

# EMPLOYMENT UPDATE

JUNE 11

## GENERAL RETAIL AWARD VARIATION

Minimum casual engagement period to be reduced to 1 hour and 30 minutes in certain circumstances.

### Fair Work Australia decision to vary General Retail Industry Award from 1 July 2011.

A recent decision of Fair Work Australia will result in the *General Retail Industry Award* being varied from 1 July 2011 to allow for the reduction of the casual minimum engagement period to 1 hour and 30 minutes in certain circumstances.

The variation to the Award will mean that the minimum daily engagement for a casual employee may be 1 hour and 30 minutes if all of the following circumstances apply:

- the employee is a full-time secondary school student; and
- the employee is engaged to work between the hours of 3pm and 6:30pm on a day which they are required to attend school; and
- the employee agrees to work, and a parent or guardian of the employee agrees to allow the employee to work, a shorter period than 3 hours; and
- employment for a longer period than the period of engagement is not possible either because of the operational requirements of the employer or the unavailability of the employee.

The variation follows a campaign by retailers who argued that employment could not be offered to school students because of the existing 3 hour minimum engagement period for casual employees.

In the decision, Fair Work Australia expressed concern about making an across the board reduction in the minimum engagement period, however given the specific circumstances which must be met, the variation *'will ensure that where a longer period is possible the 3 hour minimum will continue to apply and school students will continue to have the benefit of such an engagement. Where only a shorter period is possible, then a shorter period of engagement can be utilised and employment that would not otherwise be available may thereby become available.'*

Outside of the specific circumstances set out above, the minimum engagement for a casual employee will remain at 3 hours.

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