



# DRAFT DETERMINATION

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

## Annual Wage Review 2019–20 (C2020/1)

### AQUACULTURE INDUSTRY AWARD 2020 [MA000114]

Aquaculture

JUSTICE ROSS, PRESIDENT  
VICE PRESIDENT CATANZARITI  
DEPUTY PRESIDENT ASBURY  
COMMISSIONER HAMPTON  
MR FERGUSON  
PROFESSOR WOODEN  
MS LABINE-ROMAIN

MELBOURNE, XX JUNE 2020

*Annual Wage Review 2019–20.*

A. Further to the decision issued by the majority of the Expert Panel in the Annual Wage Review 2019–20 on 19 June 2020 [[2020] FWCFB 3500], the above award is varied as follows:

1. By deleting the table appearing in clause 16.1 and inserting the following:

<b>Employee classification</b>	<b>Minimum weekly rate (full-time employee)</b>	<b>Minimum hourly rate</b>
	<b>\$</b>	<b>\$</b>
Aquaculture Attendant Level 1	753.80	19.84
Aquaculture Attendant Level 2	764.70	20.12
Aquaculture Attendant Level 3	836.40	22.01
Aquaculture Attendant Level 4	877.60	23.09

2. By deleting the year “2019” in clause 16.6(b) and inserting “2020”.
3. By deleting the amount "\$2.93" appearing in clause 18.2(a) and inserting "\$2.98”.

4. By deleting the amount "\$4.05" appearing in clause 18.2(b) and inserting "\$4.12".
5. By deleting the table appearing in clause B.1.1 and inserting the following:

<b>Employee classification</b>	<b>Ordinary hours</b>	<b>Saturday</b>	<b>Sunday</b>	<b>Public holiday</b>
	<b>% of minimum hourly rate</b>			
	<b>100%</b>	<b>125%</b>	<b>150%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Aquaculture Attendant Level 1	19.84	24.80	29.76	49.60
Aquaculture Attendant Level 2	20.12	25.15	30.18	50.30
Aquaculture Attendant Level 3	22.01	27.51	33.02	55.03
Aquaculture Attendant Level 4	23.09	28.86	34.64	57.73

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

<b>Employee classification</b>	<b>Day</b>	<b>Afternoon</b>	<b>Night</b>	<b>Non-successive afternoon or night</b>		<b>Saturday</b>	<b>Sunday</b>	<b>Public holiday</b>	
				<b>First 3 hours</b>	<b>After 3 hours</b>			<b>All ordinary hours on PH – non-cont s'worker</b>	<b>Major portion of shift on PH – cont s'worker</b>
	<b>% of minimum hourly rate</b>								
	<b>100%</b>	<b>115%</b>	<b>130%</b>	<b>150%</b>	<b>200%</b>	<b>150%</b>	<b>200%</b>	<b>250%</b>	<b>200%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Aquaculture Attendant Level 1	19.84	22.82	25.79	29.76	39.68	29.76	39.68	49.60	39.68
Aquaculture Attendant Level 2	20.12	23.14	26.16	30.18	40.24	30.18	40.24	50.30	40.24
Aquaculture Attendant Level 3	22.01	25.31	28.61	33.02	44.02	33.02	44.02	55.03	44.02
Aquaculture Attendant Level 4	23.09	26.55	30.02	34.64	46.18	34.64	46.18	57.73	46.18

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

<b>Employee classification</b>	<b>Day</b>	<b>Saturday</b>	<b>Sunday</b>	<b>Public holiday</b>
	<b>% of minimum hourly rate</b>			
	<b>125%</b>	<b>125%</b>	<b>150%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Aquaculture Attendant Level 1	24.80	24.80	29.76	49.60
Aquaculture Attendant Level 2	25.15	25.15	30.18	50.30
Aquaculture Attendant Level 3	27.51	27.51	33.02	55.03
Aquaculture Attendant Level 4	28.86	28.86	34.64	57.73

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

<b>Employee classification</b>	<b>Day</b>	<b>Afternoon</b>	<b>Night</b>	<b>Non-successive afternoon or night</b>		<b>Saturday</b>	<b>Sunday</b>	<b>Public holiday</b>	
				<b>First 3 hours</b>	<b>After 3 hours</b>			<b>All ordinary hours on PH- non-cont s'worker</b>	<b>Major portion of shift on PH-cont s'worker</b>
	<b>% of minimum hourly rate</b>								
	<b>125%</b>	<b>140%</b>	<b>155%</b>	<b>175%</b>	<b>225%</b>	<b>175%</b>	<b>225%</b>	<b>275%</b>	<b>225%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Aquaculture Attendant Level 1	24.80	27.78	30.75	34.72	44.64	34.72	44.64	54.56	44.64
Aquaculture Attendant Level 2	25.15	28.17	31.19	35.21	45.27	35.21	45.27	55.33	45.27
Aquaculture Attendant Level 3	27.51	30.81	34.12	38.52	49.52	38.52	49.52	60.53	49.52
Aquaculture Attendant Level 4	28.86	32.33	35.79	40.41	51.95	40.41	51.95	63.50	51.95

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

<b>Employee classification</b>	<b>Monday to Saturday</b>		<b>Sunday – all day</b>	<b>Public holiday</b>
	<b>first 3 hours</b>	<b>after 3 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>

Employee classification	Monday to Saturday		Sunday – all day	Public holiday
	first 3 hours	after 3 hours		
	<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>
Aquaculture Attendant Level 1	29.76	39.68	39.68	49.60
Aquaculture Attendant Level 2	30.18	40.24	40.24	50.30
Aquaculture Attendant Level 3	33.02	44.02	44.02	55.03
Aquaculture Attendant Level 4	34.64	46.18	46.18	57.73

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					
	<b>% of minimum hourly rate</b>					
	<b>150%</b>	<b>200%</b>	<b>200%</b>	<b>250%</b>	<b>200%</b>	<b>200%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Aquaculture Attendant Level 1	29.76	39.68	39.68	49.60	39.68	39.68
Aquaculture Attendant Level 2	30.18	40.24	40.24	50.30	40.24	40.24
Aquaculture Attendant Level 3	33.02	44.02	44.02	55.03	44.02	44.02
Aquaculture Attendant Level 4	34.64	46.18	46.18	57.73	46.18	46.18

11. By deleting the amount “\$862.50” appearing in clause C.1.1 and inserting “\$877.60”.

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

<b>Allowance</b>	<b>Clause</b>	<b>% of standard rate</b>	<b>\$</b>	<b>Payable</b>
First aid allowance	18.2(a)	0.34	2.98	per working day
Diving allowance— finfish attendants	18.2(b)	0.47	4.12	per hour or part thereof

B. This determination comes into operation on 1 November 2020. 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 November 2020.

PRESIDENT