

## Changes to the Retail Award

The Fair Work Commission has handed down a decision about the Retail Award which clarifies overtime entitlements for part-time employees.

The decision confirms that part-time employees are entitled to overtime if they work outside the roster conditions in the award.

### What does the decision mean?

This means that part-time employees get overtime rates if they work:

- more than the maximum number of ordinary hours of work (per day or per week)
- outside the spread of ordinary hours
- outside their agreed times of work
- more than their agreed hours
- outside the roster conditions.

### Outside the roster conditions

Outside the roster conditions includes:

#### For employees who don't regularly work Sundays:

- working more than 6 days in a row (unless they only work 4 days in a row the next week)
- not getting 2 days off in a row each week (unless they agree not to)
- not getting 3 days off in a row in a fortnight (unless they agree not to)

#### For employees who do regularly work Sundays:

- not getting 3 days off in a row, that includes a Saturday and Sunday, over 4 weeks (unless they agree not to).

### Which resources have been updated?

Our industry filtered content on the [When overtime applies page \(www.fairwork.gov.au/employee-entitlements/hours-of-work-breaks-and-rosters/hours-of-work/when-overtime-applies\)](http://www.fairwork.gov.au/employee-entitlements/hours-of-work-breaks-and-rosters/hours-of-work/when-overtime-applies) has been updated to reflect these changes. You can access the information by selecting the Retail industry in the filter.

### More information

For more information, read the [Fair Work Commission decision <sup>1</sup> \(https://www.fwc.gov.au/documents/decisionsigned/html/2019fwcfb3626.htm\)](https://www.fwc.gov.au/documents/decisionsigned/html/2019fwcfb3626.htm) and [clause 29.2\(a\) \(http://awardviewer.fwo.gov.au/award/show/MA000004#P778\\_67718\)](http://awardviewer.fwo.gov.au/award/show/MA000004#P778_67718) of the Retail Award.

You can also receive up-to-date information that interests you by [Subscribing to email updates \(https://www.fairwork.gov.au/website-information/staying-up-to-date/subscribe-to-email-updates\)](https://www.fairwork.gov.au/website-information/staying-up-to-date/subscribe-to-email-updates) .

## Contact us

Fair Work Online: [www.fairwork.gov.au](http://www.fairwork.gov.au)

Fair Work Infoline: 13 13 94

Need language help?

Contact the Translating and Interpreting Service (TIS) on 13 14 50

Hearing & speech assistance

Call through the National Relay Service (NRS):

For TTY: 13 36 77. Ask for the Fair Work Infoline 13 13 94

Speak & Listen: 1300 555 727. Ask for the Fair Work Infoline 13 13 94

---

The Fair Work Ombudsman is committed to providing advice that you can rely on. The information contained on this website is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or workplace relations professional. Visitors are warned that this site may inadvertently contain names or pictures of Aboriginal and Torres Strait Islander people who have recently died.