

**From:** Andrew Molnar

**Sent:** Friday, 8 November 2019 5:03 PM

**To:** 'Chambers - Catanzariti VP' <[Chambers.Catanzariti.VP@fwc.gov.au](mailto:Chambers.Catanzariti.VP@fwc.gov.au)>; [Kathy.Srdanovic@ashurst.com](mailto:Kathy.Srdanovic@ashurst.com); [Liz.Grey@ashurst.com](mailto:Liz.Grey@ashurst.com); Simon Lutton <[simon@afap.org.au](mailto:simon@afap.org.au)>; Jill Hignett <[j.hignett@hrlawyers.com.au](mailto:j.hignett@hrlawyers.com.au)>; Meghan De Pinto-Smith <[M.DePinto-Smith@hrlawyers.com.au](mailto:M.DePinto-Smith@hrlawyers.com.au)>; [jennifer.andrews@nortonwhite.com](mailto:jennifer.andrews@nortonwhite.com); Keira Nelson <[Keira.Nelson@nortonwhite.com](mailto:Keira.Nelson@nortonwhite.com)>; Ben Martin <[Ben.Martin@nortonwhite.com](mailto:Ben.Martin@nortonwhite.com)>; Trindade, Daniel <[DTrindade@claytonutz.com](mailto:DTrindade@claytonutz.com)>; [Ruchi.Bhatt@aigroup.com.au](mailto:Ruchi.Bhatt@aigroup.com.au)

**Subject:** RE: AM2018/14 - 4 Yearly Review of the Air Pilots Award 2010

Dear Associate

We refer to the above matter and the Schedule C variation sought by the AFAP. The parties understand that the Schedule C variation will not be the subject of hearing next week.

In relation to the classification types to be inserted into Schedule C of the Air Pilots Award, the parties have agreed to the tracked amendments in the attached proposal.

As between the RAAA and the AFAP there remains disagreement over 7 further types of aircraft (which are not yet included in the proposed Schedule) and which continue to be discussed.

Regards

**Andrew Molnar**  
Legal Counsel



**AUSTRALIAN FEDERATION OF AIR PILOTS**  
LEVEL 4, 132-136 ALBERT ROAD  
SOUTH MELBOURNE, VIC 3205  
T 03 9928 5737 F 03 9699 8199

[WWW.AFAP.ORG.AU](http://WWW.AFAP.ORG.AU)

## Schedule B—Classifications, Minimum Salaries and Additions to Salaries— Airlines/General Aviation

[Varied by [PR991553](#), [PR997787](#), [PR997933](#), [PR503362](#), [PR509077](#), [PR522908](#), [PR536711](#), [PR551634](#), [PR566718](#), [PR579813](#), [PR592144](#), [PR606371](#)]

### B.1 Classifications and minimum salaries

#### B.1.1 Aircraft classification and minimum salaries

[B.1.1 substituted by [PR997787](#) from 31May10; varied by [PR997933](#), [PR503362](#) from 01Nov10; [PR509077](#), [PR522908](#), [PR536711](#), [PR551634](#), [PR566718](#), [PR579813](#), [PR592144](#), [PR606371](#) ppc 01Jul18]

Full-time pilots employed by an airline operation or a general aviation employer must be paid at least the following minimum annual salaries:

	Minimum salary per annum	
	Captain	First Officers Second Pilots
	\$	
Single engine UTBNI 1360 kg	43,564	37,400
Single engine 1360 kg–3359 kg	45,416	37,400
Single engine 3360 kg & above	52,744	41,172
Multi engine UTBNI 3360 kg	50,724	39,570
Multi engine 3360 kg UTBNI 5660 kg	52,744	41,172
Multi engine 5660 kg UTBNI 8500 kg	55,629	42,937
Multi engine 8500 kg UTBNI 12000 kg	59,843	45,604
Multi engine 12000 kg UTBNI 15000 kg	64,320	48,559
Multi engine 15000 kg UTBNI 19000 kg	70,092	52,089
Multi engine 19000 kg & above—unless otherwise listed	74,992	54,886
Dash 8 100–15650 kg MTOW	70,092	52,089
Dash 8 200–16466 kg MTOW	70,092	52,089
Dash 8 300–19505 kg MTOW	70,092	52,089
Dash 8 400–28998 kg MTOW	74,877	54,886

#### B.1.2 Larger aircraft classifications and minimum salaries

[B.1.2 varied by [PR997933](#), [PR509077](#), [PR522908](#), [PR536711](#), [PR551634](#), [PR566718](#), [PR579813](#), [PR592144](#), [PR606371](#) ppc 01Jul18]

Pilots employed on larger aircraft will be paid the following minimum annual salary:

Air Pilots Award 2010

Classification	Minimum salary per annum		
	\$		
	Captain	First Officer	Second Officer
Fokker 28	120,524	79,891	
CRJ-50	120,524	79,891	
BAe-146	130,477	86,162	
Fokker 100B	130,477	86,162	
Boeing 717	130,477	86,162	
Narrow body aircraft	136,788	90,087	
Wide body aircraft–single deck	157,049	103,344	62,689
Wide body aircraft–double deck	177,311	116,601	70,644

**B.1.3 Additions to minimum salary**

In addition to the minimum salary the following salary components will be paid as applicable.

- (a) A pilot flying a piston engine aircraft engaged on commuter operations will be paid an additional allowance of 183% of the standard rate per annum.
- (b) A pilot (excluding Fokker-28 pilots) required to hold and exercise the privileges of a Senior Commercial Pilots' Licence or Airline Transport Pilots Licence by their company or CASA (or who operates under an exemption from holding that licence) will be paid 604% of the standard rate per annum.
- (c) A pilot flying a turbo-prop aircraft will be paid 797% of the standard rate per annum.
- (d) A pilot (excluding Fokker-28 pilots) flying a turbo jet aircraft will be paid 1280% of the standard rate per annum.

**B.1.4** Pilots (excluding Fokker-28 pilots) who are required to carry out flying using an instrument rating will be paid an additional allowance as follows:

Instrument flying rating	Percentage of <u>standard rate</u>
	%
Command or Class 1	732
Co-pilot or Class 2	476
Night VFR or Class 4	183

**B.1.5** A Charter Pilot who is employed under the provisions of this award and who may be required by their employer from time to time to carry out ab-initio flight instruction will be paid the appropriate salary as specified in this clause.

**B.1.6 First Officer/Second Pilot**

[B.1.6 varied by [PR997787](#) from 31May10]

A First Officer/Second Pilot will be paid the relevant instrument rating under clause B.1.4 above where applicable and in addition 65% of the amounts specified in clause B.1.3(a), (c) or (d).

**B.1.7 Salaries—flight instruction**

The following additions to the minimum salary provided in clauses B.1.1 and B.1.2 for flight instruction.

- (a) On appointment a flight instructor will be paid on the following basis:
  - (i) **Single engine:**
    - Grade III single engine charter
    - Grade II single engine charter plus 417% of the [standard rate](#) per annum
    - Grade I single engine charter plus 834% of the [standard rate](#) per annum
  - (ii) **Multi engine**
    - Grade III multi engine charter
    - Grade II multi engine charter plus 417% of the [standard rate](#) per annum
    - Grade I multi engine charter plus 834% of the [standard rate](#) per annum
- (b) Despite CAO 40.1.7 subsection 4.2, an instructor who has not achieved their 50 hours flight time instruction in navigational sequences but who has logged 300 hours in total will be paid as a Grade II flight instructor.
- (c) A Grade I instructor engaged on single engine aircraft covering eight years of service with the same employer will be paid increments of 106% of the [standard rate](#) for the sixth, seventh and eighth year of service with the employer.

**B.1.8** A pilot who is required to carry out flight instruction using the privileges of an instrument rating will be paid the appropriate additional allowance as follows:

<b>Instrument flying rating</b>	<b>Percentage of <a href="#">standard rate</a></b>
	%
Command or Class 1	732
Co-pilot or Class 2	476
Night VFR or Class 4	183

**B.1.9** A flight instructor not being a Chief Flying Instructor (CFI) who is designated by their employer as a Senior Instructor will be paid an additional amount at the rate of 5% in addition to the salary determined under clauses B.1.7 and B.1.8.

**B.1.10** A flight instructor not being a CFI who is approved by CASA to conduct flight tests for the issue of CASA licences or ratings on a licence and is required to carry out this function by their employer will be paid an additional amount at the rate of 5% of salary per annum applicable to the instructor's years of service.

**Air Pilots Award 2010**

- B.1.11** A flight instructor not being a CFI who carries out combined functions listed in clauses B.1.9 and B.1.10 will be paid an additional amount at the rate of 7% of their annual salary per annum.
- B.1.12** Where a pilot who is engaged in a particular category or classification of work is required to carry out flying duties in a category or classification attracting a higher level of remuneration, the pilot will be paid for all such duties at the applicable higher rate of remuneration for a minimum period of seven days and will at the same time be entitled to any higher employment benefits applicable to that category.
- B.1.13** A CFI will be paid the highest of the following payments applicable to the rating of their school in addition to the salary determined under clauses under B.1.7 and B.1.8.

<b>School rating</b>	<b>Percentage of salary</b>
	%
Private	6
Commercial	8
Instrument	10
Instructor	15

The above amounts relate to pilot, supervisory and CASA regulations specified duties. These rates are viewed as being the minimum payable and offer the opportunity for negotiation between the CFI and the employer for further remuneration for other managerial functions.

**B.1.14 Salaries—general provisions**

The following additions to salary, as specified in clauses B.1.1, B.1.2 and B.1.4 will apply to all pilots, other than those engaged as flight instructors.

Where the pilot designated is responsible for:

	<b>Percentage of salary</b>	
	%	
	<b>10 pilots or less</b>	<b>11 pilots or more</b>
A training pilot	5	6
A pilot who is designated as Senior Pilot	5	6
A check pilot	7	8
A check and training pilot	8	10
A pilot who is designated as Chief Pilot	8	10
A pilot who is a check and training pilot and is designated as Chief Pilot	10	12
A pilot who is a check and training pilot and is designated as Senior Pilot	10	11

**Schedule C—Classifications, Minimum Salaries and Additions to Salaries—  
Regional Airlines**

[Varied by [PR991553](#), [PR994421](#), [PR998167](#), [PR997933](#), [PR509077](#), [PR509199](#), [PR523029](#), [PR522908](#), [PR536711](#), [PR536832](#), [PR551634](#), [PR551755](#), [PR566856](#), [PR566718](#), [PR579551](#), [PR579813](#), [PR592306](#), [PR592144](#), [PR606371](#), [PR606527](#)]

Despite anything else contained in this award, the following clauses in Schedule C will apply to all employers who are regional airlines and pilots employed by regional airlines.

If a provision in this Schedule is inconsistent with another provision in this award, the provision in this schedule prevails to the extent of the inconsistency.

**C.1 Minimum salaries**

[C.1.1 varied by [PR997933](#), [PR509077](#), [PR522908](#), [PR536711](#), [PR551634](#), [PR566718](#), [PR579813](#), [PR592144](#), [PR606371](#) ppc 01Jul18]

**C.1.1** Full-time pilots employed by regional airlines must be paid the following annual salaries:

	<b>Minimum salary per annum</b>	
	\$	
	<b>Captain</b>	<b>Co-pilot</b>
<i><b>Group 1</b></i>		
Cessna 206	49,617	
Cessna 207	49,617	
Cessna 210	49,617	
<i><b>Group 2</b></i>		
Aero Commander 500	54,978	
Beechcraft 55	54,978	
Beechcraft 58	54,978	
Britten Norman BN2	54,978	
Cessna 310	54,978	
Cessna 337	54,978	
Cessna 402	54,978	
Cessna 414	54,978	
Partenavia P68	54,978	
Piper PA23	54,978	
Piper PA30	54,978	
Piper PA31	54,978	
Piper PA34	54,978	
Piper PA60 Aerostar	54,978	

Air Pilots Award 2010

	Minimum salary per annum	
	\$	
	Captain	Co-pilot
<b>Group 3</b>		
BeechcraftH 65	56,847	
Cessna 404	56,847	
Cessna 421	56,847	
<u>Aero Commander 680</u>	<u>56,847</u>	
<b>Group 4</b>		
Cessna 441	60,879	
Nomad N22	60,879	
Nomad N24	60,879	
<u>Aero Commander 690</u>	<u>60,879</u>	
<b>Group 5</b>		
Beechcraft 200	69,052	50,003
Swearingen 226	69,052	50,003
Swearingen 227	69,052	50,003
De Havilland 6-100	69,052	50,003
De Havilland 6-200	69,052	50,003
De Havilland 6-300	69,052	50,003
Casa 212	69,052	50,003
Embraer 110	69,052	50,003
<b>Group 6</b>		
Jetstream 31	70,922	50,620
Beach 1900	70,922	50,620
Metro 23	70,922	50,620
<b>Group 7</b>		
Cessna 550	73,742	51,442
McDonnell Douglas	73,742	51,442
DC3	73,742	51,442
Shorts SD-330	73,742	51,442
Shorts SD-360	73,742	51,442
Mohawk	73,742	51,442
<b>Group 8</b>		
Saab-Fairchild	78,722	53,951
340 A	78,722	53,951

	Minimum salary per annum	
	\$	
	Captain	Co-pilot
<b>Group 9</b>		
De Havilland	84,984	57,154
Dash 8- <u>100</u> , 102, 200 and 300	84,984	57,154
<u>ATR 42-300</u>	<u>84,984</u>	<u>57,154</u>
<u>Fokker 50</u>	<u>84,984</u>	<u>57,154</u>
Dash 8-400	90,813	61,037
<b><u>Group 10 (turbo jet aircraft)</u></b>		
<u>Fokker 70 and Fokker 100</u>	<u>130,477</u>	<u>86,162</u>
<u>Bae-146</u>	<u>130,477</u>	<u>86,162</u>
<u>Embraer 190/195</u>	<u>130,477</u>	<u>86,162</u>
<u>Airbus A319</u>	<u>136,788</u>	<u>90,087</u>
<u>Airbus A320</u>	<u>136,788</u>	<u>90,087</u>
<u>Boeing 737-300</u>	<u>136,788</u>	<u>90,087</u>
<u>Boeing 737-400</u>	<u>136,788</u>	<u>90,087</u>

**C.1.2** If an employer and pilot covered by this Schedule C operate an aircraft type that is not listed in clause C.1.1, an application may be made to the Fair Work Commission to vary Schedule C to include that aircraft and the corresponding minimum annual salary.

## **C.2 Multiple endorsements**

- C.2.1** A pilot must not be required to maintain currency on more than three aircraft types with gross weights in excess of 3500 kg.
- C.2.2** Despite C.2.1, a pilot must not be required to maintain currency on more than two turbine aircraft types if they fly turbine aircraft with gross weights in excess of 5560 kg.
- C.2.3** A pilot must not be required to fly more than one turbine aircraft with a gross weight in excess of 5700 kg. A pilot flying one aircraft in excess of 5700 kg may fly one aircraft referred to in clause C.2.2 provided as a minimum the pilot must operate both types on no less than four sectors in 21 days. In addition, captains must be given an asymmetric training session every four months on each type.
- C.2.4** The provisions of clauses C.2.1 and C.2.2 do not apply to check captains and/or training captains.
- C.2.5** A pilot endorsed for two pilot operations must not revert to a single pilot operation unless currently on a single pilot operation on the type of aircraft.



### C.3 Other duties allowance

C.3.1 If the weight of freight carried during a tour of duty exceeds 500 kg and the employer requires the pilot to physically load or unload the aircraft, the pilot must be paid an allowance of 15.6% of the [standard rate](#) for the tour of duty.

C.3.2 A pilot must not be required to carry out the duties referred to in clause C.3.1 if appropriate personnel or facilities are available. Payment of this allowance does not enable the employer to avoid providing appropriate personnel and facilities.

### C.4 Accommodation, camping out allowance, layover allowance, meals and duty travel

C.4.1 This clause applies to pilots employed by a regional airline instead of clauses 19.1 and **Error! Reference source not found.** of the award.

#### C.4.2 Accommodation

[C.4.2 varied by [PR998167](#), [PR523029](#), [PR536832](#), [PR551755](#), [PR566856](#), [PR606527](#) ppc 01Jul18]

Pilots who are absent on layover in the course of their employment must be provided with accommodation of an appropriate standard. If a pilot is required by the employer to stay in accommodation which is not of an appropriate standard, the pilot must be paid an allowance of \$112.91 per night.

#### C.4.3 Camping out allowance

[C.4.3 varied by [PR998167](#), [PR523029](#), [PR536832](#), [PR551755](#), [PR566856](#), [PR606527](#) ppc 01Jul18]

If a pilot is required by their employer to camp out in the course of their employment, the pilot must be paid a camping out allowance of \$96.33 per night. This allowance is instead of the allowances specified elsewhere in this clause.

#### C.4.4 Layover allowance

[C.4.4 varied by [PR998167](#), [PR523029](#), [PR536832](#), [PR551755](#), [PR566856](#), [PR606527](#) ppc 01Jul18]

In addition to the other allowances in this clause, pilots on layover must be paid a layover allowance of:

Australia and dependencies	\$19.76
Elsewhere	\$43.48

#### C.4.5 Meals

[C.4.5(a) varied by [PR998167](#), [PR509199](#), [PR523029](#), [PR536832](#), [PR551755](#), [PR566856](#), [PR579551](#), [PR592306](#), [PR606527](#) ppc 01Jul18]

(a) Pilots who are absent on layover in the course of their employment must be provided with meals of an appropriate and agreed standard. The employer may pay the following allowances instead of providing the meals or by mutual agreement:

Breakfast	\$27.19
Lunch	\$30.46
Dinner	\$52.37

(b) If a pilot commences a tour of duty from a layover port which involves duty in excess of 30 minutes in one of the following periods:

- 0630–0800 hours (Breakfast);
- 1200–1330 hours (Lunch); or
- 1800–2000 hours (Dinner),

the pilot must be provided with a meal of appropriate and agreed standard or be paid the appropriate meal allowance as prescribed in clause C.4.5(a).

#### **C.4.6 Pilot can secure own accommodation and meals**

[C.4.6 varied by [PR998167](#), [PR523029](#), [PR536832](#), [PR551755](#), [PR566856](#), [PR606527](#) ppc 01Jul18]

By mutual agreement with the employer, the pilot can elect to be responsible for securing their own accommodation and meals on any layover, in which case the pilot must be paid an allowance of \$125.83.

#### **C.4.7 Duty travel**

[C.4.7 varied by [PR994421](#) from 01Jan10]

If a pilot or their spouse or de facto partner and/or dependent children under 21 years of age are:

- travelling at the direction of the employer; and
- off-loaded overnight,

the employer must provide transport to and from the airport and accommodation of an appropriate standard and meals on each such occasion or an allowance instead thereof.

### **C.5 Sector limitations**

**C.5.1** Subject to clause C.5.2, a pilot must not operate more than nine sectors in any tour of duty.

**C.5.2** If a pilot has a rest period of less than 11 hours at a base other than home base prior to commencing their next tour of duty, the pilot must not operate more than six sectors in that tour of duty.

**C.5.3** A deadhead travel sector counts as a sector for the purpose of this clause.

### **C.6 Currency and proficiency training**

**C.6.1** Any currency or proficiency training required by the employer must not be conducted at the conclusion of a tour of duty except by mutual agreement between the pilot and the employer.

#### **C.6.2 Opportunity to qualify**

- (a) Type endorsement must not be commenced unless the pilot has successfully completed an approved engineering course where required for the type.
- (b) Line training must not be commenced unless the pilot has successfully completed the endorsement training for the type.

- (c) A pilot who is required to undergo a progress check must have completed a minimum of 75% of their line training.
- (d) A pilot who fails to achieve the required standard at a base check conducted during their line training must have the opportunity to repeat the base check prior to the completion of their line training.
- (e) A pilot who fails to achieve the required standard during the repeat of a base check or check-to-line is deemed to have failed their opportunity to qualify.

### C.6.3 Failure to qualify

- (a) A pilot who fails conversion or command training and is not required to remain on the aircraft type or who does not seek to undertake a second period of training must revert to their previous equipment and status, or where the equipment is not available, to such lesser-rated equipment or status for which they can qualify.
- (b) A pilot who fails their first opportunity to qualify for command or on conversion training is entitled to a second opportunity. The pilot may elect to have their second opportunity carried out with a different training captain and/or check captain.

### C.6.4 Failure to maintain standard

- (a) If a pilot is unable to maintain the required standard during a normal licence or instrument rating renewal, they are entitled to a period of training prior to being re-checked.
- (b) If the pilot fails the re-check, they are entitled to retraining for up to 20 sectors and/or two hours local flying or a simulator training equivalent. The pilot may elect to have this check conducted by a different check captain.
- (c) If a pilot fails their final re-check, they must revert to such lesser rated equipment or status as is available, for which they can qualify in accordance with C.6.3(a).

## C.7 Additions to minimum salary

### C.7.1 A pilot operating a turbo jet aircraft listed in Group 10 in clause C.1.1 will be paid the following salary components in addition to their minimum salary, as applicable:

- (a) A pilot required to hold and exercise the privileges of a Senior Commercial Pilots' Licence or Airline Transport Pilots Licence by their company or CASA (or who operates under an exemption from holding that licence) will be paid 604% of the standard rate per annum.
- (b) Subject to clause C.7.1(c), a pilot flying a turbo jet aircraft will be paid 1280% of the standard rate per annum.
- (c) A First Officer/Second Pilot flying a turbo jet aircraft will be paid 65% of the amount specified in clause C.7.1(b).
- (d) Pilots who are required to carry out flying using an instrument rating will be paid an additional allowance as follows. These amounts are paid in addition to the amounts specified in clause C.1.7(a), (b) and/or (c).

<u>Instrument flying rating</u>	<u>Percentage of standard rate</u>
	<u>%</u>
<u>Command or Class 1</u>	<u>732</u>
<u>Co-pilot or Class 2</u>	<u>476</u>
<u>Night VFR or Class 4</u>	<u>183</u>

**C.7.2** The following additions to the salary prescribed in clause C.1.1 should apply:

	<b>Percentage of minimum salary</b>
	<b>%</b>
Training captain	6
Pilot designated as a senior base captain	6
Check captain	8
Check and training captain	10
Pilot designated as Chief pilot	10
Senior base captain and a check and training captain	11
Pilot designated as Chief pilot and a check and training captain	12