



DRAFT DETERMINATION

Fair Work Act 2009
s 285—Annual wage review

Annual Wage Review 2022–23
(C2023/1)

AQUACULTURE INDUSTRY AWARD 2020
[MA000114]

Aquaculture

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 16.1 and inserting the following:

Employee classification	Minimum weekly rate (full-time employee)	Minimum hourly rate
	\$	\$
Aquaculture Attendant Level 1	859.30	22.61
Aquaculture Attendant Level 2	871.20	22.93
Aquaculture Attendant Level 3	948.90	24.97
Aquaculture Attendant Level 4	995.00	26.18

2. By deleting the year “2022” in clause 16.6(b) and inserting “2023”.

3. By deleting the amount “\$3.20” appearing in clause 18.2(a) and inserting “\$3.38”.
4. By deleting the amount “\$4.42” appearing in clause 18.2(b) and inserting “\$4.68”.
5. By deleting the table appearing in clause B.1.1 and inserting the following:

Employee classification	Ordinary hours	Saturday	Sunday	Public holiday
	% of minimum hourly rate			
	100%	125%	150%	250%
	\$	\$	\$	\$
Aquaculture Attendant Level 1	22.61	28.26	33.92	56.53
Aquaculture Attendant Level 2	22.93	28.66	34.40	57.33
Aquaculture Attendant Level 3	24.97	31.21	37.46	62.43
Aquaculture Attendant Level 4	26.18	32.73	39.27	65.45

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

Employee classification	Day	Afternoon	Night	Non-successive afternoon or night ¹		Saturday	Sunday	Public holiday	
				First 3 hours	After 3 hours			All ordinary hours on PH ² – non-cont s’worker	Major portion of shift on PH ² – cont s’worker
	% of minimum hourly rate								
	100%	115%	130%	150%	200%	150%	200%	250%	200%
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Aquaculture Attendant Level 1	22.61	26.00	29.39	33.92	45.22	33.92	45.22	56.53	45.22
Aquaculture Attendant Level 2	22.93	26.37	29.81	34.40	45.86	34.40	45.86	57.33	45.86
Aquaculture Attendant Level 3	24.97	28.72	32.46	37.46	49.94	37.46	49.94	62.43	49.94
Aquaculture Attendant Level 4	26.18	30.11	34.03	39.27	52.36	39.27	52.36	65.45	52.36

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

Employee classification	Day	Saturday	Sunday	Public holiday
	% of minimum hourly rate			
	125%	125%	150%	250%
	\$	\$	\$	\$
Aquaculture Attendant Level 1	28.26	28.26	33.92	56.53
Aquaculture Attendant Level 2	28.66	28.66	34.40	57.33
Aquaculture Attendant Level 3	31.21	31.21	37.46	62.43
Aquaculture Attendant Level 4	32.73	32.73	39.27	65.45

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

Employee classification	Day	Afternoon	Night	Non-successive afternoon or night¹		Saturday	Sunday	Public holiday	
				First 3 hours	After 3 hours			All ordinary hours on PH²- non-cont s'worker	Major portion of shift on PH²-cont s'worker
	% of minimum hourly rate								
	125%	140%	155%	175%	225%	175%	225%	275%	225%
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Aquaculture Attendant Level 1	28.26	31.65	35.05	39.57	50.87	39.57	50.87	62.18	50.87
Aquaculture Attendant Level 2	28.66	32.10	35.54	40.13	51.59	40.13	51.59	63.06	51.59
Aquaculture Attendant Level 3	31.21	34.96	38.70	43.70	56.18	43.70	56.18	68.67	56.18
Aquaculture Attendant Level 4	32.73	36.65	40.58	45.82	58.91	45.82	58.91	72.00	58.91

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

Employee classification	Monday to Saturday		Sunday – all day	Public holiday
	first 3 hours	after 3 hours		
	% of minimum hourly rate			
	150%	200%	200%	250%
	\$	\$	\$	\$
Aquaculture Attendant Level 1	33.92	45.22	45.22	56.53
Aquaculture Attendant Level 2	34.40	45.86	45.86	57.33
Aquaculture Attendant Level 3	37.46	49.94	49.94	62.43
Aquaculture Attendant Level 4	39.27	52.36	52.36	65.45

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

Employee classification	Non-continuous shiftworkers				Continuous shiftworkers	
	Monday to Saturday		Sunday – all day	Public holiday	Monday to Sunday	Public holiday
first 3 hours	after 3 hours					
	% of minimum hourly rate					
	150%	200%	200%	250%	200%	200%
	\$	\$	\$	\$	\$	\$
Aquaculture Attendant Level 1	33.92	45.22	45.22	56.53	45.22	45.22
Aquaculture Attendant Level 2	34.40	45.86	45.86	57.33	45.86	45.86
Aquaculture Attendant Level 3	37.46	49.94	49.94	62.43	49.94	49.94
Aquaculture Attendant Level 4	39.27	52.36	52.36	65.45	52.36	52.36

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

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

Allowance	Clause	% of standard rate	\$	Payable
First aid allowance	18.2(a)	0.34	3.38	per working day
Diving allowance— finfish attendants	18.2(b)	0.47	4.68	per hour or part thereof

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