

## Shiftworkers

A shiftworker is an employee who works shifts and gets an extra payment for working shift hours.

An award, enterprise agreement or other registered agreement ([www.fairwork.gov.au/Dictionary.aspx?TermID=2034](http://www.fairwork.gov.au/Dictionary.aspx?TermID=2034)) can have a specific definition of what a shiftworker is, and what type of shifts they can work.

Find information about shiftworkers 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].

A shiftworker is:

- a 7 day shiftworker
- employed in a business where shifts are continuously rostered 24 hours a day, 7 days a week and is regularly rostered to work those shifts
- regularly rostered to work on Sundays and public holidays.

The Hospitality Award doesn't have specific hours of work or other provisions for shiftworkers.

Employees who work early in the morning and evenings are not shiftworkers, but they may get penalty rates depending on the hours they work.

For information on penalty rates, go to Penalty rates and allowances ([www.fairwork.gov.au/pay/penalty-rates-and-allowances/default](http://www.fairwork.gov.au/pay/penalty-rates-and-allowances/default)).

### Loaded rate arrangements

The Hospitality Award allows an employer to pay a loaded rate to a full-time adult employee classified at Level 3 or above (with some conditions applying).

For eligible full-time employees, the loaded rate replaces:

- some overtime payments
- some penalty rates (but not public holiday penalty rates for example)
- the split shift allowance when the period between shifts is between 2 and 3 hours.

Loaded rate arrangements don't apply to part-time or casual employees. Employers need to follow certain consultation, record-keeping and dispute resolution rules.

Find out more about loaded rates at Loaded rates added to Hospitality Award ([www.fairwork.gov.au/about-us/news-and-media-releases/website-news/loaded-rates-added-to-hospitality-award](http://www.fairwork.gov.au/about-us/news-and-media-releases/website-news/loaded-rates-added-to-hospitality-award)).

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] clause 30.2 [↗](http://awardviewer.fwo.gov.au/award/show/MA000009) (<http://awardviewer.fwo.gov.au/award/show/MA000009>)

### Tools and resources

- Find an agreement - Fair Work Commission (<https://www.fwc.gov.au/awards-and-agreements/agreements>) [↗](#)

### Related information

- Penalty rates and allowances ([www.fairwork.gov.au/pay/penalty-rates-and-allowances/default](http://www.fairwork.gov.au/pay/penalty-rates-and-allowances/default))
- Annual leave ([www.fairwork.gov.au/leave/annual-leave/default](http://www.fairwork.gov.au/leave/annual-leave/default))

### Help for small business

Find tools, resources and information you might need in our Small business showcase ([www.fairwork.gov.au/small-business-showcase/default](http://www.fairwork.gov.au/small-business-showcase/default)).

## Think a mistake might have been made?

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

Check out our [Fixing a workplace problem \(www.fairwork.gov.au/workplace-problems/fixing-a-workplace-problem/default\)](http://www.fairwork.gov.au/workplace-problems/fixing-a-workplace-problem/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.

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### 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

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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.