

LSA MEMBERS' INDUSTRIAL RELATIONS ADVICE AUGUST 2025

WHAT IR CHANGES START ON 26th AUGUST 2025?

1. RIGHT TO DISCONNECT

From 26 August 2025 the [right to disconnect laws](#) will apply to small business employers and their employees. This change was implemented for large business employers previously.

A small business employer is one with fewer than 15 employees (up to 14) including casual employees and associated businesses.

Employees will have the right to refuse to monitor, read, respond or contact (or attempted contact) outside their working hours, unless doing so is unreasonable.

An employer can contact an employee outside working hours

The right to disconnect rules don't make it unlawful for an employer to contact an employee outside working hours. Instead, they give employees a right to refuse to monitor, read, respond to the contact, unless doing so is unreasonable.

For example, in at least some circumstances, urgent animal husbandry issues may constitute a reasonable request to contact an employee and for that employee to respond. It's important to remember that the focus is on whether the employee's refusal was unreasonable.

The Office of the Fair Work Ombudsman has created a [series of videos](#) to help small business employer to prepare for the changes. The videos provide an overview of the new rules and how they apply to small business. A free webinar can be accessed at [join our free webinar](#) to explain the new laws and provide practical tips to help you navigate the change in your workplace. More detailed information is available at [Right to disconnect - Fair Work Ombudsman](#)

2. EMPLOYEE CHOICE PATHWAY – CASUAL EMPLOYEES

The current practice of the employer reminding a casual employee that s/he is eligible to convert from casual employment to part time or fulltime employment will change on 26th August 2025.

From that date **Casual employees** who want to convert to full-time or part-time employment under the **employee choice pathway** can notify the employer of their intention.

Casuals employed by small business employer **before 26 August 2024** will not be eligible to access the new employee choice pathway until 26 August 2025.

The current casual conversion provisions continue to apply for eligible employees until 26 August 2025.



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For information on casual conversion visit fairwork.gov.au/casual-conversion and sub-clause 11.6 in the Pastoral award 2020

Casual Employees can use the notification template?

A casual employee may wish to use the template to request conversion from a casual employee by using this link [requesting-casual-conversion-checklist-and-template-letter-sts.docx](#)

3. Record-keeping

If employment records aren't made or kept or are incorrect, Fair Work Inspectors can give employers a fine, called an [infringement notice](#).

It is unlawful for employers to make or keep employment records that they know are false or misleading.

Employers can also be penalised if we choose to [take a matter to court](#). In some cases, employers who haven't kept records or made records available for inspection, may have to prove to a court they didn't underpay an employee. The Fair Work Commission may also rely on records provided by employees (whether accurate or not) when the employer failed to keep records.

To make sure that the records are compliant please go to [Timesheets template](#)

4. October is Safety Month.

Being healthy and safe means being free from physical and psychological harm. No job should be unsafe, and no death or injury is acceptable. A safe and healthy workplace benefits everyone.

As the state's Regulator, SafeWork SA asks businesses, employers and workers across the state to join National Safe Work Month and commit to building safe and healthy workplaces for all South Australians.

Very soon you may wish to visit <https://www.safework.sa.gov.au/> to find pending events in your area, webinars and other information.

The [Farmers' Guidebook to work health and safety\(PDF\)](#) states in part

"There's no question that farms are unique workplaces, and the combination of hazards makes primary industries one of the most dangerous sectors in which to work. In South Australia 4.5% of the total workforce works in agriculture; however, almost 19% of workplace deaths occur on farms. This means South Australian farmers are being fatally injured at a rate of almost five times their share of the workforce. On top of the high fatality rate, every week nine South Australian primary producers are injured seriously enough to access work injury insurance. Frustratingly, the vast majority of fatalities and serious injuries are preventable."



It is strongly recommended that this publication be the basis for induction and creation of your Work Health Safety Policies and Procedures.

Other information is available at <https://www.safework.sa.gov.au/industry/agriculture>

Recent Member Updates are included in the MERS website www.mers.com.au

If you have any queries, please do not hesitate to contact Chas Cini at 8331 2422 and email chas@mers.com.au.

LSA members are entitled to contact MERS for a free half hour consultation, per member per year.

ATTACHMENT A 2025 Minimum Wage Adjustment

The following wage rates and allowances come into effect from the first pay period commencing on 1st July 2025.

Please note that if employers are paying above these rates, they must make sure that the total wages and conditions still meet the Better Off Overall Test and must make the employees better off than the Award.

The Farm and Livestock classification structure and wage rates appears in Clauses 31 and 32 in the Award Pastoral Award 2020 [MA000035].

The "all-purpose" allowances of First Aid and Leading Hand (Attach B) must always be paid, including during leave, overtime etc.

Broadacre Clauses 31 and 32								
		Full and Part Time				Casual		
		Per Hour				Per hour		
	Per week	100%	150%	200%		125%	175%	225%
FLH Lv1	\$922.70	\$24.28	\$36.42	\$48.56		\$30.35	\$42.49	\$54.63
FLH Lv2	\$948.00	\$24.95	\$37.43	\$49.90		\$31.18	\$43.66	\$56.14
FLH Lv3	\$961.10	\$25.29	\$37.94	\$50.58		\$31.62	\$44.26	\$56.90
FLH Lv5	\$999.40	\$26.30	\$39.45	\$52.60		\$32.88	\$46.03	\$59.18

*If keep is provided then the employer may deduct an amount of **\$159.34** per week from the employee's total weekly wages.*

Feedlots Clauses 31 and 32								
	Per week	Per Hour				Per hour		
		100%	150%	200%		125%	175%	225%
FLH Lv1	\$922.70	\$24.28	\$36.42	\$48.56		\$30.35	\$42.49	\$54.63
FLH Lv2	\$948.00	\$24.95	\$37.42	\$49.89		\$31.18	\$43.66	\$56.14
FLH Lv4	\$982.40	\$25.85	\$38.78	\$51.71		\$32.32	\$45.24	\$58.16
FLH Lv6	\$1,014.70	\$26.70	\$40.05	\$53.41		\$33.38	\$46.73	\$60.08
FLH Lv7	\$1,068.40	\$28.12	\$42.17	\$56.23		\$35.14	\$49.20	\$63.27

Station Cooks Clauses 31 and 32								
		Per Hour				Per hour		
	Per week	100%	150%	200%		125%	175%	225%
FLH Lv1	\$922.70	\$24.28	\$36.42	\$48.56		\$30.35	\$42.49	\$54.63
FLH Lv2	\$948.00	\$24.95	\$37.42	\$49.89		\$31.18	\$43.66	\$56.13

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Age of employee	% of relevant adult rate
Under 16 years	50
16 years	60
17 years	70
18 years	80
19 years	90
20 years	100

Wage rates, classifications, and allowances for the following please refer to Part 9 starting at clause 50 [Pastoral Award 2020 \[MA000035\]](#)

- a. **Shearing Operations,**
- b. **wool pressers,**
- c. **wool pressers shed hands,**
- d. **shearing cooks,**
- e. **shearers,**
- f. **learner shearers,**
- g. **crutchers,**
- h. **wool classers, and**
- i. **shearing shed experts.**

ATTACHMENT B ALLOWANCES CLAUSE 18.2

NOTE: Regulations 3.33(3) and 3.46(1)(g) of *Fair Work Regulations 2009* set out the requirements for pay records and the content of payslips including the requirement to separately identify any allowance paid.

1.1 All-purpose allowances- What is an all-purpose allowance?

All-purpose allowances are **ADDED TO THE DAILY OR WEEKLY RATE** and included in the rate of pay of an employee who is entitled to these two allowances. The all-purpose rate is included when calculating any penalties, loadings, or payment while an eligible employee is on any leave. The following allowances are paid for all-purposes under this award:

- i. leading hand allowance (clause 18.2(b)); and
- ii. first aid allowance (clause 18.2(c)).

i. Leading hands

A leading hand in charge of 2 or more people must be paid as follows:

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In charge of	\$ per week
2–6 employees	\$28.69
7–10 employees	\$33.43
11–20 employees	\$47.65
More than 20 employees	\$59.88

The allowance contained in clause 18.2 will apply to part-time employees on a pro rata basis.

ii. First aid allowance

An employee appointed by their employer to perform first aid duty as required in addition to their usual duties, and holding a current recognised first aid qualification, such as one from St John Ambulance or similar body, must be paid an allowance of **\$3.49 per day**.

2. Other expense allowances (**NOT** all purpose)– refer to Clause 18 in the Award for fuller details.

Tool and equipment allowance

- (a) Travelling allowance
- (b) Use of vehicle allowance – 98 cents per kilometre
- (c) Overtime meal allowance - \$17.19 (unless meal provided)
- (d) Re-imbursement of expenses
- (e) Wet weather clothing and footwear
- (f) Charges for accommodation, meat, goods, and services

ATTACHMENT C

34. ORDINARY HOURS OF WORK AND ROSTERING

1. SINCE 1 JANUARY 2018

Broadacre Farm

Part-time and casual Farm and Livestock Hands ("FLH") (except casual pieceworkers) must work or be paid for a minimum of 3 hours on any shift.

The minimum payment is reduced to 2 hours when the employee is:

- (a) engaged to perform the work of dairy operators.
- (b) 18 years or younger
- (c) a full-time secondary student

34.1 The average ordinary working hours for a FLH will be fixed by agreement between the employer and the employees but will not exceed an average of 38 hours per week over a 4-week period.

34.2 The ordinary hours of work of farm and livestock hands (other than station cooks) will not exceed 152 hours in any consecutive period of 4 weeks.

34.3 Station cooks

- (a) A cook who is required to work for more than 5.5 days in any one week will be paid, in addition to the weekly wage of this award, the following overtime rates:
 - (i) for work on 6 full days—an amount of 3/22nds of the appropriate weekly rate;
 - (ii) for work on 6 full days and one half day—an amount equal to 3/11ths of the appropriate weekly rate; or
 - (iii) for work on 7 full days—an amount equal to 9/22nds of the appropriate weekly rate.
- (b) No overtime will be worked nor will an employee perform work on the employee's day and/or half day off without the permission of or under the instructions of the employer or their authorised representative.

ATTACHMENT C - OVERTIME AND PENALTY RATES

35.1 All time worked by an employee more than the ordinary hours in clause 34)— Ordinary hours of work and rostering will be regarded as overtime.

(more than 152 hours over 4 consecutive weeks).

35.2 The rate of pay for overtime for a farm and livestock hand will be:

For overtime worked	Overtime rate Full-time and part- time employees % ordinary hourly rate	Overtime rate Casual employees % of ordinary hourly rate
Monday to Saturday	150	175
Sunday—feeding and watering stock	150	175
Sunday—other than feeding and watering stock	200	225

NOTE: The overtime rates for casual employees have been calculated by adding the casual loading prescribed by clause 11.3(a)(ii) to the overtime rates for full-time and part-time employees prescribed by clause 35.2.

35.3 No employee will be entitled to payment for overtime, or equivalent time off instead, unless:

- (a) the employee makes a claim to the employer or their authorised representative either within 2 weeks after the overtime is alleged to have been performed; or
 - (b) by the next date of payment of the employee's wages,
- whichever is the later.

35.4 Overtime and public holiday rates are calculated on the ordinary hourly rate before any deduction is made for keep.

35.5 Public holidays

A farm and livestock hand required to work on a public holiday will be paid **200%** of the ordinary hourly rate.

35.6 Time off instead of payment for overtime.

An employee and employer may agree in writing to the employee taking time off instead of being paid for all overtime that is worked by the employee under this



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agreement. Please refer to Clause 35.6 and Schedule E in the Award for fuller details.

ATTACHMENT D Categories of Employment

9. Full-time employees

9.1 A full-time employee is an employee who is engaged to work an average of 38 hours per week over a 4 week period.

9.2 A full-time employee must be provided with a written statement setting out their classification, applicable rate of pay and terms of engagement.

10. Part-time employees

10.1 A part-time employee is an employee who:

(a) is engaged to work less than an average of 38 hours per week over a 4 week period;

(b) has reasonably predictable hours of work; and

(c) receives on a pro rata basis, equivalent pay, and conditions to those of full-time employees who do the same kind of work.

10.2 At the time of engagement the employer and the part-time employee will agree in writing on a regular pattern of work, specifying at least:

(a) the hours worked each day;

(b) which days of the week the employee will work; and

(c) the actual starting and finishing times each day.

Clause 2 casual employee has the meaning given by section 15A of the Act.

11.1 An employer when engaging a casual must inform the employee that they are employed as a casual, stating:

(a) by whom the employee is employed;

(c) their rate of pay.

11.3 Casual loading

(a) For each ordinary hour worked a casual employee, other than a casual pieceworker, must be paid:

(i) the ordinary hourly rate prescribed for the class of work performed; and

(ii) a loading of **25%** of the ordinary hourly rate.

(b) The casual loading is paid instead of annual leave, personal/carer's leave, notice of termination, redundancy benefits and the other attributes of full-time or part-time employment.

(c) When a casual employee works overtime, they must be paid the overtime rates in clauses 35.2 , 43.2 , and 49.1(b) .



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11.4 Casual employees must be paid at the termination of each engagement but may agree to be paid weekly or fortnightly.

11.5 Minimum engagement

(a) Subject to clause 11.5(b) , an employer must pay a casual employee, other than a casual pieceworker, for a minimum of 3 hours' work at the appropriate rate for each occasion on which the employee is required to attend for work, even if the employee is only required to work for a shorter time.