

Term	Description
Coverage	<p>This industry award covers employers throughout Australia engaged in the fitness industry and their employees in the classifications in this award to the exclusion of any other modern award.</p> <p>This award does not cover employers or employees covered by the following awards:</p> <ul style="list-style-type: none"> - <i>Amusement, Events and Recreation Award 2010;</i> - <i>Children’s Services Award 2010;</i> - <i>Cleaning Services Award 2010;</i> - <i>Hospitality Industry (General) Award 2010;</i> - <i>Local Government Industry Award 2010;</i> - <i>Registered and Licensed Clubs Award 2010;</i> or - <i>Security Services Industry Award 2010.</i> <p>fitness industry means the operation or provision of:</p> <ul style="list-style-type: none"> - fitness centres; - fitness services or classes; - group fitness organisations; - weight loss/control centres; - aquatic centres; - aquatic services or classes; - indoor sports centres; - golf driving ranges; - dance centres; - martial arts centres; and - recreational camps.
Classifications	<p>The Award sets out a classification structure that defines indicative tasks that employees perform at different skill levels. Each employee must be covered by a classification within this structure. Employers must advise employees in writing of their classification and any changes to their classification.</p> <p>Each classification has a corresponding minimum rate of pay. At least this rate of pay must be provided to each employee for every hour worked.</p> <p>For help classifying your employees please call the Fitness Australia HR Service on 1300 211 311.</p>



Term		Description
Full-time employee		A full-time employee is an employee who is engaged to work an average of 38 hours per week.
Part-time employee		<p>A part time employee is engaged for a specified number of hours of less than 38 per week and requires the employee to be provided with a regular pattern of working hours with no shift for less than 3 hours. An agreement in writing must be reached regarding the employee’s actual hours and days of work.</p> <p>Any agreed variation to the hours of work will be recorded in writing.</p> <p>An employer is required to roster a part-time employee for a minimum of three consecutive hours on a shift or a minimum of three hours, exclusive of meal breaks, on a broken shift.</p>
Casual employee		<p>A casual employee does not have regular and systematic employment and has no expectation of ongoing employment. A casual employee will be paid both the hourly rate payable to a full-time employee and an additional 25% of the ordinary hourly rate for a full-time employee.</p> <p>A casual employee must be engaged for a minimum of 3 hours.</p> <p>A casual employee who is classified as a Level 2, 3, 3A, 4 or 4A instructor or trainer or as a student undertaking practical work involvement may be engaged for a minimum period of one hour’s work at the appropriate rate or be paid per engagement for a minimum of one hour’s work at the appropriate rate.</p>
Allowances	Leading hands and supervisors	<p>Standard rate = the minimum weekly wage for a Level 3</p> <p>An employee at classification Level 4A or below in charge of the following number of employees must be paid:</p> <ul style="list-style-type: none"> • 1-5 employees: 3% of the standard rate per week extra; • 6-10 employees: 4.1% of the standard rate per week extra; • more than 10 employees: 5.5% of the standard rate per week extra.
	Meal	An employee required to work overtime for more than one and a half hours immediately after their ordinary hours of work must be paid a meal allowance of \$11.61 unless the employer provides a meal.
	Vehicle	An employee who, by agreement with their employer, uses their own motor vehicle in the performance of duties must be paid \$0.78 per kilometre travelled.



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		An employee who, by agreement with their employer, uses their own motorcycle in the performance of duties must be paid \$0.26 per kilometre travelled.
	Broken shift	An employee working a rostered broken shift must be paid per day 1.7% of the standard rate extra and for excess fares \$1.90 extra.
	First aid allowance	An employee who is rostered by an employer to be on first aid duty at a particular time must be paid per day 0.32% of the standard rate extra.
	Uniforms and protective clothing	An employee who is required to wear specific clothing as part of their employment must be reimbursed for the reasonable cost of purchasing such clothing and laundering or dry cleaning such clothing, unless such clothing is provided by the employer without cost to the employee or is cleaned by the employer. Where such clothing is provided by the employer it will remain the property of the employer.
	Travelling time and fares	An employee who is required by the employer to travel from one place of work to another must be reimbursed by the employer all fares necessarily incurred by the employee. All time occupied in such travel is deemed to be working time and the employee must be paid at the appropriate rate.



	<p>Sleepover</p>	<ul style="list-style-type: none"> - Sleepover means a continuous period of eight hours during which an employee is required to sleep at the workplace and be available to deal with any urgent situation which cannot be dealt with by another employee or be dealt with after the end of the sleepover period. - The employer must take all reasonable steps to enable the employee to sleep at the workplace including the provision of a bed with privacy. Access to a bathroom, toilet and a meal room must also be provided free of charge to the employee - An employee will only sleep over if: <ul style="list-style-type: none"> o there is agreement between the employee and the employer with at least one week’s notice in advance, except in the case of an emergency; and o the sleepover consists of eight continuous hours. - The sleepover allowance is equivalent to three hours payment at the employee’s ordinary rate of pay. Such payment is compensation for the sleepover and for all necessary work of up to two hours duration during the sleepover period. Any necessary work in excess of two hours during the sleepover period must be compensated at overtime rates in addition to the sleepover allowance. - Employee on a sleepover must not be required to work more than eight hours before, and/or more than eight hours after, a sleepover, unless provision has been made at a workplace to work longer hours for the purpose of providing more continuous leisure time within the roster and this arrangement has the genuine agreement of the employees affected and does not adversely affect the health and safety of the employee(s) involved.
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<p>Payment of Wages</p>	<p>Wages must be paid weekly or fortnightly or, by agreement between the employer and the majority of employees, monthly.</p> <p>Wages must be paid by cash, cheque or electronic funds transfer, as determined by the employer, into the bank or financial institution account nominated by the employee.</p> <p>Where an employee is paid wages by cash or cheque and the employee is, by virtue of the arrangement of their ordinary hours, to take a day off on a day which coincides with payday, such employee must be paid no later than the working day immediately following payday.</p> <p>Where an employee's ordinary hours in a week are greater or less than 38 hours and such employee's pay is averaged to avoid fluctuating wage payments, the following applies:</p> <ul style="list-style-type: none"> - The employee accrues a credit for each day the employee works ordinary hours in excess of the daily average. - The employee incurs a debit for each day of absence from duty other than when the employee is on paid leave, workers compensation or jury service. - An employee absent for part of a day (other than when the employee is on paid leave, workers compensation or jury service) incurs a proportion of the debit for the day, based on the proportion of the working day that the employee was in attendance.
<p>Higher Duties</p>	<p>An employee appointed by the employer to perform the work of a classification higher than the employee's usual classification must be paid at least the rate applicable to the higher classification for the hours worked.</p>



<p>Hours of Work</p>	<p>The ordinary hours of work for a full-time employee must not exceed an average of 38 hours per week over a period of four weeks. Such hours may be worked over any five days of the week, between the hours of:</p> <ul style="list-style-type: none"> - 5.00 am and 11.00 pm, Monday to Friday; and - 6.00 am and 9.00 pm, Saturday and Sunday. <p>The ordinary hours of work for a full-time or part-time employee must not exceed 10 hours on any one day.</p> <p>An employee may be rostered to work a broken shift on any day provided that:</p> <ul style="list-style-type: none"> - the shift is not broken into more than two parts; - the total length of the shift is not less than three hours, exclusive of meal breaks; and - the span of hours from the start of the first part of the shift to the end of the second part of the shift is not more than 12 hours. <p>An employee must be notified by their employer of their rostered hours. At least seven days' notice must be given by an employer to an employee of any change in their rostered hours, except in the case of an emergency.</p>
<p>Breaks</p>	<p>An employee must be given an unpaid meal break of not less than 30 minutes and not more than 60 minutes no later than five hours after commencing work and five hours after the resumption of work from a previous meal break. An employee required to work through a meal break must be paid double time for all time so worked until a meal break is allowed.</p> <p>An employee, other than a casual employee who works three hours or less per shift, must be allowed a paid 10 minute rest break between their time of commencing work and their meal break and a paid 10 minute rest break between their meal break and their time of ceasing work for the day.</p>
<p>Overtime</p>	<p>All time worked by an employee outside the spread of hours, in excess of an average of 38 hours per week over a period of four weeks, or in excess of 10 hours on any day, is deemed to be overtime and must be paid at the rate of time and a half for the first two hours and double time thereafter from Monday to Saturday and at the rate of double time on a Sunday.¹</p> <p>An employee is entitled to a minimum 10 hour break between shifts. An employee required by the employer to resume work without having a break of at least 10 hours between rostered shifts must be paid at the rate of double time for all time worked until they have had a break from work of at least 10 hours.</p>

¹ Please note, it is ambiguous whether casual employees are entitled to overtime under the Fitness Industry Award. There is currently a matter before the Fair Work Commission which deals directly with this issue.



Penalty rates	Saturdays	<p>A permanent employee must be paid at the rate of time and a quarter for all ordinary hours worked on a Saturday.</p> <p>A casual employee will be paid at 130% (including the casual loading) for all ordinary hours worked on a Saturday.</p>
	Sundays	<p>A permanent employee must be paid at the rate of time and a half for all ordinary hours worked on a Sunday.</p> <p>A casual employee will be paid at 130% (including the casual loading) for all ordinary hours worked on a Sunday.</p>
	Public Holidays	<p>A permanent employee must be paid at the rate of double time and a half for all hours worked on a public holiday.</p> <p>A casual employee will be paid at 130% (including the casual loading) for all hours worked on a public holiday.</p> <p>An employee required to work on a public holiday must be engaged or be paid for at least four hours work.</p>

