

Changes to the Retail Award

2 July 2019

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](http://www.fairwork.gov.au/employee-entitlements/hours-of-work-breaks-and-rosters/hours-of-work/when-overtime-applies) page (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](https://www.fwc.gov.au/documents/decisionssigned/html/2019fwcfb3626.htm) [☞](https://www.fwc.gov.au/documents/decisionssigned/html/2019fwcfb3626.htm) (<https://www.fwc.gov.au/documents/decisionssigned/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>).

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