

## BEFORE THE FAIR WORK COMMISSION

S.157 – FWC may vary etc. modern awards if necessary to achieve modern awards objective

**MATTER NO: C2019/5259 – Review of certain C14 rates in modern awards -- Joinery and Building Trades Award 2020.**

### SUBMISSIONS OF MASTER BUILDERS AUSTRALIA

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#### **INTRODUCTION**

1. This submission is filed by Master Builders Australia ('Master Builders') with reference to the above matter and the Statement of 22 September 2023<sup>1</sup> ('the September Statement') and, in particular, its application to the *Joinery and Building Trades Award 2020* ('Joinery Award').
2. We make these submissions in response to paragraph [27] of the September Statement and the Commission's *provisional* analysis as referenced therein and with respect to the Joinery Award<sup>2</sup>.

#### **BACKGROUND**

3. The September Statement notes that in the Annual Wage Review Decision 2022-23 ('AWR 2023 decision'), the Expert Panel decided to end the alignment between the National Minimum Wage ('NMW') and the C14 classification rate.<sup>3</sup>
4. Further, the September Statement notes that the Expert Panel decided to align the NMW with the current C13 classification rate in modern awards and that the decision was an interim step, as part of a wider review of the NMW.
5. Master Builders position outlined herein addresses the Commission's *provisional* analysis of minimum rates and their application under the Joinery Award.

#### **MASTER BUILDERS RESPONSE TO THE COMMISSION'S PROVISIONAL ANALYSIS**

6. At section 1. (b) of paragraph [27], the Commission has sought submissions on the accuracy of the table at **Attachment D** of the September Statement.
7. **Attachment D** includes a table of awards which prescribe rates below the C13 level (inclusive of those at the C14 level). The table includes information as to the relevant classification, the rate it attracts and a *provisional* analysis as to whether the rate is transitional and to which of the five categories set out in paragraph [3] (of the September Statement) to which it belongs.
8. Master Builders does not oppose the Commission's *provisional* analysis, as outlined at **Attachment D**, with respect to the Joinery Award in terms of its transitional category being:

*Category (i) – employee at this level will undertake up to 38 hours induction training. Employee must complete a competency assessment to perform Level 2 work (cl A.1.1–A.1.2).*

And further, the Commissions comment with respect to competency-based progression;

*Reflects the 'Minimum weekly wage'. However, the ordinary hourly rate of the classification taking into account payment of the industry allowance exceeds C13.*

#### **CONCLUSION**

9. On the basis of the Commission's *provisional* analysis of the Joinery Award as summarised herein, Master Builders submits that no amendments are necessary to give effect to the AWR 2023 decision.

**MASTER BUILDERS AUSTRALIA**  
**3 NOVEMBER 2023**

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<sup>1</sup> [\[2023\] FWCFB 168](#)

<sup>2</sup> *Ibid*

<sup>3</sup> *Ibid* at paragraph [6]