

Key News Update

Hospitality Industry Award Update

This is a recap of some of the recent changes to the *Hospitality Industry (General) Award* (HIGA).

Wage increase

Effective from the first full pay-period commencing on or after 1 November 2021, the base rate of pay for all wage classifications was increased by 2.5%. For members' convenience, the new rates, penalties and allowances have been summarised, and may be downloaded here: [Hospitality Industry \(General\) Award](#)

Loaded Penalty Rates

On 3 September, the Award was updated giving employers an option to pay some employees a loaded rate of pay instead of certain award entitlements. This option is only available to full-time adult employees classified at Level 3 or above.

The loaded rates replace:

- Overtime payments (cl 28) – (except for clauses 28.2(d) to (f) dealing with RDOs and ADOs)
- Penalty rates (cl 29) – (with the exception of penalty rates in relation to public holidays)
- Split shift allowance (cl 26.14(b)(i)).

Schedule K of the Award lists the loaded rates and conditions that apply.

Casual Employment and Casual Conversion

The *Fair Work Act* was amended in March 2021 to include a definition of casual employment. When expressed in employment contracts, the definition provides protection for employers against claims for employees' entitlements enjoyed by permanent employees.

From 27 September 2021, the casual conversion obligations in HIGA were harmonised with the NES. The obligations are:

- Larger employers (with 15 or more regular employees) are required to offer casual employees the option to convert to permanent employment to those with 12 months service of which the previous six months was worked on a regular basis.
- Employees of smaller employers may request casual conversion after the qualifying period. Small employers are not required to make the offer.
- All new casuals must be issued with a Casual Employment Information Statement on commencement.

Members are reminded they have unlimited access to the Accommodation Association's advice line, and are invited to contact the Association to discuss these award changes or any other employment issues of concern.

Noel Teskey

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