



DRAFT DETERMINATION

Fair Work Act 2009
s.285—Annual wage review

Annual Wage Review 2021–22
(C2022/1)

LEGAL SERVICES AWARD 2020
[MA000116]

Clerical industry

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

MELBOURNE, XX JUNE 2022

Annual Wage Review 2021–22.

A. Further to the decision issued by the Expert Panel in the Annual Wage Review 2021–22 on 15 June 2022 [[2022] 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
	\$	\$
Level 1—Legal clerical and administrative employee	902.10	23.74
Level 2—Legal clerical and administrative employee	940.90	24.76
Level 3—Legal clerical and administrative employee	993.80	26.15
Level 4—Legal clerical and administrative employee	1043.60	27.46
Level 5—Legal clerical and administrative employee	1086.00	28.58
Level 5—Law graduate	1086.00	28.58
Level 6—Law clerk	1151.10	30.29

2. By deleting the year “2021” appearing in clause 15.5(b) and inserting “2022”.
3. By deleting the table appearing in clause B.1.1 and inserting the following:

	Ordinary hours	Early morning	Afternoon & night	Non-continuous afternoon or night ¹		Permanent night
				First 3 hours	After 3 hours	
% of minimum hourly rate						
	100%	110%	115%	150%	200%	130%
	\$	\$	\$	\$	\$	\$
Level 1—Legal clerical and administrative employee	23.74	26.11	27.30	35.61	47.48	30.86
Level 2—Legal clerical and administrative employee	24.76	27.24	28.47	37.14	49.52	32.19
Level 3—Legal clerical and administrative employee	26.15	28.77	30.07	39.23	52.30	34.00
Level 4—Legal clerical and administrative employee	27.46	30.21	31.58	41.19	54.92	35.70
Level 5—Legal clerical and administrative employee	28.58	31.44	32.87	42.87	57.16	37.15
Level 5—Law graduate	28.58	31.44	32.87	42.87	57.16	37.15
Level 6—Law clerk	30.29	33.32	34.83	45.44	60.58	39.38

4. By deleting the table appearing in clause B.1.2 and inserting the following:

	All shiftworkers	Shiftworkers other than continuous shiftworkers		Continuous shiftworkers only
	Saturday	Sunday	Public holidays	Sunday & public holidays
% of minimum hourly rate				
	150%	200%	250%	200%
	\$	\$	\$	\$
Level 1—Legal clerical and administrative employee	35.61	47.48	59.35	47.48
Level 2—Legal clerical	37.14	49.52	61.90	49.52

	All shiftworkers	Shiftworkers other than continuous shiftworkers		Continuous shiftworkers only
	Saturday	Sunday	Public holidays	Sunday & public holidays
	% of minimum hourly rate			
	150%	200%	250%	200%
	\$	\$	\$	\$
and administrative employee				
Level 3—Legal clerical and administrative employee	39.23	52.30	65.38	52.30
Level 4—Legal clerical and administrative employee	41.19	54.92	68.65	54.92
Level 5—Legal clerical and administrative employee	42.87	57.16	71.45	57.16
Level 5—Law graduate	42.87	57.16	71.45	57.16
Level 6—Law clerk	45.44	60.58	75.73	60.58

5. By deleting the table appearing in clause B.1.3 and inserting the following:

	Shiftworkers other than continuous shiftworkers			Continuous shiftworkers only
	Monday to Friday & Saturday until 12.00 pm	Saturday after 12.00 pm & Sunday	Public holiday	Monday to Sunday & Public holidays
	First 3 hours	After 3 hours		
	% of minimum hourly rate			
	150%	200%	200%	250%
	\$	\$	\$	\$
Level 1—Legal clerical and administrative employee	35.61	47.48	47.48	59.35
Level 2—Legal clerical and administrative employee	37.14	49.52	49.52	61.90
Level 3—Legal clerical and administrative	39.23	52.30	52.30	65.38

	Shiftworkers other than continuous shiftworkers			Continuous shiftworkers only	
	Monday to Friday & Saturday until 12.00 pm	Saturday after 12.00 pm & Sunday	Public holiday	Monday to Sunday & Public holidays	
	First 3 hours	After 3 hours			
	% of minimum hourly rate				
	150%	200%	200%	250%	200%
	\$	\$	\$	\$	\$
employee					
Level 4—Legal clerical and administrative employee	41.19	54.92	54.92	68.65	54.92
Level 5—Legal clerical and administrative employee	42.87	57.16	57.16	71.45	57.16
Level 5—Law graduate	42.87	57.16	57.16	71.45	57.16
Level 6—Law clerk	45.44	60.58	60.58	75.73	60.58

6. By deleting the table appearing in clause B.2.1 and inserting the following:

	Ordinary hours	Early morning	Afternoon & night	Non-continuous afternoon or night ¹		Permanent night
				First 3 hours	After 3 hours	
	% of minimum hourly rate					
	125%	135%	140%	175%	225%	155%
	\$	\$	\$	\$	\$	\$
Level 1—Legal clerical and administrative employee	29.68	32.05	33.24	41.55	53.42	36.80
Level 2—Legal clerical and administrative employee	30.95	33.43	34.66	43.33	55.71	38.38
Level 3—Legal clerical and administrative employee	32.69	35.30	36.61	45.76	58.84	40.53
Level 4—Legal clerical and administrative employee	34.33	37.07	38.44	48.06	61.79	42.56
Level 5—Legal clerical and administrative	35.73	38.58	40.01	50.02	64.31	44.30

	Ordinary hours	Early morning	Afternoon & night	Non-continuous afternoon or night ¹		Permanent night
				First 3 hours	After 3 hours	
% of minimum hourly rate						
	125%	135%	140%	175%	225%	155%
	\$	\$	\$	\$	\$	\$
employee						
Level 5—Law graduate	35.73	38.58	40.01	50.02	64.31	44.30
Level 6—Law clerk	37.86	40.89	42.41	53.01	68.15	46.95

7. By deleting the table appearing in clause B.2.2 and inserting the following:

	All shiftworkers	Shiftworkers other than continuous shiftworkers		Continuous shiftworkers only
	Saturday	Sunday	Public holiday	Sunday & public holiday
% of minimum hourly rate				
	175%	225%	275%	225%
	\$	\$	\$	\$
Level 1—Legal clerical and administrative employee	41.55	53.42	65.29	53.42
Level 2—Legal clerical and administrative employee	43.33	55.71	68.09	55.71
Level 3—Legal clerical and administrative employee	45.76	58.84	71.91	58.84
Level 4—Legal clerical and administrative employee	48.06	61.79	75.52	61.79
Level 5—Legal clerical and administrative employee	50.02	64.31	78.60	64.31
Level 5—Law graduate	50.02	64.31	78.60	64.31
Level 6—Law clerk	53.01	68.15	83.30	68.15

8. By deleting the table appearing in clause B.3.1 and inserting the following:

Age	Ordinary hours	Early morning	Afternoon & night	Non-continuous afternoon or night ¹		Permanent night
				First 3 hours	After 3 hours	
% of junior hourly rate						
Legal, clerical and	100%	110%	115%	150%	200%	130%

administrative employee	\$	\$	\$	\$	\$	\$
Level 1						
Under 16 years	10.68	11.75	12.28	16.02	21.36	13.88
16 years	11.87	13.06	13.65	17.81	23.74	15.43
17 years	14.24	15.66	16.38	21.36	28.48	18.51
18 years	16.62	18.28	19.11	24.93	33.24	21.61
19 years	18.99	20.89	21.84	28.49	37.98	24.69
20 years	21.37	23.51	24.58	32.06	42.74	27.78
Level 2						
Under 16 years	11.14	12.25	12.81	16.71	22.28	14.48
16 years	12.38	13.62	14.24	18.57	24.76	16.09
17 years	14.86	16.35	17.09	22.29	29.72	19.32
18 years	17.33	19.06	19.93	26.00	34.66	22.53
19 years	19.81	21.79	22.78	29.72	39.62	25.75
20 years	22.28	24.51	25.62	33.42	44.56	28.96
Level 3						
Under 16 years	11.77	12.95	13.54	17.66	23.54	15.30
16 years	13.08	14.39	15.04	19.62	26.16	17.00
17 years	15.69	17.26	18.04	23.54	31.38	20.40
18 years	18.31	20.14	21.06	27.47	36.62	23.80
19 years	20.92	23.01	24.06	31.38	41.84	27.20
20 years	23.54	25.89	27.07	35.31	47.08	30.60
Level 4						
Under 16 years	12.36	13.60	14.21	18.54	24.72	16.07
16 years	13.73	15.10	15.79	20.60	27.46	17.85
17 years	16.48	18.13	18.95	24.72	32.96	21.42
18 years	19.22	21.14	22.10	28.83	38.44	24.99
19 years	21.97	24.17	25.27	32.96	43.94	28.56
20 years	24.71	27.18	28.42	37.07	49.42	32.12

9. By deleting the table appearing in clause B.3.2 and inserting the following:

Age	All shiftworkers	Shiftworkers other than continuous shiftworkers		Continuous shiftworkers only
	Saturday	Sunday	Public holidays	Sunday & public holidays
Legal, clerical and administrative employee	% of junior hourly rate			
	150%	200%	250%	200%
	\$	\$	\$	\$
Level 1				

Age	All shiftworkers	Shiftworkers other than continuous shiftworkers		Continuous shiftworkers only
	Saturday	Sunday	Public holidays	Sunday & public holidays
Legal, clerical and administrative employee	% of junior hourly rate			
	150%	200%	250%	200%
	\$	\$	\$	\$
Under 16 years	16.02	21.36	26.70	21.36
16 years	17.81	23.74	29.68	23.74
17 years	21.36	28.48	35.60	28.48
18 years	24.93	33.24	41.55	33.24
19 years	28.49	37.98	47.48	37.98
20 years	32.06	42.74	53.43	42.74
Level 2				
Under 16 years	16.71	22.28	27.85	22.28
16 years	18.57	24.76	30.95	24.76
17 years	22.29	29.72	37.15	29.72
18 years	26.00	34.66	43.33	34.66
19 years	29.72	39.62	49.53	39.62
20 years	33.42	44.56	55.70	44.56
Level 3				
Under 16 years	17.66	23.54	29.43	23.54
16 years	19.62	26.16	32.70	26.16
17 years	23.54	31.38	39.23	31.38
18 years	27.47	36.62	45.78	36.62
19 years	31.38	41.84	52.30	41.84
20 years	35.31	47.08	58.85	47.08
Level 4				
Under 16 years	18.54	24.72	30.90	24.72
16 years	20.60	27.46	34.33	27.46
17 years	24.72	32.96	41.20	32.96
18 years	28.83	38.44	48.05	38.44
19 years	32.96	43.94	54.93	43.94
20 years	37.07	49.42	61.78	49.42

10. By deleting the table appearing in clause B.3.3 and inserting the following:

Age	Shiftworkers other than continuous shiftworkers				Continuous shiftworkers only
	Monday to Friday & Saturday until 12.00 pm		Saturday after 12.00 pm & Sunday	Public holiday	Monday to Sunday & Public holidays
	First 3 hours	After 3 hours			
Legal, clerical and administrative employee	% of junior hourly rate				
	150%	200%	200%	250%	200%
	\$	\$	\$	\$	\$
Level 1					
Under 16 years	16.02	21.36	21.36	26.70	21.36
16 years	17.81	23.74	23.74	29.68	23.74
17 years	21.36	28.48	28.48	35.60	28.48
18 years	24.93	33.24	33.24	41.55	33.24
19 years	28.49	37.98	37.98	47.48	37.98
20 years	32.06	42.74	42.74	53.43	42.74
Level 2					
Under 16 years	16.71	22.28	22.28	27.85	22.28
16 years	18.57	24.76	24.76	30.95	24.76
17 years	22.29	29.72	29.72	37.15	29.72
18 years	26.00	34.66	34.66	43.33	34.66
19 years	29.72	39.62	39.62	49.53	39.62
20 years	33.42	44.56	44.56	55.70	44.56
Level 3					
Under 16 years	17.66	23.54	23.54	29.43	23.54
16 years	19.62	26.16	26.16	32.70	26.16
17 years	23.54	31.38	31.38	39.23	31.38
18 years	27.47	36.62	36.62	45.78	36.62
19 years	31.38	41.84	41.84	52.30	41.84
20 years	35.31	47.08	47.08	58.85	47.08
Level 4					
Under 16 years	18.54	24.72	24.72	30.90	24.72
16 years	20.60	27.46	27.46	34.33	27.46

Age	Shiftworkers other than continuous shiftworkers				Continuous shiftworkers only
	Monday to Friday & Saturday until 12.00 pm		Saturday after 12.00 pm & Sunday	Public holiday	Monday to Sunday & Public holidays
	First 3 hours	After 3 hours			
Legal, clerical and administrative employee	% of junior hourly rate				
	150%	200%	200%	250%	200%
	\$	\$	\$	\$	\$
17 years	24.72	32.96	32.96	41.20	32.96
18 years	28.83	38.44	38.44	48.05	38.44
19 years	32.96	43.94	43.94	54.93	43.94
20 years	37.07	49.42	49.42	61.78	49.42

11. By deleting the table appearing in clause B.3.4 and inserting the following:

Age	Ordinary hours	Early morning	Afternoon & night	Non-continuous afternoon or night ¹		Permanent night
				First 3 hours	After 3 hours	
	Legal, clerical and administrative employee	% of junior hourly rate				
125%		135%	140%	175%	225%	155%
\$		\$	\$	\$	\$	\$
Level 1						
Under 16 years	13.35	14.42	14.95	18.69	24.03	16.55
16 years	14.84	16.02	16.62	20.77	26.71	18.40
17 years	17.80	19.22	19.94	24.92	32.04	22.07
18 years	20.78	22.44	23.27	29.09	37.40	25.76
19 years	23.74	25.64	26.59	33.23	42.73	29.43
20 years	26.71	28.85	29.92	37.40	48.08	33.12
Level 2						
Under 16 years	13.93	15.04	15.60	19.50	25.07	17.27
16 years	15.48	16.71	17.33	21.67	27.86	19.19
17 years	18.58	20.06	20.80	26.01	33.44	23.03
18 years	21.66	23.40	24.26	30.33	38.99	26.86
19 years	24.76	26.74	27.73	34.67	44.57	30.71
20 years	27.85	30.08	31.19	38.99	50.13	34.53

Age	Ordinary hours	Early morning	Afternoon & night	Non-continuous afternoon or night ¹		Permanent night
				First 3 hours	After 3 hours	
Legal, clerical and administrative employee	% of junior hourly rate					
	125%	135%	140%	175%	225%	155%
	\$	\$	\$	\$	\$	\$
Level 3						
Under 16 years	14.71	15.89	16.48	20.60	26.48	18.24
16 years	16.35	17.66	18.31	22.89	29.43	20.27
17 years	19.61	21.18	21.97	27.46	35.30	24.32
18 years	22.89	24.72	25.63	32.04	41.20	28.38
19 years	26.15	28.24	29.29	36.61	47.07	32.43
20 years	29.43	31.78	32.96	41.20	52.97	36.49
Level 4						
Under 16 years	15.45	16.69	17.30	21.63	27.81	19.16
16 years	17.16	18.54	19.22	24.03	30.89	21.28
17 years	20.60	22.25	23.07	28.84	37.08	25.54
18 years	24.03	25.95	26.91	33.64	43.25	29.79
19 years	27.46	29.66	30.76	38.45	49.43	34.05
20 years	30.89	33.36	34.59	43.24	55.60	38.30

12. By deleting the table appearing in clause B.3.5 and inserting the following:

Age	All shiftworkers	Shiftworkers other than continuous shiftworkers		Continuous shiftworkers only
	Saturday	Sunday	Public holidays	Sunday & public holidays
Legal, clerical and administrative employee	% of junior hourly rate			
	175%	225%	275%	225%
	\$	\$	\$	\$
Level 1				
Under 16 years	18.69	24.03	29.37	24.03
16 years	20.77	26.71	32.64	26.71
17 years	24.92	32.04	39.16	32.04
18 years	29.09	37.40	45.71	37.40
19 years	33.23	42.73	52.22	42.73
20 years	37.40	48.08	58.77	48.08
Level 2				

Age	All shiftworkers	Shiftworkers other than continuous shiftworkers		Continuous shiftworkers only
	Saturday	Sunday	Public holidays	Sunday & public holidays
Legal, clerical and administrative employee	% of junior hourly rate			
	175%	225%	275%	225%
	\$	\$	\$	\$
Under 16 years	19.50	25.07	30.64	25.07
16 years	21.67	27.86	34.05	27.86
17 years	26.01	33.44	40.87	33.44
18 years	30.33	38.99	47.66	38.99
19 years	34.67	44.57	54.48	44.57
20 years	38.99	50.13	61.27	50.13
Level 3				
Under 16 years	20.60	26.48	32.37	26.48
16 years	22.89	29.43	35.97	29.43
17 years	27.46	35.30	43.15	35.30
18 years	32.04	41.20	50.35	41.20
19 years	36.61	47.07	57.53	47.07
20 years	41.20	52.97	64.74	52.97
Level 4				
Under 16 years	21.63	27.81	33.99	27.81
16 years	24.03	30.89	37.76	30.89
17 years	28.84	37.08	45.32	37.08
18 years	33.64	43.25	52.86	43.25
19 years	38.45	49.43	60.42	49.43
20 years	43.24	55.60	67.95	55.60

B. This determination comes into operation on 1 July 2022. 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 2022.

PRESIDENT