



Please note – This is a previous WA award summary and does not contain the current rates of pay

WA award summary

Enrolled Nurses and Nursing Assistants (Private) Award

1 January 2021 – 30 June 2021

About this award summary

This WA award summary is a summary of the state Enrolled Nurses and Nursing Assistants (Private) Award and does not include all obligations required by the award. It is important that you also refer to the full Enrolled Nurses and Nursing Assistants (Private) Award that is available on the WA Industrial Relations Commission website www.wairc.wa.gov.au

Provisions of other employment legislation also apply to employees and have been included in this WA award summary where appropriate. You may need to refer to the *Minimum Conditions of Employment Act 1993*, the *Long Service Leave Act 1958*, and the *Industrial Relations Act 1979* for full details.

This document is formatted for viewing on the Wageline website and contains web links to other relevant information. If you are using a printed copy in which links are not visible, all additional information can be found at www.dmirs.wa.gov.au/wageline or by contacting Wageline on 1300 655 266.

The 2020 State Wage Order issued by the WAIRC in June 2020 granted an increase in pay rates under this award effective from the first pay period on or after 1 January 2021.

How can we help?

- Pay rates
- Leave entitlements
- Long service leave
- Employment arrangements
- Record keeping obligations



Three Step Check: to make sure this WA award summary is relevant to you

<p>Step 1 - is the business in the state system?</p>	<p>This WA award summary applies to businesses in the state industrial relations system. It covers businesses (and their employees) that operate as:</p> <ul style="list-style-type: none"> ✓ sole traders (e.g. Jane Smith trading as Jane’s Private Hospital) ✓ unincorporated partnerships (e.g. Jane and Bob Smith trading as Jane’s Private Hospital) ✓ unincorporated trust arrangements (e.g. Jane and Bob Smith as trustees for the Smith Family Trust trading as Jane’s Private Hospital) ✓ incorporated associations and other non-profit bodies that are not trading or financial corporations <p>This summary does not cover businesses and organisations in the national ‘fair work’ industrial relations system which operate as:</p> <ul style="list-style-type: none"> ✗ Pty Ltd businesses that are trading or financial corporations (e.g. Smith Pty Ltd trading as Jane’s Private Hospital) ✗ incorporated partnerships or incorporated trusts ✗ incorporated associations and other non-profit bodies that are trading or financial corporations <p>For more information visit the Guide to who is in the WA state system page.</p> <p>If the business or organisation is in the national system visit the Fair Work Ombudsman website www.fairwork.gov.au</p>
<p>Step 2 - is the business covered by Enrolled Nurses and Nursing Assistants (Private) Award?</p>	<p>The Enrolled Nurses and Nursing Assistants (Private) Award covers businesses in the state industrial relations system. Businesses covered include:</p> <ul style="list-style-type: none"> ✓ Private hospitals ✓ Nursing homes ✓ Disability associations
<p>Step 3 - is the employee’s job covered by the Enrolled Nurses and Nursing Assistants (Private) Award?</p>	<p>The Enrolled Nurses and Nursing Assistants (Private) Award sets pay rates, working hours and other employment arrangements for employees working as:</p> <ul style="list-style-type: none"> ✓ Trainee and student enrolled nurses ✓ Enrolled nurses ✓ Nursing assistants



Employers covered by this WA award are legally required to keep employment records. Employers can be fined up to \$5,000 for not keeping employment records, for keeping inadequate or fraudulent records, or for not providing records to Industrial Inspectors when required to do so. Page 6 details record keeping requirements.

The Enrolled Nurses and Nursing Assistants (Private) Award is a legal document that outlines the minimum wages and conditions of employment that must be provided to employees who are covered by the award. Employers and employees cannot agree to lesser conditions.

Industrial Inspectors at the Department of Mines, Industry Regulation and Safety have statutory powers to investigate employee complaints about underpayment of wages or leave entitlements under this WA award and state employment laws. The department can prosecute employers in the Industrial Magistrates Court for not paying the rates of pay, including overtime, penalty rates and allowances required by this WA award.

Employees who believe that they have been underpaid, or wish to make an anonymous report of wage theft, should visit the [Making a complaint about underpayment of wages or entitlements](#) page for more information.



Rates of pay

All rates of pay are gross rates (before tax). The 2020 State Wage Order increased pay rates effective from the first pay period on or after **1 January 2021**. The tables below provide the rates that apply from the first pay period on or after **1 January 2021**.

Adult rates of pay – applicable from the first pay period on or after 1 January 2021 until end of last pay period commenced in June 2021

Classification (see page 11 for classification descriptions)	Weekly	Hourly	Casual (includes 25% loading)
Trainee Enrolled Nurse*			
1st year of training	\$760.00	\$20.00	\$25.00
2nd year of training	\$760.00	\$20.00	\$25.00
Enrolled Nurse Level 1			
1st year	\$868.00	\$22.84	\$28.55
2nd year	\$873.70	\$22.99	\$28.74
3rd year	\$885.80	\$23.31	\$29.14
Enrolled Nurse Level 2			
1st year	\$878.30	\$23.11	\$28.89
2nd year	\$884.10	\$23.27	\$29.08
3rd year	\$896.20	\$23.58	\$29.48
Enrolled Nurse Level 3	\$910.10	\$23.95	\$29.94

*A Trainee Enrolled Nurse (student) who is 21 years or more should be paid at the Nursing Assistant (19 years or more) 1st year of employment.

Nursing assistant rates of pay – applicable from the first pay period on or after 1 January 2021 until end of last pay period commenced in June 2021

Classification (see page 11 for classification descriptions)	Weekly	Hourly	Casual (includes 25% loading)
19 years or more			
1st year	\$817.70	\$21.52	\$26.90
2nd year	\$829.10	\$21.82	\$27.27
3rd year	\$840.70	\$22.12	\$27.65
18 years	\$711.40	\$18.72	\$23.40
17 years	\$662.30	\$17.43	\$21.79
Under 17 years	\$596.90	\$15.71	\$19.63



To receive email updates when WA award pay rates change, subscribe to [Wageline News](#)



Employment of children

- Under the *Children and Community Services Act 2004*, it is illegal to employ children under the age of 15 in this industry, except if the child is working as part of a school program (e.g. work experience placement), in a not for profit organisation or in a family business.
- School aged children must not be employed during school hours, unless participating in a school program.
- The [When children can work in Western Australia](#) page has more information.



Public holidays

- Full time and part time employees are entitled to public holidays without deduction of pay if they would ordinarily be required to work on that day if it was not a public holiday.
- An employee who works on any public holiday must be paid a loading of 50% of the ordinary wage for the time worked in ordinary hours on that day.
- Visit the [Public Holidays in Western Australia](#) page to view the public holiday dates.



Allowances

Meal money

Where an employee is required to work overtime of at least two hours in excess of their daily hours the employee is to be provided with a meal free of cost or be paid **\$8.35** for a meal. This does not apply if the employee has been advised of the necessity to work overtime on the previous day or earlier.

Laundry and uniforms

- Where the employer requires a uniform to be worn, they must provide four uniforms to each employee, in which case the uniforms remain the property of the employer. In lieu of providing uniforms, the employer may pay an allowance of **\$4.00** per week.
- The employer must pay the reasonable costs of laundering employee uniforms. Where an employer elects not to launder employee uniforms, employees must be paid an allowance of **\$1.50** per week.
- The laundry and uniform allowances are paid pro rata to part time employees.
- A part-time employee working 3 shifts or less each week is to be supplied with one uniform per shift each week.
- Employees who are required to assist with showering duties are to be provided with waterproof aprons and boots.

Standby

- An employee is on call when they are directed by the employer to remain in such a place as will enable the employer to readily contact them during the hours when they are not otherwise on duty.
- In determining where an employee will be on call, the employer may require that place to be within a specified radius from the hospital / workplace.
- From **1 January 2021**, the on call rate is **\$4.47** per hour. If the employer provides the employee with a long-range beeper for the purpose of being contacted, the on call rate from **1 January 2021** is **\$3.35** per hour.

Motor vehicle allowance

If an employee is required and authorised to use their own vehicle in the course of their duties they must be paid a motor vehicle allowance. Allowance rates are available in the Enrolled Nurses and Nursing Assistants Award on the WA Industrial Relations Commission website www.wairc.wa.gov.au or by contacting Wageline on 1300 655 266.

Location allowance for employees in regional areas

- Employees employed in certain regional towns must be paid the location allowance relevant to that town. Rates listed below are for adult employees working full time. Junior employees, casual employees, part time employees, apprentices and trainees must be paid proportionate location allowance based on the proportion which their weekly wage is to the adult rate under the WA award.
- If an employee has a dependant (a spouse or partner, or a child if there is no spouse or partner) the employee is entitled to receive double the allowance specified for the relevant town except if the dependant also receives a location or district allowance payment as part of their own employment.
- If an employee has a 'partial dependant' (a dependant who receives a district or location allowance of their own which is less than the location allowance the employee is entitled to under this award) the employee is entitled to receive:
 - the relevant location allowance for the employee's town; plus
 - an amount equal to the difference between the employee's location allowance and the amount their partial dependant receives in district or location allowance.

- If an employee receives free board and lodging, or is paid an allowance for board and lodging, the rate of location allowance is adjusted to 66.67% (two thirds) of the rate for the relevant town.

Location allowance rates effective 1 July 2020

Town	\$ per week	Town	\$ per week	Town	\$ per week
Agnew	\$22.30	Halls Creek	\$52.40	Norseman	\$19.80
Argyle	\$59.70	Kalbarri	\$8.00	Nullagine	\$57.80
Balladonia	\$23.10	Kalgoorlie	\$9.50	Onslow	\$38.90
Barrow Island	\$38.90	Kambalda	\$9.50	Pannawonica	\$29.10
Boulder	\$9.50	Karratha	\$37.60	Paraburdoo	\$28.90
Broome	\$35.90	Koolan Island	\$39.30	Port Hedland	\$31.10
Bullfinch	\$10.40	Koolyanobbing	\$10.40	Ravensthorpe	\$11.70
Carnarvon	\$18.40	Kununurra	\$59.70	Roebourne	\$43.30
Cockatoo Island	\$39.30	Laverton	\$22.80	Sandstone	\$22.30
Coolgardie	\$9.50	Learmonth	\$32.80	Shark Bay	\$18.40
Cue	\$22.90	Leinster	\$22.30	Southern Cross	\$10.40
Dampier	\$31.30	Leonora	\$22.80	Telfer	\$53.20
Denham	\$18.40	Madura	\$24.10	Teutonic Bore	\$22.30
Derby	\$37.30	Marble Bar	\$57.90	Tom Price	\$28.90
Esperance	\$6.50	Meekatharra	\$19.80	Whim Creek	\$37.20
Eucla	\$25.00	Mount Magnet	\$24.80	Wickham	\$35.90
Exmouth	\$32.80	Mundrabilla	\$24.60	Wiluna	\$22.50
Fitzroy Crossing	\$45.30	Newman	\$21.40	Wyndham	\$55.90



Hours and overtime

- Ordinary hours are:
 - An average of 38 hours a week;
 - worked over any five days of the week; and
 - no more than 10 hours per shift.
- Ordinary hours are to be worked over any one of the following cycles:
 - A four week cycle of 19 days of eight hours each with 0.4 of one hour each day accruing as an entitlement to take the 20th day in each cycle as a paid day off;
 - 76 hours worked over nine days per fortnight;
 - 40 hours per week or 80 hours per fortnight, with two hours each week accruing as an entitlement towards a rostered day off (to a maximum of 12 rostered days off in each 12 month period); or
 - By agreement between the employer and the Union, a work cycle of 38 hours per week or 76 hours per fortnight or any other agreed method.
- No employee shall be required to work in excess of five shifts per week or 10 shifts per fortnight.
- Paid morning and afternoon tea breaks not exceeding 7 minutes are to be allowed at a time convenient to the employer.
- Where an employee commences their ordinary hours of work before 4.00am or after 12 noon on any weekday, they must be paid a loading of 15% on top of their ordinary wage. This does not apply to an employee who commences their ordinary hours of work after 12 noon and completes those hours before 6.00pm on that day.
- All work performed during ordinary hours on a Saturday is to be paid at the rate of time and one half and on a Sunday at the rate of time and three quarters.
- Where an employee's rostered hours of duty in any day are extended by an early start or a late finish, the shift or weekend penalty rates must be paid for the additional time worked in addition to any overtime payable.
- For full details, view the Enrolled Nurses and Nursing Assistants (Private) Award on the WA Industrial Relations Commission website www.wairc.wa.gov.au

Overtime

- All work performed outside the ordinary hours of duty is overtime and must be paid at the rate of time and a half for the first two hours and double time after that.
- All work performed by an employee on a rostered day off or on additional days worked in excess of ordinary rostered hours must be paid for at the rate of double time.
- An employee who is recalled to work must be paid a minimum of 3 hours at overtime rates, and for all reasonable expenses incurred in returning to work.
- Overtime performed after 12 noon on Saturdays or on Sundays must be paid at the rate of double time.
- Overtime performed on a public holiday must be paid at the rate of double time and a half.
- By agreement between the employee and employer, time off in lieu of payment for overtime may be granted proportionate to the payment to which the employee is entitled.
- When overtime is worked the employer should ensure that, wherever reasonably practicable, an employee has at least 10 consecutive hours off duty between shifts.



Meal breaks

- Meal breaks shall not be less than 30 minutes and shall not be counted as time worked.
- All employees must be allowed a morning and afternoon tea break of seven minutes. The tea break will be counted as time worked.
- Where an employee is called on duty during a meal time the period worked is to be counted in the ordinary working hours of the shift. Provided that where the employee is required to be on call for the whole of the shift the employee is entitled to a paid meal break that forms part of their ordinary working hours.



Deductions from pay

An employer may **only** make a deduction from an employee's pay if:

- the employee has agreed to the deduction in writing, (as part of a written employment contract or otherwise) and the deduction is on behalf of the employee;
- the employer is authorised by the WA award to make the deduction and the deduction is on behalf of the employee; or
- the employer is required by a court or a state or federal law to make the deduction (e.g. tax that must be withheld from the employee's pay).



Employment records

- Employers are legally required to keep employment records which demonstrate that employees have been paid all entitlements under the Enrolled Nurses and Nursing Assistants (Private) Award and relevant legislation.
- Employers must keep all employment records for at least seven years after they are made for both current and past employees. Records relating to long service leave must be kept for seven years from the date employment ends.
- Employers can be fined up to \$5,000 by the Industrial Magistrates Court for not keeping employment records or for keeping inadequate or fraudulent records. Employers often fail to keep sufficient detail in their employment records.
- Employers must keep records that detail:
 - Employee's name
 - Date of birth if under 21 years of age
 - Date employee commenced with the employer
 - Total number of hours worked each week
 - The gross and net amounts paid to the employee
 - All information required to calculate long service leave entitlements and payment

- All pay deductions and reasons for them
- Name of WA award that applies
- Daily start and finish time and meal breaks taken
- Employment status (full time, part time, casual)
- Employee’s classification under the award
- All leave taken, whether paid, partly paid or unpaid
- Any other information necessary to prove that the wages received by an employee comply with the requirements of the Enrolled Nurses and Nursing Assistants (Private) Award, such as overtime hours worked and allowances paid. Contact [Wageline](#) or view the full Enrolled Nurses and Nursing Assistants (Private) Award on the WA Industrial Relations Commission website www.wairc.wa.gov.au for details.

Employment records can be written or electronic as long as they are in a form that can be printed. Time and wage books can be used to keep employment records, however, it is the employer's responsibility to ensure the time and wage book includes all of the required information.

- The records must be in English.
- Wageline’s [Employment record obligations for WA award employers](#) publication helps state system employers keep correct employment records. The publication features helpful step by step guides to record keeping and Wageline’s new look [record keeping templates](#).

Payslips

- Employees must be provided with a payslip for each pay period.
- The award prescribes that wages must be paid fortnightly. Wages may be paid at other intervals if agreed to by the union and employer.
- The payslip should include the rate of pay, the ordinary hours and the overtime hours worked, the gross and net wage, any allowances paid and any deductions made.
- Wageline’s [Employment record obligations for WA award employers](#) publication includes a payslip template.



Leave entitlements

Quick reference guide

Leave entitlement	Full time	Part time	Casual
Annual leave	✓	✓	✗
Sick and carer’s leave	✓	✓	✗
Unpaid carer’s leave	✓	✓	✓
Bereavement leave	✓	✓	✓
Unpaid parental leave	✓	✓	✓
Long service leave	✓	✓	✓

This WA award summary covers the basic leave entitlements for employees covered by the Enrolled Nurses and Nursing Assistants (Private) Award but does **not** include all details on leave obligations and entitlements. Full details of conditions are contained in the Enrolled Nurses and Nursing Assistants (Private) Award on the WA Industrial Relations Commission website www.wairc.wa.gov.au, the *Minimum Conditions of Employment Act 1993* and the *Long Service Leave Act 1958*.

Bereavement leave

- All employees, including casual employees, are entitled to two days paid bereavement leave on the death of a spouse, de facto partner, parent, step-parent, grandparent, child, step-child, grandchild, sibling or any other member of the employee’s household. The two days need not be consecutive.
- Bereavement leave is a minimum entitlement from the *Minimum Conditions of Employment Act 1993*.

Parental leave

Employees, including eligible casual employees, are entitled to the unpaid parental leave entitlements in the National Employment Standards of the *Fair Work Act 2009*, as well as a number of more beneficial conditions contained in the *Minimum Conditions of Employment Act 1993* (a return to work after parental leave on a modified basis and a reversion to pre-parental leave working conditions). Visit the [Parental leave](#) page for more details.

Sick and carer's leave

- Sick and carer's leave entitles a full time or part time employee to paid time off work due to either illness or injury to themselves (sick leave), or because they have to care for an ill or injured family or household member (carer's leave).
- Full time and part time employees are entitled to paid sick and carer's leave equal to the number of hours they would ordinarily work in a two week period, up to 76 hours per year. Sick and carer's leave is a cumulative entitlement, and any leave not taken in one year can be carried over to the next year.
- Sick and carer's leave accrues on a weekly basis for full and part time employees.
- In the first year of employment, a full time or part time employee can use any paid sick leave that they have accrued to date for caring purposes.
- In the second and subsequent years of employment, a full time employee can only use a maximum of 76 hours of their accrued sick leave entitlement for caring purposes, or a part time employee the relevant proportion of 76 hours based on their ordinary hours of work.
- An employee is entitled to up to two days of unpaid carer's leave per occasion if an employee does not have sufficient paid leave accrued or has exceeded the maximum amount of carer's leave that can be taken in any 12 month period.
- Casual employees are not entitled to paid sick leave or paid carer's leave. Casual employees can access up to two day's unpaid carer's leave per occasion.
- Sick and carer's leave is a minimum entitlement from the *Minimum Conditions of Employment Act 1993*.
- Wageline's [Sick leave calculation guide](#) can assist with calculating sick and carer's leave entitlements.
- Wageline's [Employment record obligations for WA award employers](#) publication includes a leave record template.

Annual leave

- Annual leave is a minimum entitlement in the *Minimum Conditions of Employment Act 1993* and the Enrolled Nurses and Nursing Assistant (Private) Award sets out additional requirements regarding annual leave and annual leave loading.
- Full time employees are entitled to a minimum of six weeks of paid annual leave for each year of completed service. Part time employees are entitled to a minimum of six weeks of paid annual leave per year paid on a pro rata basis according to the number of hours they are required ordinarily to work in a six week period. Casual employees are not entitled to annual leave.
- Shift employees who in each roster rotate afternoon and/or night shift with day shift are to be granted an additional week's leave. For employees whose shifts are not subject to regular rotation, one day's additional annual leave is accrued for each 30 afternoon or night shifts worked (to a maximum of 5 additional annual leave days each year).
- During annual leave an employee is entitled to be paid either the shift and weekend penalties they would have received had they not proceeded on leave, or a loading of 17.5% of the employee's base wage rate, whichever is the higher.
- Annual leave accrues on a weekly basis:
 - A full time employee accrues annual leave for each completed week of work.
 - A part time employee accrues the relevant proportion of annual leave for each completed week of work.

Long service leave

- Long service leave is a paid leave entitlement for employees who have continuous employment with 'one and the same employer' for a specified period. Full time, part time and casual employees are entitled to long service leave under the *Long Service Leave Act 1958*.
- To be entitled to long service leave an employee's employment with their employer must be continuous. The amount of their long service leave is determined by the employee's period of continuous employment.
- There are a range of paid and unpaid absences or interruptions to an employee's employment that count towards the employee's period of employment for the purposes of accruing long service leave. Some other types of absences do not break an employee's continuous employment, but do not count towards an employee's period of employment for the purposes of accruing long service leave. See the [Long service leave – What is continuous employment](#) page for more information.

- 'The one and the same employer' also includes employers who previously owned a business, where there has been a transmission of business. This means an employer who buys or otherwise acquires a business or part of a business will take on the long service leave obligations for existing employees if there has been a transmission of business. This applies regardless of anything written in a sale of business contract.

Taking long service leave	
<p>The long service leave entitlement for full time, part time and casual employees is:</p> <ul style="list-style-type: none"> • after 10 years of continuous employment with the one and the same employer – $8^{2/3}$ (8.667) weeks of leave on ordinary pay; and • for every 5 years of continuous employment with the one and the same employer after the initial 10 years – $4^{1/3}$ (4.333) weeks of leave on 'ordinary pay'. 	
When employment ceases	
Employee with between 7 and 10 years of continuous employment	<p>When an employee with at least 7 but less than 10 years of continuous employment resigns or is terminated, they are entitled to pro rata long service leave on the basis of $8^{2/3}$ (8.667) weeks for 10 years of continuous employment. This entitlement:</p> <ul style="list-style-type: none"> • is calculated on the employee's entire period of employment; that is, years, months, weeks and days; • applies to employees who resign, are made redundant, die or whose employer has terminated them for any reason other than serious misconduct; and • does not apply to an employee whose employer has terminated them for serious misconduct.
Employee with 10 or more years of continuous employment	<p>Full entitlement – 10 years or more of continuous employment An employee who resigns or whose employment is terminated for any reason is entitled to:</p> <ul style="list-style-type: none"> • $8^{2/3}$ (8.667) weeks of leave if they have completed 10 years of continuous employment; and • an additional $4^{1/3}$ (4.333) weeks of leave for each subsequent 5 years after the initial 10 years of continuous employment. <p>Pro-rata entitlement – more than 10 years of continuous employment When an employee with more than 10 years but less than 15 years of continuous employment resigns or is terminated, they are entitled to pro rata leave. This entitlement:</p> <ul style="list-style-type: none"> • is calculated on the basis of $8^{2/3}$ weeks for 10 years of continuous employment for each year of employment since they completed 10 years of continuous employment; • is calculated on completed years of employment only; that is, it does not include months, weeks or days; and • does not apply to an employee whose employer has terminated them for serious misconduct. <p>This pro rata entitlement (calculated on the basis of $8^{2/3}$ weeks for 10 years of continuous employment) will also apply to each year of employment since an employee completed 15, 20, 25, 30, 35 years etc. of employment.</p>

- The [Long service leave](#) pages of the Wageline website contain extensive information on:
 - What counts as continuous employment, including details on the impact of various types of paid and unpaid absences or interruptions on continuous employment.
 - What happens when business ownership changes.
- The [WA long service leave calculator](#) can provide an estimate of an employee's long service leave entitlement when employment ends as a result of resignation, dismissal, death or redundancy. The WA long service leave calculator is available at www.dmirs.wa.gov.au/lslcalculator.



Resignation by the employee

- Full time and part time employees are required to provide:
 - one day's notice of resignation if the employee is on a probationary period of up to 3 months.
 - one week's notice of resignation at all other times.
- A casual employee can resign by providing one hour's notice to the employer.

Termination

- An employer is required to give a casual employee one hours' notice of termination.
- Except in cases of serious misconduct, an employer is required to give full time and part time employees the following period of notice of termination (or payment in lieu):

Period of continuous service	Notice period
Not more than 3 years *	2 weeks
More than 3 years but not more than 5 years*	3 weeks
More than 5 years *	4 weeks

*Employees over 45 years of age with two or more years of continuous service must receive an additional week's notice.

Redundancy

- An employee is redundant when their employer has made a definite decision that they no longer wish the job the employee has been doing to be done by anyone.
- When an employee has been made redundant they are entitled to receive:
 - the appropriate notice period or pay in lieu of notice, as outlined in the Termination section above;
 - paid leave for job interviews;
 - any unpaid wages;
 - any unused accrued and pro rata annual leave;
 - any unused accrued long service leave;
 - pro rata long service leave (if applicable); and
 - severance pay (if applicable).
- Visit the [Redundancy – General information](#) page for information on redundancy obligations.

Severance pay – Employers who employ 15 or more employees

- Employers covered by this award who employ 15 or more employees must pay severance pay when an employee is made redundant, as outlined in the table below.
- Employers who employ less than 15 employees are not required to make severance payments to redundant employees.

Period of continuous service*	Number of weeks severance pay
Less than 1 year	Nil
1 year and less than 2 years	4 weeks
2 years and less than 3 years	6 weeks
3 years and less than 4 years	7 weeks
4 years and less than 5 years	8 weeks
5 years and less than 6 years	10 weeks
6 years and less than 7 years	11 weeks
7 years and less than 8 years	13 weeks
8 years and less than 9 years	14 weeks
9 years and less than 10 years	16 weeks
10 years and over	12 weeks

*An employee's period of continuous service includes any service with that business under a previous employer where there has been a transmission of the business.

- These severance pay requirements do not apply to probationary employees, apprentices and trainees, casual and contract employees or employees terminated due to serious misconduct or for other reasons not related to redundancy.
- Redundancy pay is calculated based on the applicable number of weeks' severance multiplied by ordinary time earnings. Ordinary time earnings excludes overtime, penalty rates, and allowances.
- If the employee resigns during the notice period, they are entitled to the same severance pay they would receive if they had worked until the end of the notice period. However, in this circumstance the employee is not entitled to payment in lieu of notice.
- Visit the [Redundancy payments](#) page for information on redundancy payments.

Dismissal requirements

- Under state laws, employees cannot be dismissed if to do so would be harsh, unfair or oppressive. There must be a valid and fair reason for dismissal, such as:
 - consistent unsatisfactory work performance (which has been raised with the employee and the employee given further training and an opportunity to improve their work performance);
 - inappropriate behaviour or actions; or
 - serious misconduct.
- The [Dismissal information](#) page outlines obligations and requirements when an employee is terminated.



Classifications

Nursing Assistant

An employee, other than one registered pursuant to the provisions of the *Nurses Act 1968* [now the *Health Practitioner Regulation National Law (WA) Act 2010*], or one who is in training for the purpose of such registration, whose substantial employment in terms of the purpose to be achieved by it is the provision of nursing care to persons.

Enrolled Nurse Level One

A Registered Enrolled Nurse registered as such pursuant to the *Nurses Act 1968* [now the *Health Practitioner Regulation National Law (WA) Act 2020*] as amended.

Enrolled Nurse Level Two

A Registered Enrolled Nurse who:

- has become proficient to do work deemed extraordinary by the employer or the Western Australian Industrial Relations Commission; or
- has obtained a post basic certificate approved by the Nurses' Board of W.A. [now the Nursing and Midwifery Board] and they is required to use the knowledge gained in that certificate as part of their employment.
- Provided that an Enrolled Nurse Level One who is considered proficient to operate a renal dialysis machine shall be deemed to be included in this classification while operating this machine.

Enrolled Nurse Level Three

A Registered Enrolled Nurse who has been classified Special Class by the employer or by the Western Australian Industrial Relations Commission.

Disclaimer

The Department of Mines, Industry Regulation and Safety has prepared this WA award summary to provide information on pay rates and major award provisions. It is provided as a general guide only and is not designed to be comprehensive or to provide legal advice. The department does not accept liability for any claim which may arise from any person acting on, or refraining from acting on, this information.