



DRAFT DETERMINATION

Fair Work Act 2009
s.285—Annual wage review

Annual Wage Review 2018–19 (C2019/1)

RAIL INDUSTRY AWARD 2010 [MA000015]

Rail industry

JUSTICE ROSS, PRESIDENT
VICE PRESIDENT HATCHER
DEPUTY PRESIDENT ASBURY
COMMISSIONER HAMPTON
PROFESSOR RICHARDSON
MR GIBBS
MR APTED

MELBOURNE, XX JUNE 2019

Annual Wage Review 2018–19.

A. Further to the decision issued by the Expert Panel in the Annual Wage Review 2018–19 on 30 May 2019 [[\[2019\] FWCFB 3500](#)], the above award is varied as follows:

1. By deleting the tables appearing in clause 14.1(b) and inserting the following:

Clerical, Administration and Professional (C.A.P.)		Minimum Weekly Rate	Annual Salary Equivalent
		\$	\$
Level 1	Rail Worker (C.A.P.)	780.90	40,737
Level 2	Rail Worker (C.A.P.)	846.00	44,133
Level 3	Rail Worker (C.A.P.)	878.50	45,828
Level 4	Rail Worker (C.A.P.)	917.40	47,858
Level 5	Rail Worker (C.A.P.)	995.50	51,932
Level 6	Rail Worker (C.A.P.)	1067.00	55,662
Level 7	Rail Worker (C.A.P.)	1132.00	59,053
Level 8	Rail Worker (C.A.P.)	1274.90	66,507
Level 9	Rail Worker (C.A.P.)	1528.40	79,732

Operations (Op)		Minimum Weekly Rate	Annual Salary Equivalent
		\$	\$
Level 1	Rail Worker (Op)	740.80	38,645
Level 2	Rail Worker (Op)	787.60	41,086
Level 3	Rail Worker (Op)	872.10	45,495
Level 4	Rail Worker (Op)	956.70	49,908
Level 5	Rail Worker (Op)	1047.60	54,650
Level 6	Rail Worker (Op)	1119.80	58,416

Technical and Civil Infrastructure (T.C.I.)		Minimum weekly rate
		\$
Level 1	Rail Worker (T.C.I.)	761.70
Level 2	Rail Worker (T.C.I.)	791.20
Level 3	Rail Worker (T.C.I.)	818.40
Level 4	Rail Worker (T.C.I.)	862.50
Level 5	Rail Worker (T.C.I.)	900.80
Level 6	Rail Worker (T.C.I.)	940.90
Level 7	Rail Worker (T.C.I.)	1015.10

2. By deleting the year “2018” in clause 14.3(b)(ii) and inserting “2019”.
3. By deleting the amount “\$2.92” appearing in clause 23.1(a) and inserting “\$3.01”.
4. By deleting the amount “\$3.47” appearing in clause 23.1(b) and inserting “\$3.57”.
5. By deleting the amount “\$6.58” appearing in clause 23.1(c) and inserting “\$6.78”.
6. By deleting the tables appearing in Schedule A and inserting the following tables:

Clerical, Administrative and Professional Classifications

Level	Tasks and Functions	Minimum Weekly Rate
		\$
1	<p>Employees at this level will include the initial recruit who may have limited relevant experience.</p> <p>– Initially work is performed under close direction using established practices, procedures and instructions.</p>	780.90

Level	Tasks and Functions	Minimum Weekly Rate \$
2	<ul style="list-style-type: none"> - Employees perform routine clerical and office functions requiring an understanding of clear, straightforward rules or procedures and may be required to operate office equipment. - Employees at this level are responsible and accountable for their own work within established routines, methods and procedures and the less experienced employee's work may be subject to checking at all stages. - The more experienced employee may be required to give assistance to less experienced employees in the same classification. - The more experienced employee may be required to give assistance to less experienced employees in the same classification. <p>Employees at this level are responsible and accountable for their own work which is performed within established guidelines and processes.</p> <ul style="list-style-type: none"> - In some situations detailed instructions may be necessary. - The employees may be required to exercise limited judgment and initiative within the range of their skills, training and knowledge. - The work of these employees may be subject to progress and final checking. - Employees may be required to check the work of and/or provide guidance to other employees at a lower level and/or provide assistance to less experienced employees at the same level. - Employees at this level may have a certification in a relevant area of their duties. 	846.00
3	<p>Employees at this level have achieved a standard to be able to perform some specialised or routine tasks or features of the work.</p> <ul style="list-style-type: none"> - Employees require only general guidance or direction and there is scope for the exercise of limited initiative, discretion and judgment in carrying out their assigned duties. - Such employees may be required to give assistance and/or guidance (including guidance in relation to quality of work and which may require some allocation of duties) to employees in Levels 1 and 2. 	878.50

Level	Tasks and Functions	Minimum Weekly Rate \$
	<ul style="list-style-type: none"> - Employees at this level would be able to train Level 1 and 2 employees by means of personal instruction and demonstration. - Employees will hold an associate diploma or equivalent allowing them to perform the specialised tasks. - This level will include university graduates within their first and second year post graduation with no prior industry relevant experience. 	
4	<p>Employees at this level will have achieved a level of organisational or industry specific knowledge sufficient for them to give general advice and/or information to the organisation and clients in relation to specific areas of their responsibility.</p> <ul style="list-style-type: none"> - They would require only limited guidance or direction and would normally report to more senior staff as required. - They will exercise initiative, discretion and judgment at times in the performance of their duties. - Whilst not a prerequisite, a principal feature of this level is supervision of employees in lower levels in terms of responsibility for the allocation of duties, co-ordinating work flow, checking progress, quality of work and resolving problems. 	917.40
	<ul style="list-style-type: none"> - They are able to train employees in Levels 1 to 3 by personal instruction and demonstration. - Employees at this level will have relevant tertiary qualifications or equivalent. 	
5	<p>Employees will typically have worked or studied in a relevant field and will have achieved a standard of relevant and/or specialist knowledge and experience sufficient to enable them to advise on a range of activities.</p> <ul style="list-style-type: none"> - Employees at this level will contribute, as required, to the determination of objectives, within the relevant field(s) of their expertise. - They are responsible and accountable for their own work. 	995.50

Level	Tasks and Functions	Minimum Weekly Rate \$
	<ul style="list-style-type: none"> - They may have delegated responsibility for the work under their control or supervision, in terms of scheduling workloads, resolving operations problems and monitoring the quality of work produced. - They may be required to counsel staff for performance as well as work related matters. - They would also be able to train and to supervise employees in lower levels by means of personal instruction and demonstration. - They would also be able to assist in the delivery of training courses. - They often exercise initiative, discretion and judgment in the performance of their duties. - Employees at this level will have relevant tertiary qualifications or equivalent. 	
6	<p>The employee would be undertaking detailed research and analysis, preparing documents such as complex estimates and reports.</p> <ul style="list-style-type: none"> - The employee would have specialist and detailed knowledge of systems such as timetabling, network operations and infrastructure configurations, accounting, human resources and applicable legislation. - An employee at this level would be expected to have a high level of verbal and written communication skills and interpersonal skills. - They would have the ability to analyse situations and take corrective action where required, applying problem-solving methodologies where applicable. - Whilst not necessarily working autonomously, the employee would be expected to be responsible for the accuracy and timeliness of their work without direct supervision. 	1067.00
7	<p>Employees at this level are subject to broad guidance or direction and would report to more senior staff as required.</p> <ul style="list-style-type: none"> - Employees will typically have worked or studied in a relevant field and will have achieved a standard of relevant and/or specialist knowledge and experience sufficient to enable them to provide specialist advice on a range of activities. 	1132.00

Level	Tasks and Functions	Minimum Weekly Rate \$
	<ul style="list-style-type: none"> - They will be required to contribute to the determination of objectives within the relevant field of their expertise. - They are responsible and accountable for their own work and will have delegated responsibility for the work under their control or supervision in terms of scheduling workloads, resolving operations problems and monitoring the quality of work produced. - They will be required to counsel staff for performance as well as work related matters. - At this level the employee would oversee resources to ensure maximum asset or staff utilisation such as crew rostering or timetable preparation. - The employee may be liaising with external stakeholders and may be preparing strategies to meet financial targets or correct adverse trends or assisting in developing budgets. - They would also be able to train and to supervise employees in lower levels by means of personal instruction and demonstration. - They are able to undertake the delivery of training courses. - They often exercise initiative, discretion and judgment in the performance of their duties. - Employees at this level will have relevant tertiary qualifications or equivalent. 	
8	<p>The employee would be supervising the day-to-day activities of others and managing their rosters and relief.</p> <ul style="list-style-type: none"> - They may be delivering training to others. - Employees at this level will provide expert interpretation of documents and legislation. - The employee would be liaising with senior managers on complex matters and provide specialised reports on payroll or budgets. - The employee would have strong interpersonal skills and an ability to work autonomously. - They would have a high level of knowledge of specialised computer systems. 	1274.90

Level	Tasks and Functions	Minimum Weekly Rate \$
	- The employee can be expected to have four years post-tertiary qualifications experience or equivalent in their specialised area.	
9	The employee will provide guidance and direction to staff supervising others. The employee will have high level specialised skills.	1528.40

Operations Classifications

Level	Tasks and Functions	Minimum Weekly Rate \$
1	Employees at this level undertake and successfully complete standard induction training and will be required to: <ul style="list-style-type: none"> - Be responsible for personal safety and use the protective equipment provided to perform work safely. - Undertake a range of functions with a basic knowledge of policies, procedures and guidelines using a sound level of skill to perform the functions. - Perform routine customer service, presentation and operations duties requiring minimal judgment. - Undertake tasks with direct supervision and guidance. 	740.80
2	Employees at this level will be required to: <ul style="list-style-type: none"> - Perform semi-skilled work using relevant plant and equipment. - Undertake a range of functions with a sound knowledge of policies, procedures and guidelines using a sound level of skill to perform the functions. - Exercise discretion within their skill level and be responsible for the quality of the work. - Provide some supervision of staff undertaking routine customer service, presentation and operations duties. - Be able to implement and direct safe working requirements. - Undertake tasks with supervision and guidance. 	787.60

Level	Tasks and Functions	Minimum Weekly Rate \$
3	<p>Employees at this level will be required to:</p> <ul style="list-style-type: none"> - Undertake a range of functions with a detailed knowledge of policies, procedures and guidelines using a substantial level of skill to perform the functions. - Be able to plan tasks and select the appropriate equipment and procedures from known alternatives, taking responsibility for the work of others. - Apply skills and knowledge in complex but routine work situations where discretion and judgment are involved. - Understand and apply quality control techniques. - Have acquired skills and knowledge through completion of relevant trade level qualifications or have the practical experience which has equipped the employee with an equivalent level of skills and knowledge. - Exercise discretion within the scope of this level, undertake tasks with limited supervision and guidance and assist in the provision of on-the-job training. 	872.10
4	<p>Employees at this level will have the level of skill or knowledge required to perform this work through the completion of a post trade certificate or equivalent, or through acquisition of practical skill and knowledge which has equipped the employee with the equivalent level of skill or knowledge. Employees will:</p> <ul style="list-style-type: none"> - Undertake a range of functions with a detailed knowledge of policies, procedures and guidelines using a substantial level of skill to perform the functions. - Be required to complete work of a non-routine nature requiring the application of the relevant skills and knowledge to new but predictable situations. - Supervise staff undertaking complex but routine work. - Be capable of the safe operation of locomotives and other rolling stock. - Undertake tasks with little supervision and guidance. 	956.70

Level	Tasks and Functions	Minimum Weekly Rate \$
5	<p>Employees at this level will hold a trade level qualification used in the operations and have acquired additional knowledge by having satisfactorily completed a prescribed post trade course or achievement to the satisfaction of the employer of a comparable standard of skill and knowledge by other means. Employees will:</p> <ul style="list-style-type: none"> - Undertake a range of functions with extensive knowledge of policies, procedures and guidelines using a high level of skill to perform the functions. - Be capable of: <ul style="list-style-type: none"> - providing the day-to-day leadership, direction, co-ordination and supervision of support staff; - working within budgets, co-ordinating or supervising others to optimise team performance; and - training staff in the performance of safety critical operations. - Tasks are undertaken with no supervision. <p>This level includes a locomotive freight driver when actually in driver only operation on a main line or the driver of a train exceeding 3,000 tonnes but less than 8,000 tonnes.</p>	1047.60
6	<p>Employees at this level hold specialist skills and knowledge in the operations and have completed trade and post trade certificate qualifications or equivalent achievement to the satisfaction of the employer of a comparable standard of skill and knowledge by other means. The employee will:</p> <ul style="list-style-type: none"> - Undertake a range of functions with a detailed extensive knowledge of policies, procedures and guidelines using a high level of skill to perform the functions. - Be responsible for the delivery of safety critical operations. - Undertake tasks with no supervision and provide guidance and assistance to others. - Undertake functions including substantial leadership, direction, management and support of staff, but not the overall leadership and management of major/complex locations/terminals. 	1119.80

Level	Tasks and Functions	Minimum Weekly Rate \$
	<ul style="list-style-type: none"> - Be capable of delivering detailed training to others in the performance of complex but predictable functions. <p>This level includes a locomotive freight driver when actually the driver of a train of 8,000 tonnes.</p>	

Technical and Civil Infrastructure Classifications

Level	Tasks and Functions	Minimum Weekly Rate \$
1	<p>An employee at this level performs routine duties essentially of a manual nature and to the level of their training. These include:</p> <ul style="list-style-type: none"> - Performing general labouring and cleaning duties. - Exercising minimal judgment. - Working under direct supervision. - Undertaking structured training so as to enable them to work at a Level 1. - Observes and applies all relevant rules, regulations, and instructions including attendance policies and instructions, rostered hours, wearing protective clothing, footwear and equipment, and safety and safeworking notices or instructions. 	761.70
2	<p>An employee at this level:</p> <ul style="list-style-type: none"> - Works in accordance with standard operating procedures and established criteria. - Works under direct supervision either individually or in a team environment. - Understands and undertakes basic quality control/assurance procedures including the ability to recognise basic quality deviations/faults. - Follows safe work practices and can report workplace hazards. 	791.20
3	<p>An employee at this level would have completed a Level I or Level II certificate or equivalent and is:</p> <ul style="list-style-type: none"> - Responsible for the quality of their own work subject to routine supervision. - Works under routine supervision either individually or in a team environment. 	818.40

Level	Tasks and Functions	Minimum Weekly Rate \$
4	<ul style="list-style-type: none"> - Exercises discretion within their level of skills and training. - Assists in the provision of on-the-job training. <p>An employee at this level would possess a trade certificate (Certificate Level III) and is able to exercise the skills and knowledge of their trade so as to enable the employee to perform work within the scope of this level. An employee at this level:</p> <ul style="list-style-type: none"> - Understands and applies quality control techniques. - Exercises good interpersonal and communication skills. - Exercises discretion within the scope of this level. - Performs work under limited supervision either individually or in a team environment. - Operates lifting equipment incidental to their work. - Performs non-trade tasks incidental to their work. - Performs work which, while primarily involving the skills of the employee's trade, is incidental or peripheral to the primary task and facilitates the completion of the whole task, provided that such incidental or peripheral work does not require additional formal technical training. - Inspects products and/or materials for conformity with established operational standards. 	862.50
5	<p>An employee at this level would supervise non-trades staff (civil) or have experience in their trade stream and will be undertaking theoretical and practical training to attain qualifications for a Certificate Level IV. An employee at this level:</p> <ul style="list-style-type: none"> - Provides limited technical guidance. - Prepares technical reports to the level of their competence. - Complies with quality and costs targets. 	900.80
6	<p>An employee at this level would possess a Certificate Level IV and is able to exercise the skills and knowledge of their trade so as to enable the employee to perform work within the scope of this level. An employee at this level:</p> <ul style="list-style-type: none"> - Is able to provide trade guidance and assistance as part of a work team. 	940.90

Level	Tasks and Functions	Minimum Weekly Rate \$
7	<ul style="list-style-type: none"> - Provides training in conjunction with supervisors and trainers. - Understands and implements quality control techniques. - Works under limited supervision either individually or in a team environment. - Operates lifting equipment incidental to their work. - Performs non-trade tasks incidental to their work. <p>An employee at this level:</p> <ul style="list-style-type: none"> - Provides technical guidance or assistance within the scope of this level. - Prepares reports of a technical nature on tasks or assignments within the employee's skills and competence. - Has an overall knowledge and understanding of the operating principle of the systems and equipment on which the tradesperson is required to carry out their task. - Acts as a Work Group Leader (signals) or provides system supervision and assists in the provision of on-the-job training in conjunction with supervisors and trainers. 	1015.10

B. This determination comes into operation from 1 July 2019. In accordance with s.166(5) of the *Fair Work Act 2009* this determination does not take effect until the start of the first full pay period that starts on or after 1 July 2019.

PRESIDENT