

Hours of work

Coronavirus and Australian workplace laws

If your workplace has been impacted by coronavirus, we have information about your workplace rights and obligations at [Coronavirus and Australian workplace laws \(https://coronavirus.fairwork.gov.au/coronavirus-and-australian-workplace-laws\)](https://coronavirus.fairwork.gov.au/coronavirus-and-australian-workplace-laws).

A number of temporary changes have been introduced due to coronavirus including:

- [JobKeeper \(https://coronavirus.fairwork.gov.au/coronavirus-and-australian-workplace-laws/pay-and-leave-during-coronavirus/jobkeeper-wage-subsidy-scheme/default\)](https://coronavirus.fairwork.gov.au/coronavirus-and-australian-workplace-laws/pay-and-leave-during-coronavirus/jobkeeper-wage-subsidy-scheme/default) – changes to the Fair Work Act to support the JobKeeper wage subsidy scheme
- [temporary award changes \(https://coronavirus.fairwork.gov.au/coronavirus-and-australian-workplace-laws/temporary-changes-to-workplace-laws-during-coronavirus\)](https://coronavirus.fairwork.gov.au/coronavirus-and-australian-workplace-laws/temporary-changes-to-workplace-laws-during-coronavirus) – allowing for temporary workplace flexibility in some awards
- [pandemic leave \(https://coronavirus.fairwork.gov.au/coronavirus-and-australian-workplace-laws/pay-and-leave-during-coronavirus/quarantine-self-isolation\)](https://coronavirus.fairwork.gov.au/coronavirus-and-australian-workplace-laws/pay-and-leave-during-coronavirus/quarantine-self-isolation) – unpaid and paid pandemic leave (including worker and disaster payments) during coronavirus.

These changes may affect the information on this page.

Ordinary hours are an employee's normal and regular hours of work, which do not attract overtime rates.

Awards, enterprise agreements and other [registered agreements \(www.fairwork.gov.au/Dictionary.aspx?TermID=2034\)](http://www.fairwork.gov.au/Dictionary.aspx?TermID=2034) set out any:

- maximum ordinary hours in a day, week, fortnight or month,
- minimum ordinary hours in a day,
- times of the day ordinary hours can be worked (eg. between 7am - 7pm).

The ordinary hours can be different for full-time, part-time and casual employees.

Spread of hours

The time of the day ordinary hours are worked is called the spread of hours (eg. between 7am - 7pm). Time worked outside the spread of ordinary hours can attract overtime rates.

Find more information about maximum and minimum hours of work and the spread of hours in your award by selecting from the list below.

Based on what you've told us, it looks like you're covered by the Hospitality Industry General Award [MA000009].

Maximum number of hours

The maximum number of ordinary hours employees can work in a week or day is different for full-time, part-time and casual employees.

Full-time maximum hours

The maximum number of ordinary hours a full-time employee can work is:

- an average of 38 hours over a 4 week roster cycle
- 11.5 hours per day
- 3 consecutive days of more than 10 hours without 48 hours break immediately after
- 8 days of 10 hours in a 4 week roster
- a 12 hour span during a broken shift.

Part-time maximum hours

Part-time employees can work the following maximum number of ordinary hours:

- their rostered ordinary hours
- 11.5 hours per day (or shift)
- 3 consecutive days of more than 10 hours without 48 hours break immediately after

- 8 days of 10 hours in a 4 week roster
- a 12 hour span during a broken shift.

Casual maximum hours

Casual employees can work the following maximum number of ordinary hours:

- 12 hours in a day (or shift)
- an average of 38 hours over a 4 week roster cycle.

Averaging weekly hours

An employer can average the employee's hours over more than a week.

This means the employee may work more than 38 hours one week, but less in another.

Options for averaging weekly hours

The table below shows the options for averaging 38 hours per week.

Hours worked	Averaged over...
76 hours	2 weeks in a row
114 hours	3 weeks in a row
152 hours	4 weeks in a row

An employer and employee can agree to average the hours over a longer period than 4 weeks.

Example:

Cindy works full-time and averages her 38 hours a week by working 76 hours over 2 weeks.

She works 42 hours the first week and 34 hours second week. $42 + 34 = 76$ hours.

This means that over 2 weeks she has worked an average of 38 hours per week.

Spread of hours

The ordinary hours in the Hospitality Award can be worked at any time on any day of the week.

Minimum hours

Each time a full-time, part-time or casual employee works they have to be given at least:

- 6 hours of work, for full-time employees
- 3 hours of work, for part-time employees
- 2 hours in a row, for casuals.

If they aren't given these hours, they still have to be paid a minimum of:

- 6 hours for full-time
- 3 hours for part-time
- 2 hours for casuals.

Check the Hospitality Award for different minimum daily hours on Saturday, Sunday and public holidays.

Arranging hours of work

There are different arrangements that can be used to organise an employee's 38-hour week. These include:

- a 19 day month, of 8 hours per day
- 4 days of 8 hours and 1 day of 6 hours
- 4 days of 9.5 hours per day
- 5 days of 7 hours and 36 minutes per day
- 76 hours each 2 week period with a minimum 4 days off each 2 week period
- 152 hours each 4 week period with a minimum of 8 days off each 4 week period
- 160 hours each 4 week period with a minimum of 8 days off for each 4 week period plus an accrued day off

- any combination of the above.

Each business will decide with the employees which arrangement best suits the business. Different arrangements may be used in the same business.

To find out more about who this award applies to, go to the [Hospitality Award summary \(www.fairwork.gov.au/awards-and-agreements/awards/award-summary/ma000009-summary\)](http://www.fairwork.gov.au/awards-and-agreements/awards/award-summary/ma000009-summary) .

Source reference: [Hospitality Industry General Award \[MA000009\] clauses 10.6-10.7, 11.3, 15.1-15.2](http://award-viewer.fwo.gov.au/award/show/MA000009) ^{PDF} (<http://award-viewer.fwo.gov.au/award/show/MA000009>)

Maximum weekly hours

An employee can work a maximum of 38 hours in a week unless an employer asks them to work reasonable extra hours. See our [Maximum weekly hours fact sheet \(https://www.fairwork.gov.au/how-we-will-help/templates-and-guides/fact-sheets/minimum-workplace-entitlements/maximum-weekly-hours\)](https://www.fairwork.gov.au/how-we-will-help/templates-and-guides/fact-sheets/minimum-workplace-entitlements/maximum-weekly-hours) .

Source reference: [Fair Work Act 2009 s.62](http://www.comlaw.gov.au/Series/C2009A00028) ^{PDF} (<http://www.comlaw.gov.au/Series/C2009A00028>)

Think a mistake might have been made?

Mistakes can happen. The best way to fix them usually starts with talking.

Check out our [Help resolving workplace issues \(www.fairwork.gov.au/how-we-will-help/how-we-help-you/help-resolving-workplace-issues/default\)](http://www.fairwork.gov.au/how-we-will-help/how-we-help-you/help-resolving-workplace-issues/default) section for practical advice on:

- figuring out if a mistake has been made
- talking to your employer or employee about fixing it
- getting help from us if you can't resolve it.

Help for small business

- Find tools, resources and information you might need on our [Small business page \(www.fairwork.gov.au/Find-help-for/Small-business/default\)](http://www.fairwork.gov.au/Find-help-for/Small-business/default) .

You might also be interested in

- [When overtime applies \(www.fairwork.gov.au/Employee-entitlements/hours-of-work-breaks-and-rosters/Hours-of-work/when-overtime-applies\)](http://www.fairwork.gov.au/Employee-entitlements/hours-of-work-breaks-and-rosters/Hours-of-work/when-overtime-applies)
- [Breaks \(www.fairwork.gov.au/Employee-entitlements/hours-of-work-breaks-and-rosters/breaks\)](http://www.fairwork.gov.au/Employee-entitlements/hours-of-work-breaks-and-rosters/breaks)
- [Rosters \(www.fairwork.gov.au/Employee-entitlements/hours-of-work-breaks-and-rosters/rosters\)](http://www.fairwork.gov.au/Employee-entitlements/hours-of-work-breaks-and-rosters/rosters)
- [Rostered days off \(www.fairwork.gov.au/Employee-entitlements/hours-of-work-breaks-and-rosters/rostered-days-off\)](http://www.fairwork.gov.au/Employee-entitlements/hours-of-work-breaks-and-rosters/rostered-days-off)
- [Flexibility in the workplace \(www.fairwork.gov.au/Employee-entitlements/Flexibility-in-the-workplace/default\)](http://www.fairwork.gov.au/Employee-entitlements/Flexibility-in-the-workplace/default)
- [Maximum weekly hours fact sheet \(www.fairwork.gov.au/how-we-will-help/templates-and-guides/fact-sheets/minimum-workplace-entitlements/maximum-weekly-hours\)](https://www.fairwork.gov.au/how-we-will-help/templates-and-guides/fact-sheets/minimum-workplace-entitlements/maximum-weekly-hours)

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Contact us

Fair Work Online: 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.