



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

WA Award Summary

# Hairdressers Award

**1 July 2018**

## About this Award Summary

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This WA Award Summary is a summary of the state Hairdressers Award and does not include all obligations required by the award. It is important that you also refer to the full Hairdressers Award that is available on the WA Industrial Relations Commission website [www.wairc.wa.gov.au](http://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](http://www.dmirs.wa.gov.au/wageline) or by contacting Wageline on 1300 655 266.

## 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><b>Step 1</b> Is the business in the state system?</p>	<p>This WA Award Summary applies to businesses in the <b>state industrial relations system</b>. It covers businesses which operate as:</p> <ul style="list-style-type: none"> <li>✓ <b>sole traders</b> (eg Jane Smith trading as Jane’s Hairdressing)</li> <li>✓ <b>unincorporated partnerships</b> (eg Jane and Bob Smith trading as Jane’s Hairdressing)</li> <li>✓ <b>unincorporated trust arrangements</b> (eg Jane and Bob Smith as trustees for Jane’s Hairdressing)</li> </ul> <p>This summary does <b>not</b> apply to businesses in the national industrial relations system which operate as:</p> <ul style="list-style-type: none"> <li>✗ <b>Pty Ltd businesses</b> (eg Smith Pty Ltd trading as Jane’s Hairdressing)</li> <li>✗ <b>incorporated partnerships or incorporated trusts</b></li> <li>✗ <b>incorporated associations and other non-profit bodies</b> (that are trading or financial corporations)</li> </ul> <p>For more information visit the <a href="#">Guide to who is in the WA state system</a> page. If the business or organisation is in the national system visit the Fair Work Ombudsman website <a href="http://www.fairwork.gov.au">www.fairwork.gov.au</a></p>
<p><b>Step 2</b> Is the business covered by the Hairdressers Award?</p>	<p>The Hairdressers Award applies to businesses in the state industrial relations system which are:</p> <ul style="list-style-type: none"> <li>✓ hairdressing establishments</li> </ul>
<p><b>Step 3</b> Is the employee’s job covered by the Hairdressers Award?</p>	<p>The Hairdressers Award sets pay rates, working hours and other employment arrangements for full time, part time and casual employees working in hairdressing businesses as:</p> <ul style="list-style-type: none"> <li>✓ hairdressers</li> <li>✓ apprentice hairdressers</li> </ul>



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 7 details record keeping requirements.

The Hairdressers Award is a legal document that outlines the minimum wages and condition 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.



## 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 2018**.



**Adult rates of pay – applicable from first pay period on or after 1 July 2018 until end of last pay period commenced in June 2019 (new rates applied first pay period on or after 1 July 2019)**

Classification	Full time/part time employee				Casual employee (rate includes casual loading)		
	Monday - Saturday Weekly	Monday - Saturday Hourly	Sunday (double time) Hourly	Public Holiday (double time and a half) Hourly	Monday – Saturday Hourly	Sunday (double time) Hourly	Public Holiday (double time and a half) Hourly
Principal Hairdresser	\$946.20	\$24.90	\$49.80	\$62.25	\$29.88	\$59.76	\$74.70
Senior Hairdresser	\$915.40	\$24.09	\$48.18	\$60.22	\$28.91	\$57.81	\$72.27



**Junior rates of pay – applicable from first pay period on or after 1 July 2018 until end of last pay period commenced in June 2019 (new rates applied first pay period on or after 1 July 2019)**

The Hairdressers Award does not apply to junior employees who are not apprentices. Please call Wageline on 1300 655 266 for information on applicable junior wage rates.



**Apprentice rates of pay – applicable from first pay period on or after 1 July 2018 until end of last pay period commenced in June 2019 (new rates applied first pay period on or after 1 July 2019)**

Apprentice 3 year term	% of senior rate	Weekly	Hourly
1st Year - under 21	50%	\$457.70	\$12.04
1st Year - 21 or over	Adult apprentice rate	\$621.10	\$16.34
2nd Year	70%	\$640.80	\$16.86
3rd Year	85%	\$778.10	\$20.48

- Under the *Children and Community Services Act 2004*, it is illegal to employ children under the age of 13 in this industry, except if the child is working as part of a school program or in a family business.



To receive email updates when WA award pay rates change, subscribe to the [Wageline Newsletter](#).



## Employment of children

- Under the *Children and Community Services Act 2004*, it is illegal to employ children under the age of 13 in a hairdressing salon, except if the child is working as part of a school program or in a family business.
- Children who are 13 or 14 years old may be employed in a hairdressing salon between 6am and 10pm (not in school hours) with the written permission of their parent or guardian.
- Children who are school aged must not be employed during school hours, unless participating in a school program.
- The [When children can work](#) page has more information.



## Uniforms

- If an employee is required to wear a special uniform, the uniform must be provided by the employer.



## 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.



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

- Full time employees are engaged in ongoing employment and work 38 ordinary hours per week or 76 ordinary hours every two consecutive weeks.
- Full time employees (not including apprentices) can be employed subject to a two month probationary period.

### Ordinary hours of work

- The ordinary hours for full time employees are:
  - 38 hours per week or 76 hours per fortnight
  - to be worked between 8:00am and 6:00pm Monday to Friday, 8:00am to 5:00pm Saturdays, and 6:00pm and 9:00pm for the purpose of late night trading
  - no more than 10 days worked in any two week roster period
  - not more than 9.5 hours worked per day Monday to Saturday except on the day of late night trading when maximum daily hours are 11.5 hours.

### Overtime and penalty rates

When penalty rates apply for a full time employee	Penalty rates
All time worked in <b>ordinary hours</b> on Easter Saturday (Easter Eve)	Time and a half
When overtime applies for a full time employee	Overtime rates
If an employee works more than 38 hours per week or 76 ordinary hours in a two week period <b>(NOTE: overtime does not apply where more than 38 ordinary hours are worked in any week during a two week period for the purpose of giving effect to employees being rostered off duty for one day unless:</b>	Time and a half for the first two hours and double time after that
<ul style="list-style-type: none"> <li>• more than 76 ordinary hours are worked in that two week period or</li> <li>• more than 38 ordinary hours are worked in that two week period if one week is a period of annual leave.</li> </ul>	
If an employee works on a Sunday	Double time with a minimum payment of four hours at that rate
If an employee agrees to work on a rostered day off between Monday and Saturday (an employee cannot be required to work on their RDO)	Double time with a minimum of four hours at that rate
If an employee works on a Saturday in an establishment which	Time and a half for the first two hours and

When penalty rates apply for a full time employee	Penalty rates
works a five day week (Monday to Friday inclusive)	double time after that
If an employee works on a public holiday or substituted day	Double time and a half

- An employee and an employer may agree to time off in lieu of payment of overtime in which case the time off must be equivalent to the overtime rate that otherwise would have been paid.



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

Part time employees are engaged in ongoing employment and work for a minimum of 12 hours per fortnight and a maximum of 64 hours per fortnight.

- 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 can be employed subject to a two month probationary period.

### Ordinary hours of work – part time employees

- The ordinary hours for part time employees are:
  - minimum of 12 hours and maximum of 64 hours per fortnight, Monday to Saturday inclusive
  - not more than 10 days worked in any fortnight
  - not to be engaged for less than 3 hours work in any one day
  - no more than 9.5 hours per day except on the day of late night trading when maximum daily hours are 11.5 hours per day

### Overtime and penalty rates

When penalty rates apply for a part time employee	Penalty rates
All time worked in <b>ordinary hours</b> on Easter Saturday (Easter Eve)	Time and a half
When overtime applies for a part time employee	Overtime rates
If an employee works more than 10 days in any fortnight	Time and a half for the first two hours and double time after that
If an employee works more than 9.5 hours or 11.5 hours on the day of late night trading	Time and a half for the first two hours and double time after that
If an employee works outside of the hours between 8:00am and 6:00pm Monday to Friday, 8:00am to 5:00pm Saturdays, and 6:00pm and 9:00pm on late night trading	Time and a half for the first two hours and double time after that
If an employee works on a Sunday	Double time with a minimum payment of four hours at that rate
If an employee works on a Saturday in an establishment which works a five day week (Monday to Friday inclusive)	Time and a half for the first two hours and double time after that
If an employee works on a public holiday or substituted holiday	Double time and a half



## Ordinary working hours, penalty rates and overtime – casual employees

- Casual employees are engaged by the hour.

### Ordinary hours of work

- The ordinary hours for casual employees are:
  - maximum of 32 hours per week Monday to Saturday, except for up to 4 weeks at a time to cover peak trading periods or staff leave when an employee can work 38 hours per week.

- not more than 10 shifts in any 2 week roster period and any shift must be at least 3 consecutive hours.
- no more than 9.5 hours per day except on the day of late night trading when maximum daily hours are 11.5 hours per day
- A casual employee is entitled to a minimum of two hours pay if engaged to work but not permitted to commence work.

#### Overtime and penalty rates

When penalty rates apply for a casual employee	Penalty rates
All time worked in <b>ordinary hours</b> on Easter Saturday (Easter Eve)	Time and a half
When overtime applies for a casual employee	Overtime rates
If an employee works more than 32 hours per week Monday to Saturday, except for periods up to 4 weeks to cover peak trading periods or staff leave when the maximum hours are 38 hours per week	Time a half for the first two hours and double time after that
If an employee works more than 10 shifts in a fortnight	Time and a half for the first two hours then double time
If an employee works on a Sunday	Double time with a minimum payment of four hours
If an employee works on a Saturday in an establishment which works a five day week (Monday to Friday inclusive)	Time and a half for the first two hours and double time after that
If an employee works on a public holiday or substituted holiday	Double time and a half



#### Allowances

Allowance	When allowance is paid	Rate
Tool allowance	All full time and part time employees and apprentices	<b>\$8.30</b> per week
Meal money	If an employee is required to <ul style="list-style-type: none"> <li>● continue working after the usual finishing time for more than one hour, or</li> <li>● start work before 12.30pm and work beyond 7:00pm on the night of late night trading.</li> </ul>	Meal money of <b>\$12.55</b> per occasion
First aid allowance	Where an employee possesses a Senior First Aid Certificate and is appointed to perform first aid duties.	<b>\$10.00</b> per week
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 <a href="#">Location Allowance</a> page for the amount payable for each town or Clause 31 of the Award



#### Public holidays

- 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.
- 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.

- When a public holiday falls on a day which for an employee would be that employee's rostered day off (non-working day) Monday to Saturday inclusive, the rostered day off shall be taken on the next following working day or on another day in the same working week by agreement between the employer and employee. Alternatively, the employer and employee may agree that substituted rostered days off accumulate up to a maximum of five in any given year, to be taken at a mutually agreed time.
- Visit the [Public Holidays in Western Australia](#) page to view the public holiday dates.



## Meal breaks

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- The Hairdressers Award details requirements for meal and tea breaks, and requires a higher hourly rate to be paid if an employee is not provided with a meal break.
- Consult Clause 15 of the Hairdressers Award available on the WA Industrial Relations Commission website [www.wairc.wa.gov.au](http://www.wairc.wa.gov.au) for details. See above for details on meal money.



## Employment records

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- Employers are legally required to keep employment records which demonstrate that employees have been paid all entitlements under the Hairdressers 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 Hairdressers Award, such as overtime hours worked and allowances paid. Contact [Wageline](#) or view the full Hairdressers Award on the WA Industrial Relations Commission website [www.wairc.wa.gov.au](http://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 [record keeping templates](#) help small business employers meet their legal obligations for time and wages record keeping and keep accurate employee leave records.



## Payslips

- An employer may provide a payslip to an employee that includes details of the number of hours worked for the pay period, wages and allowances payable and any deductions made. If a payslip is not provided, the employee is permitted to inspect the record.
- Visit the [Record keeping requirements page](#) for Wageline’s payslip and record keeping templates.



## 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	✓	✓	✓

This WA Award summary covers the basic leave entitlements for employees covered by the Hairdressers Award but does **not** include all details on leave obligations and entitlements. Full details of conditions are contained in the Hairdressers Award on the WA Industrial Relations Commission website [www.wairc.wa.gov.au](http://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 Hairdressers 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%.
- On termination, annual leave loading of 17.5% is paid out on fully accrued annual leave entitlements for completed years of employment. Annual leave loading is not paid on proportionate leave (leave accrued in an incomplete year of employment) on termination, except in a situation where the termination is as a result of a business being sold from one employer to another and the employee's service has been deemed continuous, in which case the 17.5% loading must be paid to the employee pro-rata to the date of termination with the former employer.
- 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 [record keeping templates](#) include an annual leave record template.



## 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 2 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 [record keeping templates](#) include a sick and carer's leave record template.



### Long service leave

- Full time, part time and casual employees are entitled to long service leave (LSL).
- Long service leave is an entitlement from the *Long Service Leave Act 1958*.
- The length of continuous employment for an employee's long service leave entitlement is based on the total time with the business, rather than any one employer. An employer who buys 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 the sale contract.

Amount of continuous employment with same business	Amount of leave
After <b>10 years</b> of continuous employment	8 <sup>2/3</sup> weeks
For every <b>5 years</b> of continuous employment after this initial 10 years	4 <sup>1/3</sup> weeks
When an employee is terminated (except for serious misconduct) or resigns after they have completed <b>between 7 and 10 years</b> continuous employment	The employee is entitled to be paid out for LSL on a proportionate basis. LSL payment is worked out on a pro-rata basis for the entire period of employment, including years, months and days
When an employee is terminated or resigns after they have worked continuously for <b>10 or more years</b>	The employee is entitled to be paid out for LSL. LSL payment is worked out on completed years of service only

- An employee who has completed a full qualifying period of service (e.g. 10 years) is entitled to be paid out their full long service leave entitlement (e.g. 8 <sup>2/3</sup> weeks) on termination, regardless of the circumstances of the termination.
- Where an employee has a period of service that is less than the full qualifying period and they were terminated by their employer for serious misconduct, they are not entitled to **pro rata** LSL.
- Wageline’s [Long Service Leave Calculation Guide](#) can assist with calculating long service leave entitlements.
- Wageline’s [record keeping templates](#) include a long service leave record template.



## Resignation, termination and redundancy

### Resignation by the employee

- Full time and part time employees are required to provide:
  - no notice if the employee is serving a 2 month probationary period as long as the employee was told of the probationary period and duration prior to engagement
  - one week’s notice if employed for 5 or less years
  - two weeks’ notice if employed longer than 5 years.
- A casual employee can resign without providing any notice to the employer.

### Termination

- An employer is not required to give a casual employee any 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.
- 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* (section 117) which applies rather than the notice provisions in the Hairdressers Award.

### Redundancy

- An employee is redundant when their employer has made a definite decision that they no longer wish the job the employee has been doing to be done by anyone. An employer has a number of obligations in redundancy situations and may be required to pay severance pay. Visit the [Redundancy](#) page for redundancy obligations.

### 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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