



DRAFT DETERMINATION

Fair Work Act 2009
s.285—Annual wage review

Annual Wage Review 2020–21
(C2021/1)

ASPHALT INDUSTRY AWARD 2020
[MA000054]

Asphalt industry

JUSTICE ROSS, PRESIDENT
VICE PRESIDENT CATANZARITI
DEPUTY PRESIDENT ASBURY
COMMISSIONER HAMPTON
MR FERGUSON
PROFESSOR WOODEN
MS LABINE-ROMAIN

MELBOURNE, XX JUNE 2021

Annual Wage Review 2020–21.

A. Further to the decision issued by the Expert Panel in the Annual Wage Review 2020–21 on 16 June 2021 [[2021] FWCFB 3500], the above award is varied as follows:

1. By deleting the table appearing in clause 15.1 and inserting the following:

Employee classification	Minimum weekly rate (full-time employee)	Minimum hourly rate
	\$	\$
Skill Level 1	772.60	20.33
Skill Level 2	817.70	21.52
Skill Level 3	851.80	22.42
Skill Level 4	899.70	23.68
Skill Level 5	907.50	23.88

2. By deleting the words “1 November 2020” in clause 15.4(b) and inserting “1 July 2021”.
3. By deleting the amount “\$33.24” appearing in clause 17.2(b) and inserting “\$34.07”.

4. By deleting the amount “\$34.07” appearing in clause 17.2(c)(i) and inserting “\$34.92”.
5. By deleting the amount “\$3.32” appearing in clause 17.2(d) and inserting “\$3.41”.
6. By deleting the amount “\$29.09” appearing in clause 17.2(e) and inserting “\$29.81”.
7. By deleting the table appearing in clause A.2.1 and inserting the following:

	Day	Public holiday
	% of ordinary hourly rate¹	
	100%	250%
	\$	\$
Skill Level 1	22.15	55.38
Skill Level 2	23.34	58.35
Skill Level 3	24.24	60.60
Skill Level 4	25.50	63.75
Skill Level 5	25.70	64.25

8. By deleting the table appearing in clause A.2.2 and inserting the following:

	Monday to Saturday – first 2 hours	Monday to Saturday – after 2 hours	Sunday – all day
	% of ordinary hourly rate¹		
	150%	200%	200%
	\$	\$	\$
Skill Level 1	33.23	44.30	44.30
Skill Level 2	35.01	46.68	46.68
Skill Level 3	36.36	48.48	48.48
Skill Level 4	38.25	51.00	51.00
Skill Level 5	38.55	51.40	51.40

9. By deleting the table appearing in clause A.2.3 and inserting the following:

	Day	Afternoon or night	Non-successive afternoon or night ¹		Permanent night ²	Saturday	Sunday	Public holiday
			8 hours or less	More than 8 hours				
% of ordinary hourly rate ³								
	100%	115%	150%	200%	130%	150%	200%	250%
	\$	\$	\$	\$	\$	\$	\$	\$
Skill Level 1	22.15	25.47	33.23	44.30	28.80	33.23	44.30	55.38
Skill Level 2	23.34	26.84	35.01	46.68	30.34	35.01	46.68	58.35
Skill Level 3	24.24	27.88	36.36	48.48	31.51	36.36	48.48	60.60
Skill Level 4	25.50	29.33	38.25	51.00	33.15	38.25	51.00	63.75
Skill Level 5	25.70	29.56	38.55	51.40	33.41	38.55	51.40	64.25

10. By deleting the table appearing in clause A.2.4 and inserting the following:

	Overtime	Unrelieved overtime	
		First 8 hours	After 8 hours
% of ordinary rate ¹			
	200%	150%	200%
	\$	\$	\$
Skill Level 1	44.30	33.23	44.30
Skill Level 2	46.68	35.01	46.68
Skill Level 3	48.48	36.36	48.48
Skill Level 4	51.00	38.25	51.00
Skill Level 5	51.40	38.55	51.40

11. By deleting the table appearing in clause A.3.2 and inserting the following:

	Day	Public holiday
	% of casual ordinary hourly rate¹	
	100%	250%
	\$	\$
Skill Level 1	27.69	69.23
Skill Level 2	29.18	72.95
Skill Level 3	30.30	75.75
Skill Level 4	31.88	79.70
Skill Level 5	32.13	80.33

12. By deleting the table appearing in clause A.3.3 and inserting the following:

	Day	Afternoon or night	Non-successive afternoon or night¹		Permanent night²	Saturday	Sunday	Public holiday
			8 hours or less	More than 8 hours				
			% of casual ordinary hourly rate³					
	100%	115%	150%	200%	130%	150%	200%	250%
	\$	\$	\$	\$	\$	\$	\$	\$
Skill Level 1	27.69	31.84	41.54	55.38	36.00	41.54	55.38	69.23
Skill Level 2	29.18	33.56	43.77	58.36	37.93	43.77	58.36	72.95
Skill Level 3	30.30	34.85	45.45	60.60	39.39	45.45	60.60	75.75
Skill Level 4	31.88	36.66	47.82	63.76	41.44	47.82	63.76	79.70
Skill Level 5	32.13	36.95	48.20	64.26	41.77	48.20	64.26	80.33

13. By deleting the amount “\$831.00” appearing in clause B.1.1 and inserting “\$851.80”.

14. By deleting the table appearing in clause B.1.1 and inserting the following:

Allowance	Clause	% of standard rate	\$	Payable
Industry allowance ¹	17.2(b)	4.0	34.07	per week
Inclement weather allowance ²	17.2(c)(i)	4.1	34.92	per week
First aid allowance	17.2(d)	0.4	3.41	per day
Leading hand allowance	17.2(e)	3.5	29.81	per week

B. This determination comes into operation on 1 July 2021. In accordance with s.286(5) 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 July 2021.

PRESIDENT