

4-year review comparison: Clerks Private Sector Award 2010 v Clerks Private Sector Award 2020 (Reviewed Award)

24 February 2020

CLERKS –PRIVATE SECTOR AWARD 2010		CLERKS –PRIVATE SECTOR AWARD 2020		Comparison between awards
Old Clause No.	Old Clause Title	New Award Clause No	New Award Clause Name	Changes
1.	Title	1.	Title and Commencement	<ul style="list-style-type: none"> ➤ Title and Commencement terms merged ➤ Title of Award changed to 2020 ➤ Transitional terms deleted
2.	Commencement and transitional	1.	Title and Commencement	See comments above
3.	Definitions and interpretation	2.	Definitions	<ul style="list-style-type: none"> ➤ New definitions added ➤ Some re-drafting of existing definitions ➤ Some definitions deleted – obsolete
4.	Coverage	4.	Coverage	<ul style="list-style-type: none"> ➤ Some re-drafting of coverage provisions
5.	Access to the Award and the National Employment Standards	3.	The National Employment Standards and this award	<ul style="list-style-type: none"> ➤ Provisions of previous clauses 5 & 6 incorporated in clause 3- The National Employment Standards and this award ➤ Minor re-drafting
6.	The National Employment Standards and this award	3.	The National Employment Standards and this award	As above
7.	Individual flexibility arrangements	5.	Individual flexibility arrangements	No changes
-	-	7.	Facilitative provisions	New clause – Identifies provisions where individual or majority agreement can be reached with employer on how these terms will apply in the w/place

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8.	Consultation about major workplace change	38.	Consultation about major workplace change	No changes
8A	Consultation about changes to rosters or hours of work	39.	Consultation about changes to rosters or hours of work	No changes
9.	Dispute Resolution	40.	Dispute Resolution	No changes
-	-	8.	Types of employment	New clause – identifies the different types of employment
10.	Full-time Employment	9.	Full Time employees	Minor re-drafting
11.	Part-time Employment	10.	Part time employees	Minor re-drafting
12.	Casual Employment.	11.	Casual employees	Model term re casual conversion inserted into award in Oct 2018
13.	Termination of employment	41.	Termination of employment	No change - model terms
14.	Redundancy	42.	Redundancy	No change – model terms
15.	Classifications	Schedule A	Classification Structure and Definitions	<ul style="list-style-type: none"> ➤ Terms of previous clause 15 & Schedule B now incorporated in new Schedule A ➤ Minor re-drafting
16.	Minimum weekly wages	16/Schedule B	Minimum rates	<ul style="list-style-type: none"> ➤ Title change ➤ Minor re-drafting

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				➤ Year of service condts included
17.	Annualised salaries	18.	Annualised wage arrangements	➤ New model clause to be op. from 1 March 2020 ➤ Extra audit obligations on employers utilizing these arrangements
18.	Juniors	16.4	Minimum rates	➤ Junior provisions from previous clause 18 now incorporated in clause 16
19.	Allowances	19.	Allowances	Summary of monetary allowances also included in Schedule C
20.	Accident make-up pay	-	-	Clause deleted
21.	Supported wage system	Schedule D	Supported Wage System	Also refer to clause 16.5 – Minimum rates
22.	National training wage	-	-	> Now included in Schedule E of Miscellaneous Award ➤ Also refer to clause 16.6 – Minimum rates
23.	Payment of wages	17.	Payment of wages	➤ Averaging system conditions re-drafted ➤ Payment on termination – model clause
24.	Superannuation	20.	Superannuation	No changes
25.	Ordinary hours of work (other than shiftworkers)	13.	Ordinary hours of work (employees other than shift workers)	➤ Minor re-drafting ➤ Redrafting re Setting ord. hours by different award in 13.5

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				➤ Make-up time included in cl. 13
-	-	14.	Rostering arrangements (employees other than shift workers)	<ul style="list-style-type: none"> ➤ Separate clause created from provisions in previous clause 25.3/25.4 ➤ Includes condts. re RDO's
26.	Breaks	15.	Breaks (employees other than shift workers)	<ul style="list-style-type: none"> ➤ Minor re-drafting
27.	Overtime rates and penalties (other than shift workers)	21.	Overtime (employees other than shift workers)	Clause re-drafted and split up into various clauses (see below)
-	-	22.	Rest period after working overtime (employees other than shift workers)	Separate clause created from provisions in previous clause 27.3
27 (cont.)	Overtime rates & penalties (other than shift workers)- cont.	23.	Time of instead of payment for overtime	<ul style="list-style-type: none"> ➤ Separate clause created from provisions in previous clause 27.5
-	-	24.	Penalty rates (employees other than shift workers)	<ul style="list-style-type: none"> ➤ Separate clause created from provisions in previous clauses 27.2/31 ➤ Prescribes 4 hour minimum for ordinary time on Sunday if Clause 13.5 is activated
28	Shiftwork	25.	Application of part	Separate clause created from provisions in previous clauses 28.1/28.2
28 (cont.)	Shiftwork (cont.)	26.	Ordinary hours of work and rostering for shiftwork	Redrafted – previous provisions now spread over new clauses 25- 31 (see below)

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-	-	27.	Breaks for shiftwork	Separate clause created from provisions in previous clauses 28.4 (f)/26.2
-	-	28.	Overtime for shiftwork	Separate clause created from provisions in previous clauses 28.5-28.7
-	-	29.	Time off instead of payment for overtime for shiftwork	Separate clause created from provisions in previous clause 28.5
-	-	30.	Rest period after overtime for shiftwork	Separate clause created from provisions in previous clause 27.3
-	-	31.	Penalty rates for shiftwork	Separate clause created from provisions in previous clause 28.4
28 A.	Requests for flexible working arrangements	6.	Requests for flexible working arrangements	Model clause terms inserted in Dec 2018
29.	Annual leave.	32.	Annual leave	➤ Minor re-drafting ➤ No major changes
30.	Personal /carer's leave and compassionate leave	33.	Personal/Carer's leave and Compassionate leave	No major changes
31	Public holidays	37.	Public holidays	➤ Public hol payments terms relocated to cl 24.2 /28.1 ➤ Minor re-drafting
32.	Community service leave	35.	Community service leave	No change

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-	-	34.	Parental leave and related entitlements	New clause – refers to NES
33.	Leave to deal with Family and Domestic Violence	36.	Unpaid family and domestic violence leave	<ul style="list-style-type: none"> ➤ New title ➤ Model terms included in Aug 2018
Schedule A	Transitional Provisions.	N/A	N/A	Deleted
Schedule B	Classifications	Schedule A	Classification Structure and Definitions	Minor re-drafting
-	-	Schedule B	Summary of Hourly Rates of Pay	New Schedule
-	-	Schedule C	Summary of Monetary Allowances	New Schedule
Schedule C	Supported Wage System	Schedule D	Supported Wage System	No change to existing terms
Schedule D	National Training Wage	-	Deleted	Schedule deleted – refer to Misc Award / and Clause 16.6
Schedule E	Part-day Public Holidays	Schedule H	Part-days Public Holidays	Minor re-drafting to existing terms
Schedule F	Agreement to Take Annual Leave in Advance	Schedule F	Agreement to Take Annual Leave in Advance	Minor re-drafting to existing terms

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Schedule G	Agreement to Cash Out Annual Leave	Schedule G	Agreement to Cash Out Annual Leave	Minor re-drafting to existing terms
Schedule H	Agreement for Time Off Instead of Payment for Overtime	Schedule E	Agreement for Time Off Instead of Payment for Overtime	No change to existing terms

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