



DRAFT DETERMINATION

Fair Work Act 2009

s 157—FWC may vary etc. modern awards if necessary to achieve modern awards objective

Review of C14 and C13 rates in modern awards (C2019/5259)

HORTICULTURE AWARD 2020 [MA000028]

Agricultural industry

JUSTICE HATCHER, PRESIDENT
VICE PRESIDENT ASBURY
DEPUTY PRESIDENT HAMPTON
COMMISSIONER DURHAM

SYDNEY, XX MONTH 2024

Review of classification rates at the C14 and C13 level in modern awards – Horticulture Award 2020 – award varied.

A. Further to the decision issued by the Expert Panel on XX Month 2024 [[2024] FWCFB XX], the above award is varied as follows:

1. By deleting the full stop at the end of the last bullet point appearing in clause A.1.2 and inserting a semi-colon.
2. By inserting the following as a new bullet point appearing at the end of clause A.1.2:
 - will progress to Level 2 after no more than 3 months' industry experience.
3. By deleting the first bullet point appearing in clause A.2.2 and inserting the following:
 - has 3 months' industry experience to enable the performance of work within the scope of this level;
4. By inserting the following as new bullet points at the start of the list in clause A.2.3:
 - performing general labouring duties;
 - fruit or vegetable picking, thinning or pruning;
 - operating small towing tractor engaged in transfer of produce bins and other containers during harvest;

- performing a range of housekeeping tasks in premises and grounds;
- performing basic recording functions related to work performed at this level;

B. This determination comes into operation on 1 January 2025. In accordance with s 165(3) of the *Fair Work Act 2009* this determination does not take effect in relation to a particular employee until the start of the employee's first full pay period that starts on or after 1 January 2025.

PRESIDENT