

VCAA Ministerial Order Summary of Entitlements

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Acknowledgement of Country

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We acknowledge Aboriginal and Torres Strait Islander people as Australia's first peoples and as the Traditional Owners and custodians of the lands and waters on which we rely. We pay respect to Elders past and present of the lands where we conduct our work and recognise their ongoing contributions as the first educators on the land now known as Victoria.

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1. Introduction

Purpose

The purpose of this document is to provide a comprehensive and clear summary on the Victorian Curriculum and Assessment Authority (VCAA) Ministerial Order entitlements for all employees. It aims to ensure consistent understanding of policies governing overtime, shift penalties, leave & travel allowance procedures in accordance with [Ministerial Order No. 1451 \(The MO\)](#).

Overview of Whom the Guidelines Apply to

These guidelines apply to all VCAA employees (fixed term, casual, sessional) employed under the Ministerial Order 1451 (MO).

Importance of Following Policies and Procedures

Adherence to policies and procedures is crucial to maintain organisational transparency, accountability, and compliance with regulatory standards.

The VCAA aims to equip employees with the tools and information necessary to understand their entitlements and that there is a consistent understanding of the policy across the organisation.

2. Contact Information

For inquiries or assistance regarding entitlements, please contact your immediate manager or the VCAA HR Unit via email vcaa.hr@education.vic.gov.au or phone: 1800 718 320 (option 2).

3. Roles and Responsibilities

The table below details the roles and responsibilities of Managers, Employees and Human Resources (HR):

Managers	Employees	Human Resources
• Provide guidance and support to employees regarding their entitlements. • Provide written approvals for overtime, shifts and standby to employees prior to undertaking of work. • Review and approve employees' entitlements, to ensure they are justified and compliant with company rules. • Liaise with HR in the event of disputes or clarifications. • Seek advice from VCAA HR for non-standard arrangements.	• Review and understand their entitlements under the MO. • Seek clarification where needed. • Take unpaid breaks of at least 30 minutes every 5 hours. • Contact manager when expected hours may exceed daily or weekly maximums. • Ensure overtime or shift arrangements are pre-approved by manager prior to undertaking work. • Seek advice from manager or VCAA HR if unsure.	• Provide training and support to managers regarding implementation of entitlements. • Supply employee with access to this document. • Ensure consistent and fair application of entitlements. • Finalise overtime or shift payments in eduPay.

4. MO Summary of Entitlements

Table A – Summary of Employee Entitlements

VCAA Ministerial Order Summary of Entitlements

Employment Types	Description	Overtime	Meal Breaks	Minimum Engagement	Shift Loadings	Other Allowances (non-travel)	Leave Types Paid	Leave Types Unpaid	Travel	Examples of Roles
Casual Unspecified Location	Roles required to deliver work across peak periods with flexibility on when and how work is completed	Yes, when instructed to work over 38 hrs per week 2.4.1 and 2.4.2 (1) applies. Unless MO6 and above then No, 2.4.1 (2b) applies.	4.1.4 (2). 5+ hours work = mandatory 30-minute break unpaid	No 4.1.3 (3). Unless required to attend a specified workplace (for example, onsite training) then 4.1.3 (1) applies	Yes, 2.4.1 (1) applies when scheduled to work outside regular business hours 4.1.1 (2), i.e. on a weekend	Stand-by Allowance 2.5.6 (1) \$32.75 per night or \$66.05 per day/night. Gratuity Payment 2.5.2 (Approval Only)	Accident Compensation Leave, Family Violence Leave, War Service Sick Leave, Special Leave, Leave for Jury Service, Long Service Leave, Other (Part 5 MO)	Personal Leave, Compassionate Leave, Parental Leave	Refer to travel guide for eligibility. If eligible, a travel e-pack will be sent. Cents per km 6.3.1 (4), travel expenses reimbursed 6.1.2 (a) and excessive hours 6.2.1 (2-4) applies.	VCE Written Assessors, GAT Assessors and Exec Panel, SEA/DES Panels, NAPLAN Leads and Markers, Advisory Panels
Casual Specified Location	Roles required to deliver work at a specified location and time	Yes, when instructed to work over 38 hrs per week 2.4.1 and 2.4.2 (1) applies. Unless MO6 and above then No, 2.4.1 (2b) applies.	4.1.4 (2). 5+ hours work = mandatory 30-minute break unpaid	Yes, 3-hour minimum engagement applies 4.1.3 (1). ONLY if location is specified	Yes, 2.4.1 (1) applies when scheduled to work outside regular business hours 4.1.1 (2), i.e. on a weekend	Stand-by Allowance 2.5.6 (1) \$32.75 per night or \$66.05 per day/night. First Aid Allowance 2.5.5 \$13.19 per week (Approval Only). Gratuity Payment 2.5.2 (Approval Only)	Accident Compensation Leave, Family Violence Leave, War Service Sick Leave, Special Leave, Leave for Jury Service, Long Service Leave, Other (Part 5 MO)	Personal Leave, Compassionate Leave, Parental Leave	Refer to travel guide for eligibility. If eligible, a travel e-pack will be sent. Cents per km 6.3.1 (4), travel expenses reimbursed 6.1.2 (a) and excessive hours 6.2.1 (2-4) applies.	Performance & Languages Assessors, Venue Coordinators, NAPLAN Security Observers, VCE Security Officers, Season of Excellence (Top Class, Top Designs, PESA Adjudicators)
Casual Shift Worker	Roles allocated to a roster to support 24/7 operations during peak times	Yes, when instructed to work over 152 hours per 4-week cycle 4.1.1 (3) and 2.4.4 (2). Unless MO6 and above then No 2.4.1 (2b).	4.1.4 (2). 5+ hours work = mandatory 30-minute break unpaid	Yes, 3-hour minimum engagement applies 4.1.3 (1). ONLY if location is specified, i.e. does not apply if working remotely 4.1.3 (3)	Yes 2.4.4 (1)	Stand-by Allowance 2.5.6 (1) \$32.75 per night or \$66.05 per day/night. First Aid Allowance 2.5.5 \$13.19 per week (Approval Only). Gratuity Payment 2.5.2 (Approval Only)	Accident Compensation Leave, Family Violence Leave, War Service Sick Leave, Special Leave, Leave for Jury Service, Long Service Leave, Other (Part 5 MO)	Personal Leave, Compassionate Leave, Parental Leave	Refer to travel guide for eligibility. If eligible, a travel e-pack will be sent. Cents per km 6.3.1 (4), travel expenses reimbursed 6.1.2 (a) and excessive hours 6.2.1 (2-4) applies.	GAT Processing Staff, VCE Exam Processing Staff, NAPLAN Support
Sessional Employee	Roles that require delivery of work across a tenured period (one year) but affected by available budget so therefore total allocated hours apply	Yes, when instructed to work over 38 hrs per week 2.4.1 and 2.4.2 (1) applies. Unless MO6 and above then No, 2.4.1 (2b) applies.	4.1.4 (2). 5+ hours work = mandatory 30-minute break unpaid	Yes, 3-hour minimum engagement applies 4.1.3 (1). ONLY if location is specified, i.e. does not apply if working remotely 4.1.3 (3)	Yes, 2.4.1 (1) applies when scheduled to work outside regular business hours 4.1.1 (2), i.e. on a weekend	Stand-by Allowance 2.5.6 (1) \$32.75 per night or \$66.05 per day/night. First Aid Allowance 2.5.5 \$13.19 per week (Approval Only). Gratuity Payment 2.5.2 (Approval Only)	Accident Compensation Leave, Family Violence Leave, War Service Sick Leave, Special Leave, Leave for Jury Service, Long Service Leave, Other (Part 5 MO)	Personal Leave, Compassionate Leave, Parental Leave	Refer to travel guide for eligibility. If eligible, a travel e-pack will be sent. Cents per km 6.3.1 (4), travel expenses reimbursed 6.1.2 (a) and excessive hours 6.2.1 (2-4) applies.	Exam Development Panels, Exam Sample Panels, EAL Reviewers VCE/VET/VPC State Reviewers, Community of Practice Leaders, DAL/GAT/NAPLAN Item Reviewers, Chief and Assistant Chief Assessors (VCE/VET,GAT)
Fixed Term Employee	Roles in head office to support the corporate teams	Yes, when instructed to work over 38 hrs per week 2.4.1 and 2.4.2 (1) applies. Unless MO6 and above then No, 2.4.1 (2b) applies.	4.1.4 (2). 5+ hours work = mandatory 30-minute break unpaid	No	Yes, 2.4.1 (1) applies when scheduled to work outside regular business hours 4.1.1 (2), i.e. on a weekend	Leave Loading 2.5.3 (1) Higher Duties 2.5.4 (1) First Aid Allowance 2.5.5 \$13.19 per week (Approval Only) Gratuity Payment 2.5.2 (Approval Only)	Annual Leave, Personal Leave, Parental Leave Paid (+12mths), Workers Compensation, Family + Domestic Violence Leave, War Leave, Special Leave, Dury Service Leave, Long Service Leave, Other (Part 5 MO)	Leave without pay, personal leave unpaid	Refer to travel guide for eligibility. If eligible, a travel e-pack will be sent. Cents per km 6.3.1 (4), travel expenses reimbursed 6.1.2 (a) and excessive hours 6.2.1 (2-4) applies.	N/A

4.1 Reasonable Hours of Work

An employee can work a maximum of 38 hours per week, unless otherwise agreed by the Manager. For a full-time employee, ordinary hours will be worked between 7:00 am and 7:00 pm from Monday to Friday. For casual and sessional employees engaged to complete dedicated tasks, the specific hours may vary based on the needs of the role.

The ordinary hours of work for a shift worker are 38 hours per week, averaged over 4 weeks (a total of 152 hours).

Unless otherwise agreed, an employee will be in attendance for a maximum of 7.6 hours daily.

Category	Casual Specified Role	Casual Unspecified Role	Shift Role	Sessional Role
Work Hours	Between 7am–7pm, max 7.6 hrs/day unless approved	Flexible – actual hours worked only - max 8 hrs/day unless approved	Rostered over 24/7 period - max 7.6 hrs/day unless approved	Flexible – actual hours worked only - max 8 hrs/day unless approved

4.2 Meal Breaks

Employees must not work more than 5 hours without a meal break of a minimum duration of 30 minutes, either within or immediately following each 5 hours of work time.

The lunch break is unpaid and free from assigned duties.

Employees should ensure lunch breaks are removed from total hours of work when submitting timesheets, leaving a comment to specify this in the timesheet where appropriate.

4.3 Minimum Engagement

Where a casual or sessional employee is required to attend a specified workplace, they will be entitled to a minimum payment of three hours on any one day.

An employee should enter 3 hours when submitting timesheets for manager review when the total number of hours of engagement on a day is equal to or less than three hours

Minimum engagement does not apply where an employee is not required to attend a specified workplace (i.e. working remotely), or where an employee is working from another location by agreement with the employer, or in exceptional circumstances.

4.4 Overtime

A manager may require an employee to undertake work in excess of 38 hours per week where such work is unavoidable and reasonable notice is provided.

All overtime must be documented by the manager & the employee may request not to do so where this would unreasonably affect personal or family commitments.

Where overtime has been approved, the employee will receive an overtime payment or, on the application of an employee, time off instead of overtime, on an hour for hour basis.

VCAA Ministerial Order Summary of Entitlements

- Overtime is limited to hours worked in excess of 38 a week from the start of each pay fortnight.
- Overtime must be directed by the manager.
- Overtime will not apply to employees employed at Level 6 and above.

The overtime amount depends on when the excess hours fall, in accordance with the table:

For overtime worked on—	Overtime rate (% of ordinary hourly rate)
Monday to Saturday – first 3 hours	150%
Monday to Saturday – after 3 hours	200%
Sunday – all day	200%
Public holiday – all day	250%

Overtime penalties may apply, where an employee is required to undertake their regular work outside regular business hours by their manager e.g. a VCE assessor may be required to attend performance assessments on a Saturday.

Note that overtime loadings will not apply where an employee is offered a choice of dates to complete mandatory work or training, and at least one of those dates falls within ordinary business hours.

For fixed term employees, the overtime rate will apply to hours that are additional to the ordinary hours that they are scheduled to work. For example, a full-time employee working 9-5 each day but is required to stay late on Tuesday, or is required to work the Monday public holiday, the additional hours on Tuesday evening or the Monday count as overtime.

Shift workers may be eligible to receive overtime payment, when working more than 152 hours per 4-week cycle 4.1.1 (3) and 2.4.4 (2). Shift loadings and overtime rates are not cumulative.

- If an employee qualifies for multiple types of extra pay (e.g., a shift loading and an overtime rate), they won't receive both. Instead, they will receive only the highest one that applies during that work period.

Overtime loadings are calculated against the employee's base rate and are cumulative with casual loading.

If overtime loadings have been approved by the manager, payment will be made in the fortnightly cycle after the timesheet has been approved and paid.

Overtime is only payable where:

- The MO level is between 1 to 5.
- Manager provides prior written request and approval.
- ED must approve payment of overtime hours

Process

1. Manager confirms approval for overtime in email to employee, prior to hours being worked
2. Employee records hours in timesheet and includes comment indicating overtime is approved
3. Regular hours are paid via ordinary pay cycle
4. VCAA HR reviews all pay data post cycle
5. VCAA HR emails identified overtime hours to manager for review.
6. Manager confirms endorsement by email
7. VCAA HR compiles data and sends to Executive Director for final approval
8. VCAA HR processes payment of approved overtime in eduPay
9. VCAA HR emails employee confirmation.

4.5 Shift Loadings

An employee who is employed as a shift worker, will be allocated shifts based on a shift roster for such period or periods during their employment.

The shift loading amount depends on the allocation of the shift and where the shift hours fall, in accordance with the table (Ministerial Order 1451, Division 4, Clause 2.4.2):

Shift	Period	Loading	Total payment rate
Monday to Friday – afternoon shift	Finishing after 6:30 pm and at or before midnight	15%	115%
Monday to Friday – night shift – rotating shift	Finishing after midnight and at or before 8:00 am	15%	115%
Monday to Friday – night shift – non-rotating shift	Finishing after midnight and at or before 8:00 am	30%	130%
Saturday	All hours on Saturday	50%	150%
Sunday	All hours on Sunday	100%	200%
Public holiday	All hours on a public holiday	150%	250%

- An employee must be rostered on by the manager to be considered on a shift.
- Shift loadings are applicable to all MO Levels 1 to 12.

The shift loadings are calculated against the employee's base rate.

Payments for shift will occur in the same pay cycle for shift workers.

Process

1. Manager submits shift request to VCAA HR.
2. VCAA HR records arrangement in Employment Master.
3. VCAA HR prepares shift roster template for manager use.
4. Shift roster is then set by the manager for the required period.
5. At end of the relevant fortnight, data from shift roster is validated by manager and VCAA HR enters into eduPay for payment in next cycle.

4.6 Other Allowances (non-travel)

An employee may be entitled to receive an allowance in addition to their usual salary or remuneration.

Stand-by Allowance - A stand-by allowance is payable to an employee who is required to be on stand-by outside their rostered hours of duty and is available to—

- perform work away from their usual place or places of work; or
- return to their usual place or places of work within a specified maximum period of time.

VCAA Ministerial Order Summary of Entitlements

The stand-by allowance is paid for the time an employee is available (but not actively working) outside of their usual work hours. This payment includes situations where:

- The employee might be contacted (e.g., by phone or email), and
- They respond briefly or in a limited way (for example, answering a quick question),
- No further action is required (additional calls, logging in to work, or going to the workplace).

For example, if you're on stand-by, and someone contacts you and you handle it quickly without needing to do more, you're covered by the stand-by allowance. But if the situation requires more follow-up work, then it may go beyond what the allowance covers, and you might be entitled to additional pay or a different kind of compensation.

The stand-by allowance will be paid at a rate of \$32.75 per night or \$66.05 per day/night.

The payment of a stand-by allowance is to be approved by the manager and must be approved in advance.

Process

1. Manager emails VCAA HR confirmation that an employee is to be on stand-by for relevant period of time
2. VCAA HR records stand-by status
3. VCAA HR processes payment of stand-by allowance in eduPay during the pay cycle that applies to the relevant stand-by period
4. VCAA HR notifies employee of payment.

4.6.1 For other allowances – requiring approval >

First Aid Allowance - An employee who holds an appropriate first aid qualification may be required to be available to provide first aid onsite. An employee who agrees to perform first aid in addition to their normal duties will receive a first aid allowance.

- Only applicable to employees with specified work locations.
- Manager approval is required.
- A first aid allowance is payable at \$13.19 per week.

Process

1. Manager emails VCAA HR to confirm an employee's eligibility for first aid allowance
2. VCAA HR records status
3. VCAA HR processes payment of allowance in eduPay
4. VCAA HR notifies employee.

Gratuity Payment - A gratuity payment may be approved by the CEO to an employee where exceptional circumstances exist and where it is determined that such a payment is necessary to address specific operational or business requirements.

- CEO approval is required.
- Employees will be contacted by VCAA HR if received.

4.6.2 For other allowances – fixed term employees >

Annual Leave Loading 2.5.3 (1) - A fixed term employee is entitled to be paid annual leave loading during a period of annual leave or upon termination (pay out of annual leave). Leave loading payable will be equivalent to 17.5% of the ordinary rate of pay for the period of annual leave.

Higher Duties 2.5.4 (1) – A fixed term employee assigned to perform all or part of the duties of a position for at least 5 working days and for which a higher rate of salary is fixed, must be granted a higher duties allowance. The below conditions apply—

- the employee must be assigned at least 25% of the duties of the role
- where less than the full duties are performed, the allowance paid is proportionate to the extent of the duties carried out
- assignments commence from the date of taking up duty and cease at the end of the assignment period

4.7 Leave Types Paid

Casual / Sessional Employees >

Accident Compensation Leave, Family Violence Leave, War Service Sick Leave, Special Leave, Leave for Jury Service, Long Service Leave, Other (Part 5 MO)

Eligible casual employees are entitled to parental leave if they are employed by the VCAA on a regular and systematic basis for a continuing period or sequence of periods of employment during a period of at least twelve months.

Fixed Term Employees >

Leave Type Paid	Description
Annual Leave	Full-time employees are entitled to 152 hours (20 days) annual leave in respect of each twelve months of service, which is accrued progressively during a year of service according to the employee's ordinary hours of work.
Personal Leave	Full-time employees are entitled to 114 hours personal leave on full pay on commencement of employment and 114 hours personal leave on full pay for each year of full-time service thereafter which is cumulative. Medical certificate or stat dec required.
Long Service Leave (applies to casual/sessional employees as well)	Long service leave will accrue at the rate of 495.6967 hours after ten years full time service and at the rate of 247.84835 hours for each completed five years of service thereafter. An employee may access their long service leave entitlements on a pro rata basis after seven years' service and is eligible for pay in lieu of the pro rata entitlement on termination of employment.
Compassionate Leave	Full time employees may receive full pay of up to three days for where a member of the employee's immediate family or household passes away or sustains serious illness/treat to life.
Parental Leave, Primary Carer Parental Leave, Secondary Caregiver Parental Leave, Other Parental Leave Provisions.	Full-time employees are entitled to paid parental leave if employment is over 12 months.
Other Leave	Infectious Disease Leave, Accident Compensation Leave, War Service Sick Leave, Leave for Jury Service, Defence Reserve Leave, Cultural and Ceremonial Leave, Family Violence Leave

4.8 Leave Types Unpaid

Casual / Sessional Employees >

Personal Leave, Compassionate Leave, Parental Leave

A casual employee and sessional employee will receive 25% casual loading in lieu of public holidays not worked and all paid leave entitlements, other than long service leave. The employee will have no entitlement to paid leave, other than long service leave.

Fixed Term Employees >

Leave Without Pay, Personal Leave Unpaid

4.9 Travel

An employee who is required to travel to a specified work location that is not their base location, either overnight or for part of the day, may be eligible to claim expenses incurred during authorised duties, such as travel, accommodation, meals, and other incidental costs.

- [VCAA Travel Bookings and Personal Expenses Reimbursement Guidelines Booklet](#) outlines eligibility criteria and guidelines for claims.
- The base location is determined by the employer at the time of appointment and is stated on the employees' Letter of Offer of Employment.
- An employee eligible to claim travel will receive a Travel E-Pack from HR, containing relevant guidelines and instructions to claim prior to their commencement date.
- The manager must authorise all travel-related activity.
- All travel expense claims (kilometrage, meals, etc.) are processed for payment to employees by VCAA HR via eduPay.
- Further information relating to travel can be found in the [Travel & Expenses policy](#).