



# DRAFT DETERMINATION

*Fair Work Act 2009*  
s 285—Annual wage review

**Annual Wage Review 2022–23**  
(C2023/1)

**MINING INDUSTRY AWARD 2020**  
[MA000011]

Mining industry

JUSTICE HATCHER, PRESIDENT  
VICE PRESIDENT CATANZARITI  
VICE PRESIDENT ASBURY  
DEPUTY PRESIDENT HAMPTON  
MS LABINE-ROMAIN  
PROFESSOR BAIRD  
MR CULLY

SYDNEY, XX JUNE 2023

*Annual Wage Review 2022–23.*

A. Further to the decision issued by the Expert Panel in the Annual Wage Review 2022–23 on 2 June 2023 [[2023] FWCFB 3500], the above award is varied as follows:

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

<b>Level</b>	<b>Employee classification</b>	<b>Minimum weekly rate (full-time employee)</b>	<b>Minimum hourly rate</b>
		<b>\$</b>	<b>\$</b>
Entry Level	Introductory	889.30	23.40
Level 1	Basic	931.10	24.50
Level 2	Intermediate	965.60	25.41
Level 3	Competent	995.00	26.18
Level 4	Advanced	1061.50	27.93
Level 5	Advanced specialist	1130.60	29.75
Level 6	Dual trade	1186.00	31.21

<b>Level</b>	<b>Employee classification</b>	<b>Minimum weekly rate (full-time employee)</b>	<b>Minimum hourly rate</b>
		<b>\$</b>	<b>\$</b>
Level 7	Dual trade instrumentation	1234.10	32.48

2. By deleting the year “2022” in clause 15.4(b)(ii) and inserting “2023”.
3. By deleting the amount “\$34.81” appearing in clause 18.2(b)(i) and inserting “\$36.82”.
4. By deleting the amount “\$42.81” appearing in clause 18.2(c) and inserting “\$45.27”.
5. By deleting the amounts “\$31.90” and “\$17.59” appearing in clause 18.2(d)(i) and inserting “\$33.73” and “\$18.61” respectively.
6. By deleting the amount “\$10.07” appearing in clause 18.2(d)(iii) and inserting “\$10.65”.
7. By deleting the amount “\$18.82” appearing in clause 18.2(e) and inserting “\$19.90”.
8. By deleting the table appearing in clause 18.2(f) and inserting the following:

<b>In charge of</b>	<b>\$ per week</b>
3–10 employees	43.78
11–20 employees	55.72
More than 20 employees	74.92

9. By deleting the amount “\$1.73” appearing in clause 18.2(h) and inserting “\$1.83”.
10. By deleting the table appearing in clause B.1.3 and inserting the following:

	<b>Day</b>	<b>Afternoon &amp; night</b>	<b>Permanent night</b>	<b>Saturday before 12 noon</b>		<b>Saturday - after 12 noon &amp; Sunday</b>	<b>Public holiday</b>
				<b>First 3 hours</b>	<b>After 3 hours</b>		
<b>% of ordinary hourly rate<sup>1</sup></b>							
	<b>100%</b>	<b>115%</b>	<b>130%</b>	<b>150%</b>	<b>200%</b>	<b>200%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Entry level	24.37	28.03	31.68	36.56	48.74	48.74	60.93
Level 1	25.47	29.29	33.11	38.21	50.94	50.94	63.68

	Day	Afternoon & night	Permanent night	Saturday before 12 noon		Saturday - after 12 noon & Sunday	Public holiday
				First 3 hours	After 3 hours		
	<b>% of ordinary hourly rate<sup>1</sup></b>						
	<b>100%</b>	<b>115%</b>	<b>130%</b>	<b>150%</b>	<b>200%</b>	<b>200%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Level 2	26.38	30.34	34.29	39.57	52.76	52.76	65.95
Level 3	27.15	31.22	35.30	40.73	54.30	54.30	67.88
Level 4	28.90	33.24	37.57	43.35	57.80	57.80	72.25
Level 5	30.72	35.33	39.94	46.08	61.44	61.44	76.80
Level 6	32.18	37.01	41.83	48.27	64.36	64.36	80.45
Level 7	33.45	38.47	43.49	50.18	66.90	66.90	83.63

11. By deleting the table appearing in clause B.1.4 and inserting the following:

	Monday to Saturday noon		Saturday after 12 noon & Sunday	Public holiday
	First 3 hours	After 3 hours		
	<b>% of ordinary hourly rate<sup>1</sup></b>			
	<b>150%</b>	<b>200%</b>	<b>200%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Entry level	36.56	48.74	48.74	60.93
Level 1	38.21	50.94	50.94	63.68
Level 2	39.57	52.76	52.76	65.95
Level 3	40.73	54.30	54.30	67.88
Level 4	43.35	57.80	57.80	72.25
Level 5	46.08	61.44	61.44	76.80
Level 6	48.27	64.36	64.36	80.45
Level 7	50.18	66.90	66.90	83.63

12. By deleting the table appearing in clause B.1.5 and inserting the following:

	<b>Monday to Sunday</b>
	<b>% of ordinary hourly rate<sup>1</sup></b>
	<b>200%</b>
	<b>\$</b>
Entry level	48.74
Level 1	50.94
Level 2	52.76
Level 3	54.30
Level 4	57.80
Level 5	61.44
Level 6	64.36
Level 7	66.90

13. By deleting the table appearing in clause B.2.3 and inserting the following:

	<b>Day</b>	<b>Afternoon &amp; night</b>	<b>Permane nt night</b>	<b>Saturday before 12 noon</b>		<b>Saturday - after 12 noon &amp; Sunday</b>	<b>Public holiday</b>
				<b>First 3 hours</b>	<b>After 3 hours</b>		
<b>% of casual ordinary hourly rate<sup>1</sup></b>							
	<b>100%</b>	<b>115%</b>	<b>130%</b>	<b>150%</b>	<b>200%</b>	<b>200%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Entry level	30.46	35.03	39.60	45.69	60.92	60.92	76.15
Level 1	31.84	36.62	41.39	47.76	63.68	63.68	79.60
Level 2	32.98	37.93	42.87	49.47	65.96	65.96	82.45
Level 3	33.94	39.03	44.12	50.91	67.88	67.88	84.85
Level 4	36.13	41.55	46.97	54.20	72.26	72.26	90.33
Level 5	38.40	44.16	49.92	57.60	76.80	76.80	96.00
Level 6	40.23	46.26	52.30	60.35	80.46	80.46	100.58
Level 7	41.81	48.08	54.35	62.72	83.62	83.62	104.53

14. By deleting the table appearing in clause B.2.4 and inserting the following:

	Monday to Saturday noon		Saturday after 12 noon & Sunday	Public holiday
	First 3 hours	After 3 hours		
% of casual ordinary hourly rate <sup>1</sup>				
	150%	200%	200%	250%
	\$	\$	\$	\$
Entry level	45.69	60.92	60.92	76.15
Level 1	47.76	63.68	63.68	79.60
Level 2	49.47	65.96	65.96	82.45
Level 3	50.91	67.88	67.88	84.85
Level 4	54.20	72.26	72.26	90.33
Level 5	57.60	76.80	76.80	96.00
Level 6	60.35	80.46	80.46	100.58
Level 7	62.72	83.62	83.62	104.53

15. By deleting the table appearing in clause B.2.5 and inserting the following:

	Monday to Sunday
	% of casual ordinary hourly rate <sup>1</sup>
	200%
	\$
Entry level	60.92
Level 1	63.68
Level 2	65.96
Level 3	67.88
Level 4	72.26
Level 5	76.80
Level 6	80.46
Level 7	83.62

16. By deleting the amount “\$940.90” appearing in clause C.1.1 and inserting “\$995.00”.

17. By deleting the table appearing in clause C.1.1 and inserting the following:

<b>Allowance</b>	<b>Clause</b>	<b>% of standard rate</b>	<b>\$</b>	<b>Payable</b>
Industry allowance <sup>1</sup>	18.2(b)(i)	3.7	36.82	per week
Licence allowance—electricians <sup>1</sup>	18.2(c)	4.55	45.27	per week
Drilling, prospecting and exploration allowance—meals not provided	18.2(d)(i)	3.39	33.73	per day
Drilling, prospecting and exploration allowance—meals provided	18.2(d)(i)	1.87	18.61	per day
Drilling, prospecting and exploration allowance—cooks and cooks' assistants—broken shifts <sup>1</sup>	18.2(d)(iii)	1.07	10.65	per week
First aid allowance	18.2(e)	2.0	19.90	per week
Leading hand allowance—3 to 10 employees	18.2(f)	4.4	43.78	per week
Leading hand allowance—11 to 20 employees	18.2(f)	5.6	55.72	per week
Leading hand allowance—More than 20 employees	18.2(f)	7.53	74.92	per week
Underground allowance—other than underground miners	18.2(h)	7.0	1.83	per hour

B. This determination comes into operation on 1 July 2023. 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 2023.

PRESIDENT