 2018 to 30 June 2019	160%
1 July 2019 onwards	150%

Sunday penalties for Level 2 and 3 casual employees remain unchanged. They will continue to receive the 175% loading (including casual loading) on their base rate for work performed on a Sunday.



Late Night and Early Morning

- From 1 July 2017, penalty rates will be:
 - An extra 10% of their base pay rate from 10pm to Midnight.
 - An extra 15% of their base pay rate from Midnight to 6am.
- Casual employees will get these penalty rates as well as their casual loading. Both loadings are paid on their base pay rate.

Hospitality Industry (General) Award 2010

Public Holidays

- Full-time and part-time employees: 250% down to 225% loading on the base pay rate.
- Casual employees: 275% down to 250% loading on the base pay rate. This loading rate also includes casual loading.
- Time off in lieu: From 1 July 2017, full-time and part-time staff can agree to receive 125% loading on their base pay rate for work performed on a public holiday, instead of the full 225%, if:
 - Equivalent time is added to their paid annual leave; or
 - They take one day of paid time off in the same week as the public holiday.
- Christmas Day: From 1 July 2017, full-time and part-time staff will receive an extra 25% loading on their base pay rate for work performed on Christmas Day if it falls on a weekend and it is not declared a public holiday. They will continue to be entitled to a substitute day off.

Sundays

- Full-time and part-time employees:

Effective period	Penalty rate on base pay rate
1 July 2017 to 30 June 2018	170%
1 July 2018 to 30 June 2019	160%
From 1 July 2019 onwards	150%

- Sunday penalties for casual employees remain unchanged. They will continue to receive the 175% loading (including casual loading) on their base rate for work performed on a Sunday.

Pharmacy Industry Award 2010

Public Holidays

- Full-time and part-time employees: 250% down to 225% loading on the base pay rate
- Casual employees: 275% down to 250% loading on the base pay rate. This loading rate also includes casual loading.



Sundays

- Full-time and part-time employees:

Effective period	Penalty rate on base pay rate
1 July 2017 to 30 June 2018	195%
1 July 2018 to 30 June 2019	180%
1 July 2019 to 30 June 2020	165%
1 July 2020 onwards	150%

- Casual employees:

Effective period	Penalty rate on base pay rate
1 July 2017 to 30 June 2018	220%
1 July 2018 to 30 June 2019	205%
1 July 2019 to 30 June 2020	190%
1 July 2020 onwards	175%

Restaurant Industry Award 2010

Public Holidays

- Full-time and part-time employees: 250% down to 225% loading on the base pay rate.
- Casual employees: 275% down to 250% loading on the base pay rate. This loading rate also includes casual loading.
- Time off in lieu: From 1 July 2017, full-time and part-time staff can agree to receive 125% loading on their base pay rate for work performed on a public holiday, instead of the full 225%, if:
 - Equivalent time is added to their paid annual leave; or
 - They take one day of paid time off in the same week as the public holiday.
- Christmas Day: From 1 July 2017, full-time and part-time staff will receive an extra 25% loading on their base pay rate for work performed on Christmas Day if it falls on a weekend and it is not declared a public holiday. They will continue to be entitled to a substitute day off.

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- Casual employees will get these penalty rates as well as their casual loading. Both loadings are paid on their base pay rate.



Sundays

- There are no changes to Sunday penalty rates under this award.

Information in this document has been sourced from FairWork Australia.

<https://www.fairwork.gov.au/pay/penalty-rates-and-allowances/penalty-rates-changes-2017>