



Hair and Beauty Industry Award 2020 Summary

HR Connect has produced this free summary to the Hair and Beauty Industry Award 2020, it takes account of all changes to the award up to and including 1 October 2022.



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The information provided in this document is general in nature and is not intended to substitute for professional advice. If you are unsure about how this document applies to your specific situation we recommend you [contact HR Connect](#) for advice. The information in this summary is correct as of October 2022.

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COVERAGE OF THE HAIR AND BEAUTY AWARD

The Hair & Beauty Industry Award 2020 covers employers throughout Australia in the **hair and beauty industry**. This is defined as:

- *Performing shaving, cutting, hairdressing, hairstyling, haircutting, trimming, facial waxing, beard trimming, face or head massaging, shampooing, wig-making, hair dyeing, eye-brow waxing, lash tinting or any process or treatment of the hair, head or face carried on, using or engaged in a hairdressing salon and includes the sharpening or setting of razors in a hairdressing salon; and/or*
- *Performing manicures, pedicures, nail enhancement, nail artistry techniques, waxing, eyebrow arching, lash brow tinting, make-up, analysis of skin, development of treatment plans, facial treatments including massage, specialised treatments including lymphatic drainage, high-frequency body treatments including full body massage, other specialised treatments including the use of machinery and other cosmetic applications, body hair removal including (but not limited to) waxing chemical methods, electrolysis and laser hair removal, aromatherapy and the application of aromatic plant oils for beauty treatments, use of various types of electrical equipment for both body and facial treatments.*

The Hair and Beauty Industry Award does not generally cover hair and beauty work that is performed in the general retailing, theatrical, amusement and entertainment industries. For example, a beautician applying make-up and selling products in a department store would generally be covered by the General Retail Industry Award.

Other modern awards that might apply to employees in a salon include the Nurses Award (for qualified nurses) and the Health Professional and Support Services Award for other health professionals.

CLASSIFICATIONS & MINIMUM RATES OF PAY

CLASSIFICATIONS

Employers must advise their employees in writing of their classification at the start of their employment and of any subsequent changes to their classification.

LEVEL 1

A Hair and Beauty Employee Level 1 will cover employees performing administrative or clerical duties, such as a **receptionist** or **salon assistant**.

LEVEL 2

A Hair and Beauty Employee Level 2 will cover employees performing the following duties or with the following qualifications:

- a make-up artist who holds a **Certificate II** in Make-up Services (or equivalent);
- a nail technician who holds a **Certificate II** in Nail Technology (or equivalent);
- an **unqualified** beautician or cosmetologist.

LEVEL 3

A Hair and Beauty Employee Level 3 will cover employees performing the following duties, or with the following qualifications:

- a beautician who holds a **Certificate III** in Beauty Services (or equivalent);
- a hairdresser who holds a **Certificate III** in Hairdressing (or equivalent).

LEVEL 4

A Hair and Beauty Employee Level 4 will cover employees such as a beauty therapist who holds a **Certificate IV** in Beauty Therapy (or equivalent).

LEVEL 5

A Hair and Beauty Employee Level 5 will cover employees performing the following duties, or with the following qualifications:

- a hairdresser who holds a **Certificate IV** (or equivalent);
- a trichologist who is a hairdresser and holds a **Certificate IV** in Trichology (or equivalent).

LEVEL 6

A Hair and Beauty Employee Level 6 will cover employees such as a beauty therapist who holds a **Diploma** in Beauty Therapy (or equivalent).

MINIMUM RATES OF PAY

The minimum rates of pay for each level in the Award is set out in clause 17. These generally increase on 1 July each year. The Award provides for reduced rates of pay for junior employees (those under 18 years of age).

TYPES OF EMPLOYMENT

FULL-TIME

A full-time employee is engaged to work an average of 38 ordinary hours per week. Employees can be paid per hour or paid a salaried amount.

PART-TIME

A part-time employee works less than 38 ordinary hours per week (or over the roster cycle) and has reasonably predictable hours of work. When a part-time employee is rostered to work they must be engaged for a minimum of 3 hours per shift.

Part-time employees must have a written agreement in place which outlines their regular pattern of hours, including:

- the hours the employee will work each day;
- the days of the week the employee will work;
- their starting at finishing times each day;
- that the pattern of hours can be varied by agreement between the employee and employer;
- the minimum engagement for each shift is 3 hours;
- the times they will be required to take a meal break and the duration of the breaks.

CASUAL

A casual employee does not have guaranteed hours of work and usually works an irregular pattern. They are paid an additional 25% loading on top of the permanent base rate of pay as compensation for in lieu of annual leave and personal/carer's leave entitlements, a notice of termination, redundancy benefits and other entitlements of full or part-time employees. When a casual employee is rostered to work, they must be engaged for a minimum of 3 hours per shift.

CASUAL CONVERSATION

Under the Award, casual employees are entitled to ask their employer to convert their employment to full time or part-time employment when they have worked a regular pattern of hours over a period of at least 12 months and they could continue to work those hours as a full time or part-time employee without significant changes to their employment.

The employer must provide a copy of the casual conversion subclause of the Award to all casual employees within their first 12 months of employment. It is generally easiest to provide this to employees when they start their employment. Any request to convert must be considered by the Employer but may be refused on reasonable business grounds.

These obligations currently operate alongside the new casual conversion provisions in the Fair Work Act. Employers must follow the casual conversion obligations under the Fair Work Act and in the award. See further guidance in our blog article on [understanding your new obligations regarding Casual Conversion](#).

HOURS OF WORK AND ROSTERING

SPREAD OF ORDINARY HOURS

Ordinary hours must be worked between the following spread of hours:

Monday to Friday	7:00 am to 9:00 pm
Saturday	7:00 am to 6:00 pm
Sunday	10:00 am to 5:00 pm

MAXIMUM WEEKLY HOURS

The maximum number of ordinary hours of work that may be worked is 38 hours per week or an average of 38 hours per week. Hours can be averaged over a maximum period of 4 weeks.

MAXIMUM DAILY HOURS

Employees can be rostered on for a maximum of 9 ordinary hours on each day, with the exception of one shift going up to 10.5 ordinary hours in one week, and by mutual agreement in writing, a second 10.5 ordinary hour day.

MAXIMUM NUMBER OF DAYS PER WEEK

Ordinary hours must not be worked on more than 5 days in each week, except that ordinary hours can only be worked on 6 days in one week if ordinary hours in the following week are worked on no more than 4 days.

The Award states that: “Ordinary hours and any reasonable additional hours must not be worked over more than 6 consecutive days”. We take this to mean that work in excess of this will breach the Award, this cannot be avoided simply by paying overtime rates.

The Award states that: “If an employee elects to work ordinary hours on a Sunday, then the employer must roster the employee so that they have at least one Sunday off every 4 weeks. The employer and the employee may agree to a different arrangement”. We would therefore say that it is possible that an employee can agree to having less than one Sunday off every 4 weeks, but would recommend this agreement is recorded in writing.

WRITTEN ROSTERS

Employers must provide full-time and part-time employees (but not casuals) with a written roster at least 14 days in advance of their shift.

The roster must state all of the following for each employee:

- (i) the number of ordinary hours to be worked by them each week in that period; and
- (ii) the days of the week on which they will work; and
- (iii) the times at which they start and finish work each day.

An employer may change a full-time employee’s roster at any time:

- (i) by mutual agreement between the employer and employee; or
- (ii) in an emergency, by giving the employee 48 hours’ notice of the change.

The Award says an employer may change a part-time employee’s roster, “but not the number of hours agreed under clause 10.3” (ie their agreed daily hours) by:

- (i) by giving the employee 7 days’ written notice of the change; or
- (ii) in an emergency, by giving the employee 48 hours’ notice of the change.

The employer must not change the employee’s roster from week to week or fortnight to fortnight.

It is not entirely clear whether the intention is that overtime rates are payable for any hours worked outside the employee’s agreed daily hours due to a change in a roster – please contact us for further information.

WHEN OVERTIME APPLIES - OVERTIME RATES

Employment Type	When Overtime Applies	Overtime Rate								
Full-Time & Part-Time	<p>Overtime rates will apply when a full-time or part-time employee works:</p> <ul style="list-style-type: none"> Over an average of 38 hours a week; Outside the following spread of hours: <table border="1"> <thead> <tr> <th>DAYS</th> <th>SPREAD OF HOURS</th> </tr> </thead> <tbody> <tr> <td>Mon to Fri, inclusive</td> <td>7:00 am - 9:00 pm</td> </tr> <tr> <td>Saturday</td> <td>7:00 am - 6:00 pm</td> </tr> <tr> <td>Sunday</td> <td>10:00 am - 5:00 pm</td> </tr> </tbody> </table> <ul style="list-style-type: none"> Part-time employees will also receive overtime if they work over the pattern of work agreed on commencement of employment, (ie number of hours, days of the week and start and finish times). 	DAYS	SPREAD OF HOURS	Mon to Fri, inclusive	7:00 am - 9:00 pm	Saturday	7:00 am - 6:00 pm	Sunday	10:00 am - 5:00 pm	<p>Overtime rates are payable at:</p> <p>150% of the ordinary hourly rate of pay for the first three hours and 200% thereafter.</p>
DAYS	SPREAD OF HOURS									
Mon to Fri, inclusive	7:00 am - 9:00 pm									
Saturday	7:00 am - 6:00 pm									
Sunday	10:00 am - 5:00 pm									
Casual	<p>Overtime rates will apply when a casual employee works:</p> <ul style="list-style-type: none"> Over an average of 38 hours a week; Outside the following spread of hours: <table border="1"> <thead> <tr> <th>DAYS</th> <th>SPREAD OF HOURS</th> </tr> </thead> <tbody> <tr> <td>Mon to Fri, inclusive</td> <td>7:00 am - 9:00 pm</td> </tr> <tr> <td>Saturday</td> <td>7:00 am - 6:00pm</td> </tr> <tr> <td>Sunday</td> <td>10:00 am - 5:00 pm</td> </tr> </tbody> </table> <ul style="list-style-type: none"> In excess of 10.5 hours a day 	DAYS	SPREAD OF HOURS	Mon to Fri, inclusive	7:00 am - 9:00 pm	Saturday	7:00 am - 6:00pm	Sunday	10:00 am - 5:00 pm	<p>Overtime rates are payable at:</p> <p>175% of the ordinary hourly rate of pay for the first three hours and 225% thereafter.*</p> <p>Overtime rates when working outside the spread of hours are payable at:</p> <p>150% of the ordinary hourly rate, for any day except for Sunday.*</p>
DAYS	SPREAD OF HOURS									
Mon to Fri, inclusive	7:00 am - 9:00 pm									
Saturday	7:00 am - 6:00pm									
Sunday	10:00 am - 5:00 pm									

*The overtime rates for a casual employee are inclusive of the 25% casual loading

TIME OFF IN LIEU ('TOIL')

An employee and employer can mutually agree for the employee to take time off instead of getting paid for overtime that has been worked. When taking the time off, the employee is entitled to take an equal amount of leave to the overtime payment amount. For example, if the employee worked 2 hours of overtime at the rate of double time, they would be entitled to take 4 hours of time off.

PENALTY RATES - FULL-TIME & PART-TIME EMPLOYEES

Time of Ordinary Hours Worked	Penalty Rate Full-time & part-time employees
Saturday (between 7:00 am - 6:00 pm)	Paid at the rate of 133% for any ordinary hours of work performed between the span of hours (ie an extra 33%).
Sunday (all day)	Paid at the rate of 200% for all ordinary hours of work on a Sunday (i.e. double-time).
Public Holidays (all day)	Paid at the rate of 250% for all hours worked (i.e. double-time-and-a-half).
Work on a Rostered Day off ("RDO")	<p>An employer and employee may mutually agree for work to be performed on an RDO. Such agreement will need to be evidenced in writing. Where such agreement is in place, the employer must:</p> <ul style="list-style-type: none"> • Pay any ordinary hours at the rate of 200% of the ordinary rate of pay; • Provide at least four hours of work.

PENALTY RATES - CASUAL EMPLOYEES

The Saturday penalty rate for casual employees is subject to a phased-in implementation timetable as follows:

Date	Saturday penalty rate (% of ordinary hourly rate for a full-time employee)
31 January 2022 to 29 April 2022	138%
30 April 2022 to 30 December 2022	143%
31 December 2022 to 29 April 2023	148%
30 April 2023 to 30 December 2023	153%
From 31 December 2023	158%

The Sunday penalty rate for casual employees is subject to a phased-in implementation timetable as follows:

Date	Sunday penalty rate (% of ordinary hourly rate for a full-time employee)
3 November 2021 to 30 January 2022	200%
31 January 2022 to 29 April 2022	205%
30 April 2022 to 30 December 2022	210%
31 December 2022 to 29 April 2023	215%
30 April 2023 to 30 December 2023	220%
From 31 December 2023	225%

Public holidays are paid at the rate of double time and a half of the full-time hourly rate (casual employees do not get a casual loading on top of this).

PUBLIC HOLIDAYS

Permanent employees who aren't required to work on a public holiday and would ordinarily work on that day will be entitled to receive their ordinary wages for that day.

BREAKS

MEAL BREAKS

All employees must be allowed a meal break of 45 to 60 minutes after 5 hours of work. This can be shortened to 30 minutes if the employee and employer mutually agree. Meal breaks are unpaid and are not counted as time worked.

REST BREAK

Full-time employees must be granted two 10 minute rest breaks per day, one on either side of their meal break.

Part-time employees working 4 to 7 hours must be rostered to have one 10 minute rest break.

If the employee also has a meal break, this rest break must be granted within the greater time portion on either side of the meal break. If the portions of time are equal, this must be granted at a mutually agreeable time.

Where the work period is 7 to 10 hours, two 10 minute rest breaks must be rostered, one at either end of the meal break.

All rest breaks are paid and considered time worked.

MINIMUM BREAK BETWEEN SHIFTS

All employees are entitled to at least a 12 hour rest break between finishing work on one day and starting work the next day.

CONSECUTIVE DAYS OFF

Ordinary hours will be worked so as to provide an employee with two consecutive days off each week or three consecutive days off in a two week period.

This requirement will not apply where the employee requests in writing and the employer agrees to other arrangements, which are to be recorded in the time and wages records. It cannot be made a condition of employment that an employee makes such a request. An employee can terminate the agreement by giving four weeks notice to the employer.

Ordinary hours and any reasonable additional hours may not be worked over more than six consecutive days.

Unless otherwise mutually agreed, an employee who elects to work Sundays as part of ordinary hours is to be rostered off at least one Sunday every four weeks.

ANNUAL LEAVE AND LEAVE LOADING

Annual leave is provided for by the National Employment Standards (NES), which means permanent full-time employees must accrue 4 weeks of annual leave (or the prorated amount for part-time employees).

Annual leave loading is payable on accrued leave. For day workers this loading will be either an additional 17.5% on the minimum rate of pay, or the weekend penalty rates they would have received if these are greater, but not both.

For shift workers, this loading will be either an additional 17.5% on the minimum rate of pay, or the shift loading (including relevant weekend penalty rates) they would have received, whichever is greater, but not both.

An employer may require an employee to take annual leave by giving at least four weeks notice as part of a close-down of its operations (eg a Christmas closedown).

OTHER LEAVE

Other leave such as personal/carer's leave, compassionate leave, parental leave, family and domestic violence leave, etc is as is provided for in the NES. Long service leave (including for casual employees) is dealt with in State / Territory legislation.

NOTICE PERIODS

Period of Continuous Notice	Period of Notice
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

The notice periods above apply to both employees and employers providing notice of termination. When the employer is the one providing notice of termination, the notice periods above must be increased by one week if the employee is over 45 years old and has completed at least two years of continuous service.

If the employee is over 18 years old and fails to provide the required period of notice, an employer may deduct up to one week's wages from an employee's pay if the deduction isn't unreasonable. The employer is only able to deduct pay from wages owed, they cannot deduct from the employee's entitlements e.g. accumulated leave.

ALLOWANCES

These are some of the commonly used allowances under the Award. You can refer to clause 20 and Schedule C of the Award for a list of all allowances and the full conditions associated with each allowance. Please note that allowances are regularly updated. Please refer to the [Fair Work Ombudsman pay guide](#) for the current rates.

Manager's allowance	Payable where an employee is in charge of a hair and/or beauty establishment for a full week
Overtime meal allowance (permanent employees)	An initial allowance for where at least one hour of overtime is worked and a further allowance for an extra meal after every 4 hours (only where the employee is given less than 24 hours notice of the requirement to work overtime)
Tool allowance	Where the employee is required to provide their own tools
Vehicle allowance	Where the employee is required to utilise their own vehicle for their duties
Special and protective clothing Reimbursement	reimbursement for the cost of protective or special clothing (including a uniform) and the cost of replacement items, when replacement is necessary due to normal wear and tear

SUPPERANNUATION

Superannuation is provided for under the relevant superannuation legislation.

The employer must also make the superannuation contributions in the following situations:

- a. Paid leave - while the employee is on any paid leave.
- b. Work-related illness or injury - for the period of absence from work (subject to a maximum of 52 weeks) of the employee due to work-related injury or work-related illness provided that:
 - i. the employee is receiving workers compensation payments or is receiving regular payments directly from the employer in accordance with statutory requirements; and
 - ii. the employee remains employed by the employer.