



Mediation and Employment Relations Services

239 Magill Rd Maylands SA 5069

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PORK SA MEMBER UPDATE DECEMBER 2023

Proclaimed Public Holidays

A reminder that the following days have been proclaimed public holidays:

1. Sunday 24 December: Christmas Eve: 7pm to midnight
2. Monday 25 December: Christmas Day
3. Tuesday 26 December: Proclamation Day public holiday and Boxing Day
4. Sunday 31 December: New Year's Eve: 7pm to midnight
5. Monday 1 January 2024: New Year's Day

Work on Public Holidays

The Pastoral Award 2020 makes the following provisions in clause 25 and payment for work performed on a public holiday is an ADDITIONAL 150% or 250% of the ordinary rate for full time and part time employees. That rate applies for a minimum of 3 hours and up to the usual rostered hours. For time worked in excess of the ordinary rostered hours overtime rates will apply.

Casual employees receive an additional 25% to those rates.

The table below may assist:

PIGGERY ATTENDANTS								
	Full and Part Time					Casual		
	Per week	Per hour				Per hour		
		100%	150%	200%	250%	125%	175%	275%
PA 1	\$ 859.30	\$ 22.61	\$ 33.92	\$ 45.22	\$ 56.53	\$ 28.27	\$ 39.57	\$ 62.18
PA 2	\$ 882.30	\$ 23.22	\$ 34.83	\$ 46.44	\$ 58.05	\$ 29.03	\$ 40.64	\$ 63.86
PA 3	\$ 914.90	\$ 24.08	\$ 36.12	\$ 48.16	\$ 60.20	\$ 30.10	\$ 42.14	\$ 66.22
PA 4	\$ 945.10	\$ 24.87	\$ 37.31	\$ 49.74	\$ 62.18	\$ 31.09	\$ 43.52	\$ 68.39
PA 5	\$ 969.00	\$ 25.50	\$ 38.25	\$ 51.00	\$ 63.75	\$ 31.88	\$ 44.63	\$ 70.13
PA 6	\$ 995.00	\$ 26.18	\$ 39.27	\$ 52.36	\$ 65.45	\$ 32.73	\$ 45.82	\$ 72.00
PA 7	\$ 1,026.20	\$ 27.01	\$ 40.52	\$ 54.02	\$ 67.53	\$ 33.76	\$ 47.27	\$ 74.28

Time off in lieu of payment for the Public Holiday Clause 45

By agreement between an employer and the employees, time off instead of payment for public holidays may be accrued for public holiday work. That is, the employee will receive ordinary time payment for the hours worked on the said holiday and accrue time to be taken at a mutually agreed time.



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Changes to Fixed Term Contracts

On 6th December 2023 the Federal Parliament passed further amendments to the Fair Work Amendment (Secure Jobs, Better Pay) Bill 2022 in relation to fixed term employment contracts.

A term contract has a specific end date, or terminates when a specific event occurs, but cannot be terminated earlier.

Employers will be prevented from renewing existing fixed term contracts when the total length of the contracts will exceed two years. However, these changes are subject to some limited exceptions.

This will result in the maximum term for a fixed term contract will be limited to 2 years. Rolling contracts that flow on from one to the next, are limited to a cumulative term of two years.

Penalties can be imposed for breaches including engaging another employee to work in the same position beyond a total of two years.

There are exemptions for employees who earn above the high income threshold of \$167,500 per annum.

Employers should make sure that the fixed term contracts that commence on or after the 6th December 2023, should be aware of, and be compliant with these changes. In addition the Fixed Term Information Statement is available at [Fixed Term Contract Information Statement \(fairwork.gov.au\)](https://www.fairwork.gov.au/ftcis) ("FTCIS").

Zombie Agreements

This is a final reminder to workplaces with Zombie Agreements (that is all registered Agreements both in the Federal and State jurisdiction including Australian Workplace Agreements ("AWAs) registered prior to 2010, are now void and those workplaces revert to the relevant award (eg Pastoral Award 2020).

Members' Industrial Relations Advice

PORK SA members are entitled to contact MERS for a free half hour consultation, per member per year. Our telephone number is 08 83312422) and email chas@mers.com.au

Recent Member Updates are included in the MERS website www.mers.com.au

We wish you and your family a Happy Christmas and a Healthy and Safe New Year.