DRAFT DETERMINATION

Fair Work Act 2009
s.285—Annual wage review

Annual Wage Review 2020–21
(C2021/1)

VICTORIAN PUBLIC SERVICE AWARD 2016
[MA000135]

State and Territory government administration

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 8.2 and inserting the following:

VPS Structure	Value range	Salary ($ Min)	Salary ($ Max)
Grade 1	1.1	41,938	47,360
Grade 2	2.1	48,714	54,499
	2.2	55,380	60,667
Grade 3	3.1	61,884	67,986
	3.2	69,205	74,085
Grade 4	4.1	75,443	84,930
Grade 5	5.1	86,287	94,827
	5.2	94,828	103,367
Grade 6	6.1	104,722	121,597
	6.2	121,598	138,471

VPS Structure	Value range	Salary ($ Min)	Salary ($ Max)
Senior Technical Specialist	7.1	140,474	156,741
	7.2	156,742	173,005
	7.3	173,006	189,269

2.   By deleting the table appearing in clause 8.3(b) and inserting the following:

Legal Officer structure	Value range	Salary Minimum $
Articled Clerk		52,981
Solicitor 1	1.1	58,399
Solicitor 2	2.1	Base of VPS Grade 3 Value Range 1
	2.2	Base of VPS Grade 3 Value Range 2
Solicitor 3	3	Base of VPS Grade 4
Senior Solicitor	SS.1	Base of VPS Grade 5, Value Range 1
	SS.2	Base of VPS Grade 5, Value Range 2
Principal Solicitor	PS.1	Base of VPS Grade 6, Value Range 1
	PS.2	Base of VPS Grade 6, Value Range 2
VPS Senior Technical Specialist	STS	VPS Senior Technical Specialist

3.   By deleting the table appearing in clause 8.6 and inserting the following:

COG structure	Salary ($ Min)	Salary ($ Max)
COG 1 Trainee	48,087	
COG 2A Prison Officer	Base of VPS Grade 2, Value Range 1	61,043
COG 2B Prison Officer	Base of VPS Grade 3, Value Range 1	70,801
COG 3 Senior Prison Officer/Industry Officer	72,021	77,397
COG 4 Operations Manager/Industry Supervisor	78,979	Top of VPS Grade 5, Value Range 1
COG 5 General Manager	Base of VPS Grade 5, Value Range 2	Top of VPS Grade 6, Value Range 1
COG 6 Senior General Manager	Base of VPS Grade 6, Value Range 2	Top of VPS Grade 6, Value Range 2

4.   By deleting the tables appearing in clause 8.7 and inserting the following tables:

Table 6—Child Protection Practitioner (CPP) stream

CPP Structure	Value range	Salary ($ Min)	Salary ($ Max)
CPP Grade 2	2.1	49,160	Top of VPS Grade 2, Value Range 2
CPP Grade 3	3.1	Base of VPS Grade 3, Value Range 1	Top of VPS Grade 3, Value Range 2
CPP Grade 4	4.1	Base of VPS Grade 4, Value Range 1	Top of VPS Grade 4, Value Range 1
CPP Grade 5	5.1	Base of VPS Grade 5, Value Range 1	Top of VPS Grade 5, Value Range 1
	5.2	Base of VPS Grade 5, Value Range 2	Top of VPS Grade 5, Value Range 2
CPP Grade 6	6.1	Base of VPS Grade 6, Value Range 1	Top of VPS Grade 6, Value Range 1
	6.2	Base of VPS Grade 6, Value Range 2	Top of VPS Grade 6, Value Range 2

Table 7—Children, Youth and Families (CYF) stream

CYF Structure	Value range	Salary ($ Min)	Salary ($ Max)
CYF Grade 1	1.1	47,156	56,728
CYF Grade 2	2.1	56,874	69,834
CYF Grade 3	3.1	71,826	80,792
CYF Grade 4	4.1	81,764	90,216
CYF Grade 5	5.1	90,219	Top of VPS Grade 5, Value Range 1
	5.2	Base of VPS Grade 5, Value Range 2	Top of VPS Grade 5, Value Range 2
CYF Grade 6	6.1	Base of VPS Grade 6, Value Range 1	Top of VPS Grade 6, Value Range 1
	6.2	Base of VPS Grade 6, Value Range 2	Top of VPS Grade 6, Value Range 2

5.   By deleting the table appearing in clause 8.8 and inserting the following:

YJW Structure	Value range	Salary ($ Min)	Salary ($ Max)
YJW Grade 1	1.1	48,928	60,382
YJW Grade 2	2.1	61,587	70,035
YJW Grade 3	3.1	71,232	78,786
YJW Grade 4	4.1	79,671	89,688
YJW Grade 5	5.1	89,822	93,901
	5.2	94,139	102,576
YJW Grade 6	6.1	103,918	107,039
	6.2	120,594	137,267

6.   By deleting the table appearing in clause 8.9 and inserting the following:

HSO and HCSO Structure	Value range	Salary ($ Min)	Salary ($ Max)
HSO 1	1.1	Base of VPS Grade 2 Value Range 1	
HSO 2	2.1	Base of VPS Grade 2 Value Range 2	
	2.2	Base of VPS Grade 3 Value Range 1	
HSO 3	3.1	Base of VPS Grade 3 Value Range 2	
HCSO unqualified		Base of VPS Grade 2 Value Range 1	
HSCO qualified Level 1 (Cert. III)		49,701	Top of VPS Grade 2, Value Range 1
HSCO qualified Level 2 (Cert. IV)		Base of VPS Grade 2 Value Range 2	Top of VPS Grade 2, Value Range 2

7.   By deleting the table appearing in clause 8.10. and inserting the following:

Sheriff's Officer structure	Salary ($ Min)	Salary ($ Max)
Sheriff's Officer Trainee	Base of VPS Grade 2, Value Range 1	
Sheriff's Officer	Base of VPS Grade 2, Value Range 2	Top of VPS Grade 2, Value Range 2

Sheriff's Officer structure	Salary ($ Min)	Salary ($ Max)
Senior Sheriff's Officer	Base of VPS Grade 3, Value Range 1	70,801
Assistant District Supervisor	72,021	Top of VPS Grade 3, Value Range 2
District Supervisor	Base of VPS Grade 4	
Divisional Operations Manager	Base of VPS Grade 5, Value Range 1	
Regional Operations Manager	Base of VPS Grade 6, Value Range 1	
Deputy Sheriff	Base of VPS Grade 6, Value Range 2	

8.   By deleting the table appearing in clause 8.11 and inserting the following:

Community Corrections Officer structure	Salary ($ Min)	Salary ($ Max)
Trainee Community Corrections Officer	Base of VPS Grade 2, Value Range 1	
Community Corrections Officer	Base of VPS Grade 2, Value Range 2	Top of Grade 2, Value Range 2
Leading Community Corrections Officer	Base of VPS Grade 3, Value Range 1	70,801
Senior Community Corrections Officer	72,021	77,397
Officer in Charge	78,979	85,306
Location Manager	Base of VPS Grade 5	
General Manager	Base of VPS Grade 6	

9.   By deleting the table appearing in clause 8.13 and inserting the following:

Forensic Officer structure	Salary ($ Min)	Salary ($ Max)
Forensic Officer Level 1	53,475	57,665
Forensic Officer Level 2	61,400	67,240
Forensic Officer Level 3	75,677	83,002
Forensic Officer Level 4	84,858	93,138
Forensic Officer Level 5	99,135	106,793

Forensic Officer structure	Salary ($ Min)	Salary ($ Max)
Forensic Officer Level 6	115,453	124,445
Forensic Officer Level 7	132,791	143,197

10. By deleting the table appearing in clause 8.14 and inserting the following:

Nursing Employee structure		Salary
		$
Enrolled Nurse:		
Pay Point 1		47,772
Pay Point 2		48,442
Pay Point 3		49,105
Pay Point 4		49,770
Pay Point 5		50,299
Registered Nurse:		
Grade 3B	Year 1	66,931
	Year 2 and thereafter	68,106
Grade 4A	Year 1	69,607
	Year 2 and thereafter	71,112
Grade 4B	Year 1	72,463
	Year 2 and thereafter	73,969
Grade 5B		77,530
Grade 6		85,453

11. By deleting the tables appearing in clause 8.15 and inserting the following tables:

Table 15—Disability Development and Support Officer (DDSO) structure

DDSO Structure		Salary
		$
DDSO 1 - Unqualified	Year 1	46,123
	Year 2	47,152
	Year 3	48,659
	Year 4	49,726

DDSO Structure		Salary
		$
DDSO 1Q - Qualified (Cert IV)	Year 1	50,792
	Year 2	51,862
	Year 3	53,417
	Year 4	53,951
DDSO 2 - Cert IV	Year 1	54,486
	Year 2	55,177
	Year 3	56,252
DDSO 2A - Adv. Diploma (Cert VI)	Year 1	54,006
	Year 2	55,819
	Year 3	58,150
	Year 4	60,206
	Year 5	62,400
	Year 6	64,594
	Year 7	66,792
	Year 8	68,988
DDSO 3 - Cert IV	Year 1	58,439
	Year 2	59,557
	Year 3	60,704
	Year 4	61,835
	Year 5	62,965
	Year 6	63,919
DDSO 3A - Adv. Diploma (Cert VI)	Year 1	68,805
	Year 2	69,591
	Year 3	71,047
	Year 4	72,468
	Year 5	74,125
DDSO 4	Year 1	78,310
	Year 2	79,962
	Year 3	81,603
	Year 4	83,248
DDSO 5		90,880

DDSO Structure		Salary
		$
DDSO 6		97,279
DDSO 7		103,680
DDSO 8		110,992
DDSO 9		121,963

Table 16—Trades and Support Services Structure

Trades and Support Services Structure		Salary
		$
Facility Service Officer (FSO)		
FSO-1	Year 1	45,982
	Year 2	46,519
	Year 3	47,053
	Year 4	48,176
FSO-2	Year 1	47,859
	Year 2	48,659
	Year 3	49,462
	Year 4	50,586
FSO-3	Year 1	50,623
	Year 2	51,783
	Year 3	52,866
	Year 4	53,711
FSO-4	Year 1	54,102
	Year 2	55,238
	Year 3	56,755
	Year 4	57,878
FSO-5	Year 1	59,210
	Year 2	60,334
Trades		
Level 1 - Trades Assistant (TA 1)	Year 1	47,859
	Year 2	48,659
	Year 3	49,462

Trades and Support Services Structure		Salary
		$
	Year 4	50,586
Level 2 - Tradesperson (TA 2)	Year 1	52,137
	Year 2	53,300
	Year 3	54,817
	Year 4	55,559
Level 3 - Trades Coordinator		
Level 3 G1 (TA 3)	Year 1	58,539
	Year 2	60,321
	Year 3	61,447
Level 3 G2 (TA 4)		66,570
Level 4 - Trades Coordinator (formerly Maintenance Manager)		79,059
Level 4 - Trades Coordinator (formerly Senior Maintenance Manager)		80,395

12.   By deleting the table appearing in clause 8.16 and inserting the following:

Band	Salary Point	Salary
		$
Ongoing Staff		
Band 1	1	44,332
	2	46,061
	3	46,656
	4	47,544
	5	48,432
Band 2	1	49,321
	2	50,209
	3	51,098
	4	51,985
Band 3	1	53,466
	2	54,074
	3	55,039

Band	Salary Point	Salary
		$
	4	55,621
Band 4	1	56,581
	2	57,545
	3	58,509
	4	59,472
Project fire fighters		
Band 1	1	43,067
	2	44,742
	3	45,312
	4	46,175
	5	47,032
Band 2	1	47,891
	2	48,751
	3	49,609
	4	50,469
Band 3	1	51,900
	2	52,832
	3	53,411
	4	54,341
Band 4	1	54,891
	2	55,823
	3	56,753
	4	57,683

13. By deleting the table appearing in clause 8.17(b) and inserting the following:

Qualification	Salary minimum
	$
Certificate III (Trade qualification)	49,443
Relevant degree or Diploma	52,967
Certificate IV	54,377
Mandatory 3 year degree	56,637

Qualification	Salary minimum
	$
Mandatory 4 year degree	58,399

14.   By deleting the table appearing in clause 12.1(a) and inserting the following:

Allowance	Payable	% of standard rate ($48,714)	$
First aid	Per fortnight	0.0445	21.68
Sleepover allowance	Per night	0.1712	83.40
Stand-by	Per night	0.053	25.82
Stand-by	Per day and night	0.105	51.15

15.   By deleting the amount "$85,623" appearing in clause 17.3(a) and inserting "$87,763".

16.   By deleting the amount "$61,955" appearing in clause 17.5(a) and inserting "$63,504".

17.   By deleting the amount "$32.15" appearing in clause 19.3 and inserting "$32.95".

18.   By deleting the amount "$81,070" appearing in clause 20.5(b) and inserting "$83,096".

19.   By deleting clause P.5 and inserting the following:

P.5   Minimum Wages

P.5.1   Minimum wages for full-time traineeships

(a)   **Wage Level A**

Subject to clause P.5.3 of this schedule, the minimum wages for a trainee undertaking a full-time AQF Certificate Level I–III traineeship whose training package and AQF certificate levels are allocated to Wage Level A by Appendix P1 are:

	Highest year of schooling completed		
	Year 10 per week $	Year 11 per week $	Year 12 per week $
School leaver	347.10	382.20	455.30
Plus 1 year out of school	382.20	455.30	529.90
Plus 2 years out of school	455.30	529.90	616.60

	Highest year of schooling completed		
	Year 10 per week $	Year 11 per week $	Year 12 per week $
Plus 3 years out of school	529.90	616.60	706.00
Plus 4 years out of school	616.60	706.00	
Plus 5 or more years out of school	706.00		

(b) **Wage Level B**

Subject to clause P.5.3 of this schedule, the minimum wages for a trainee undertaking a full-time AQF Certificate Level I–III traineeship whose training package and AQF certificate levels are allocated to Wage Level B by Appendix P1 are:

	Highest year of schooling completed		
	Year 10 per week $	Year 11 per week $	Year 12 per week $
School leaver	347.10	382.20	443.00
Plus 1 year out of school	382.20	443.00	509.60
Plus 2 years out of school	443.00	509.60	597.70
Plus 3 years out of school	509.60	597.70	681.70
Plus 4 years out of school	597.70	681.70	
Plus 5 or more years out of school	681.70		

(c) **Wage Level C**

Subject to clause P.5.3 of this schedule, the minimum wages for a trainee undertaking a full-time AQF Certificate Level I–III traineeship whose training package and AQF certificate levels are allocated to Wage Level C by Appendix P1 are:

	Highest year of schooling completed		
	Year 10 per week $	Year 11 per week $	Year 12 per week $
School leaver	347.10	382.20	443.00
Plus 1 year out of school	382.20	443.00	498.80
Plus 2 years out of school	443.00	498.80	557.30
Plus 3 years out of school	498.80	557.30	620.70
Plus 4 years out of school	557.30	620.70	
Plus 5 or more years out of school	620.70		

(d)   AQF Certificate Level IV traineeships

(i)   Subject to clause P.5.3 of this schedule, the minimum wages for a trainee undertaking a full-time AQF Certificate Level IV traineeship are the minimum wages for the relevant full-time AQF Certificate Level III traineeship with the addition of 3.8% to those minimum wages.

(ii)   Subject to clause P.5.3 of this schedule, the minimum wages for an adult trainee undertaking a full-time AQF Certificate Level IV traineeship are as follows, provided that the relevant wage level is that for the relevant AQF Certificate Level III traineeship:

Wage level	First year of traineeship per week $	Second and subsequent years of traineeship per week $
Wage level A	733.40	761.80
Wage level B	707.60	734.60
Wage level C	643.90	668.20

P.5.2   Minimum wages for part-time traineeships

(a)   Wage Level A

Subject to clauses P.5.2(f) and P.5.3 of this schedule, the minimum wages for a trainee undertaking a part-time AQF Certificate Level I–III traineeship whose training package and AQF certificate levels are allocated to Wage Level A by Appendix P1 are:

	Highest year of schooling completed		
	Year 10 per hour $	Year 11 per hour $	Year 12 per hour $
School leaver	11.42	12.59	14.99
Plus 1 year out of school	12.59	14.99	17.45
Plus 2 years out of school	14.99	17.45	20.28
Plus 3 years out of school	17.45	20.28	23.22
Plus 4 years out of school	20.28	23.22	
Plus 5 or more years out of school	23.22		

(b)   Wage Level B

Subject to clauses P.5.2(f) and P.5.3 of this schedule, the minimum wages for a trainee undertaking a part-time AQF Certificate Level I–III traineeship whose training package and AQF certificate levels are allocated to Wage Level B by Appendix P1 are:

	Highest year of schooling completed		
	Year 10 per hour $	Year 11 per hour $	Year 12 per hour $
School leaver	11.42	12.59	14.59
Plus 1 year out of school	12.59	14.59	16.77
Plus 2 years out of school	14.59	16.77	19.68
Plus 3 years out of school	16.77	19.68	22.45
Plus 4 years out of school	19.68	22.45	
Plus 5 or more years out of school	22.45		

(c) Wage Level C

Subject to clauses P.5.2(f) and P.5.3 of this schedule, the minimum wages for a trainee undertaking a part-time AQF Certificate Level I–III traineeship whose training package and AQF certificate levels are allocated to Wage Level C by Appendix P1 are:

	Highest year of schooling completed		
	Year 10 per hour $	Year 11 per hour $	Year 12 per hour $
School leaver	11.42	12.59	14.59
Plus 1 year out of school	12.59	14.59	16.41
Plus 2 years out of school	14.59	16.41	18.33
Plus 3 years out of school	16.41	18.33	20.42
Plus 4 years out of school	18.33	20.42	
Plus 5 or more years out of school	20.42		

(d) School-based traineeships

Subject to clauses P.5.2(f) and P.5.3 of this schedule, the minimum wages for a trainee undertaking a school-based AQF Certificate Level I–III traineeship whose training package and AQF certificate levels are allocated to Wage Levels A, B or C by Appendix P1 are as follows when the trainee works ordinary hours:

Year of schooling	
Year 11 or lower per hour $	Year 12 per hour $
11.42	12.59

(e) AQF Certificate Level IV traineeships

(i) Subject to clauses P.5.2(f) and P.5.3 of this schedule, the minimum wages for a trainee undertaking a part-time AQF Certificate Level IV traineeship are the minimum wages for the relevant part-time AQF Certificate Level III traineeship with the addition of 3.8% to those minimum wages.

(ii) Subject to clauses P.5.2(f) and P.5.3 of this schedule, the minimum wages for an adult trainee undertaking a part-time AQF Certificate Level IV traineeship are as follows, provided that the relevant wage level is that for the relevant AQF Certificate Level III traineeship:

Wage level	First year of traineeship	Second and subsequent years of traineeship
	per hour	per hour
	$	$
Wage level A	24.11	25.06
Wage level B	23.25	24.15
Wage level C	21.19	21.99

(f) Calculating the actual minimum wage

(i) Where the full-time ordinary hours of work are not 38 or an average of 38 per week, the appropriate hourly minimum wage is obtained by multiplying the relevant minimum wage in clauses P.5.2(a)–(e) of this schedule by 38 and then dividing the figure obtained by the full-time ordinary hours of work per week.

(ii) Where the approved training for a part-time traineeship is provided fully off-the-job by a registered training organisation, for example at school or at TAFE, the relevant minimum wage in clauses P.5.2(a)–(e) of this schedule applies to each ordinary hour worked by the trainee.

(iii) Where the approved training for a part-time traineeship is undertaken solely on-the-job or partly on-the-job and partly off-the-job, the relevant minimum wage in clauses P.5.2(a)–(e) of this schedule minus 20% applies to each ordinary hour worked by the trainee.

P.5.3 Other minimum wage provisions

(a) An employee who was employed by an employer immediately prior to becoming a trainee with that employer must not suffer a reduction in their minimum wage per week or per hour by virtue of becoming a trainee. Casual loadings will be disregarded when determining whether the employee has suffered a reduction in their minimum wage.

(b) If a qualification is converted from an AQF Certificate Level II to an AQF Certificate Level III traineeship, or from an AQF Certificate Level III to an AQF Certificate Level IV traineeship, then the trainee must be paid the next highest minimum wage provided in this schedule, where a higher minimum wage is provided for the new AQF certificate level.

P.5.4 Default wage rate

The minimum wage for a trainee undertaking an AQF Certificate Level I–III traineeship whose training package and AQF certificate level are not allocated to a wage level by Appendix P1 is the relevant minimum wage under this schedule for a trainee undertaking an AQF Certificate to Level I–III traineeship whose training package and AQF certificate level are allocated to Wage Level B.

B.   This determination comes into operation from 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