



# DRAFT DETERMINATION

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

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

**WINE INDUSTRY AWARD 2020**  
[MA000090]

Wine 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:

- By deleting the table appearing in clause 15.1 and inserting the following:

<b>Employee classification</b>	<b>Minimum weekly rate (full-time employees)</b>	<b>Minimum hourly rate</b>
	\$	\$
Grade 1	871.20	22.93
Grade 2	906.90	23.87
Grade 3	943.00	24.82
Grade 4	995.00	26.18
Grade 5	1057.40	27.83

- By deleting the year “2022” in clause 15.9(b) and inserting “2023”.

3. By deleting the table appearing in clause 19.2(a)(i) and inserting the following:

<b>In charge of</b>	<b>\$ per week</b>
1–4 employees	24.19
5–10 employees	38.93
more than 10 employees	59.61

4. By deleting the table appearing in clause 19.2(a)(ii) and inserting the following:

<b>In charge of</b>	<b>\$ per week</b>
3–10 employees	35.89
11–20 employees	54.30
more than 20 employees	69.74

5. By deleting the amount “\$0.30” appearing in clause 19.2(b) and inserting “\$0.31”.

6. By deleting the amounts “\$18.72” and “\$3.74” appearing in clause 19.2(c) and inserting “\$19.79” and “\$3.95” respectively.

7. By deleting the amount “\$5.60” appearing in clause 19.2(e) and inserting “\$5.92”.

8. By deleting the amount “\$1.04” appearing in clause 19.2(f) and inserting “\$1.10”.

9. By deleting the amount “\$0.35” appearing in clause 19.2(g) and inserting “\$0.37”.

10. By deleting the amount “\$0.20” appearing in clause 19.2(h) and inserting “\$0.21”.

11. By deleting the amounts “\$5.89” and “\$29.51” appearing in clause 19.2(i) and inserting “\$6.23” and “\$31.21” respectively.

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

	<b>Ordinary hours</b>	<b>Saturday— cellar door or vineyard (vintage only see clauses 13.6(a)(ii) and (b))</b>	<b>Sunday—cellar door</b>	<b>Public holiday</b>
	<b>% of minimum hourly rate</b>			
	<b>100%</b>	<b>125%</b>	<b>200%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Grade 1	22.93	28.66	45.86	57.33
Grade 2	23.87	29.84	47.74	59.68

	<b>Ordinary hours</b>	<b>Saturday— cellar door or vineyard (vintage only see clauses 13.6(a)(ii) and (b))</b>	<b>Sunday—cellar door</b>	<b>Public holiday</b>
	<b>% of minimum hourly rate</b>			
	<b>100%</b>	<b>125%</b>	<b>200%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Grade 3	24.82	31.03	49.64	62.05
Grade 4	26.18	32.73	52.36	65.45
Grade 5 <sup>1</sup>	27.83	34.79	—	69.58

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

	<b>Ordinary hours</b>	<b>Afternoon shift<sup>1</sup> and night shift<sup>2</sup></b>	<b>Permanent night shift<sup>3</sup></b>	<b>Saturday</b>	<b>Sunday</b>	<b>Public holiday</b>
	<b>% of minimum hourly rate</b>					
	<b>100%</b>	<b>115%</b>	<b>130%</b>	<b>150%</b>	<b>200%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Grade 1	22.93	26.37	29.81	34.40	45.86	57.33
Grade 2	23.87	27.45	31.03	35.81	47.74	59.68
Grade 3	24.82	28.54	32.27	37.23	49.64	62.05
Grade 4	26.18	30.11	34.03	39.27	52.36	65.45
Grade 5	27.83	32.00	36.18	41.75	55.66	69.58

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

	<b>Monday to Saturday</b>		<b>Sunday</b>	<b>Public holiday</b>
	<b>First 2 hours</b>	<b>After 2 hours</b>		
	<b>% of minimum hourly rate</b>			
	<b>150%</b>	<b>200%</b>	<b>200%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Grade 1	34.40	45.86	45.86	57.33
Grade 2	35.81	47.74	47.74	59.68

	Monday to Saturday		Sunday	Public holiday
	First 2 hours	After 2 hours		
	% of minimum hourly rate			
	150%	200%	200%	250%
	\$	\$	\$	\$
Grade 3	37.23	49.64	49.64	62.05
Grade 4	39.27	52.36	52.36	65.45
Grade 5	41.75	55.66	55.66	69.58

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

	Ordinary hours	Saturday— cellar door or vineyard (vintage only see clauses 13.6(a)(ii) and (b))	Sunday—cellar door	Public holiday
	% of minimum hourly rate			
	125%	150%	225%	275%
	\$	\$	\$	\$
Grade 1	28.66	34.40	51.59	63.06
Grade 2	29.84	35.81	53.71	65.64
Grade 3	31.03	37.23	55.85	68.26
Grade 4	32.73	39.27	58.91	72.00
Grade 5 <sup>1</sup>	34.79	41.75	—	76.53

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

	Ordinary hours	Afternoon shift <sup>1</sup> and night shift <sup>2</sup>	Permanent night shift <sup>3</sup>	Saturday	Sunday	Public holiday
	% of minimum hourly rate					
	125%	140%	155%	175%	225%	275%
	\$	\$	\$	\$	\$	\$
Grade 1	28.66	32.10	35.54	40.13	51.59	63.06
Grade 2	29.84	33.42	37.00	41.77	53.71	65.64
Grade 3	31.03	34.75	38.47	43.44	55.85	68.26

	Ordinary hours	Afternoon shift <sup>1</sup> and night shift <sup>2</sup>	Permanent night shift <sup>3</sup>	Saturday	Sunday	Public holiday
	<b>% of minimum hourly rate</b>					
	<b>125%</b>	<b>140%</b>	<b>155%</b>	<b>175%</b>	<b>225%</b>	<b>275%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Grade 4	32.73	36.65	40.58	45.82	58.91	72.00
Grade 5	34.79	38.96	43.14	48.70	62.62	76.53

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

	Monday to Saturday		Sunday	Public holiday
	First 2 hours	After 2 hours		
	<b>% of minimum hourly rate</b>			
	<b>150%</b>	<b>200%</b>	<b>225%</b>	<b>275%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Grade 1	34.40	45.86	51.59	63.06
Grade 2	35.81	47.74	53.71	65.64
Grade 3	37.23	49.64	55.85	68.26
Grade 4	39.27	52.36	58.91	72.00
Grade 5	41.75	55.66	62.62	76.53

18. By deleting the amount “\$24.76” appearing in clause C.1.1 and inserting “\$26.18”.

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

Allowance	Clause	% of standard rate	\$	Payable
Other leading hand, in charge of—1 to 4 employees	19.2(a)(i)	92.4	24.19	per week
Other leading hand, in charge of—5 to 10 employees	19.2(a)(i)	148.7	38.93	per week
Other leading hand, in charge of—more than 10 employees	19.2(a)(i)	227.7	59.61	per week
Coopers stream leading hand, in charge of—3 to	19.2(a)(ii)	137.1	35.89	per week

<b>Allowance</b>	<b>Clause</b>	<b>% of standard rate</b>	<b>\$</b>	<b>Payable</b>
10 employees				
Coopers stream leading hand, in charge of—11 to 20 employees	19.2(a)(ii)	207.4	54.30	per week
Coopers stream leading hand, in charge of—more than 20 employees	19.2(a)(ii)	266.4	69.74	per week
Mobile crane operator's allowance	19.2(b)	1.2	0.31	per hour
First aid allowance—per week	19.2(c)	75.6	19.79	per week
First aid allowance—per day	19.2(c)	15.1	3.95	per day
Wet work allowance	19.2(e)	22.6	5.92	per day
Wine vats allowance	19.2(f)	4.2	1.10	per hour
Confined spaces allowance	19.2(g)	1.4	0.37	per hour
Dirty work allowance	19.2(h)	0.8	0.21	per hour
Cask firing allowance—per day or part thereof	19.2(i)	23.8	6.23	per day or part thereof
Cask firing allowance—maximum per week—an amount of up to	19.2(i)	119.2	31.21	per week

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