



DRAFT DETERMINATION

Fair Work Act 2009
s 285—Annual wage review

Annual Wage Review 2022–23
(C2023/1)

ASPHALT INDUSTRY AWARD 2020
[MA000054]

Asphalt 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:

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

Employee classification	Minimum weekly rate (full-time employee)	Minimum hourly rate
	\$	\$
Skill Level 1	859.30	22.61
Skill Level 2	907.00	23.87
Skill Level 3	943.10	24.82
Skill Level 4	995.20	26.19
Skill Level 5	1003.80	26.42

2. By deleting the year “2022” in clause 15.4(b) and inserting “2023”.
3. By deleting the amount “\$35.67” appearing in clause 17.2(b) and inserting “\$37.72”.

4. By deleting the amount “\$36.56” appearing in clause 17.2(c)(i) and inserting “\$38.67”.
5. By deleting the amount “\$3.57” appearing in clause 17.2(d) and inserting “\$3.77”.
6. By deleting the amount “\$31.21” appearing in clause 17.2(e) and inserting “\$33.01”.
7. By deleting the table appearing in clause A.2.1 and inserting the following:

	Day	Public holiday
	% of ordinary hourly rate¹	
	100%	250%
	\$	\$
Skill Level 1	24.62	61.55
Skill Level 2	25.88	64.70
Skill Level 3	26.83	67.08
Skill Level 4	28.20	70.50
Skill Level 5	28.43	71.08

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

	Monday to Saturday – first 2 hours	Monday to Saturday – after 2 hours	Sunday – all day
	% of ordinary hourly rate¹		
	150%	200%	200%
	\$	\$	\$
Skill Level 1	36.93	49.24	49.24
Skill Level 2	38.82	51.76	51.76
Skill Level 3	40.25	53.66	53.66
Skill Level 4	42.30	56.40	56.40
Skill Level 5	42.65	56.86	56.86

9. By deleting the table appearing in clause A.2.3 and inserting the following:

	Day	Afternoon or night	Non-successive afternoon or night ¹		Permanent night ²	Saturday	Sunday	Public holiday
			8 hours or less	More than 8 hours				
% of ordinary hourly rate ³								
	100%	115%	150%	200%	130%	150%	200%	250%
	\$	\$	\$	\$	\$	\$	\$	\$
Skill Level 1	24.62	28.31	36.93	49.24	32.01	36.93	49.24	61.55
Skill Level 2	25.88	29.76	38.82	51.76	33.64	38.82	51.76	64.70
Skill Level 3	26.83	30.85	40.25	53.66	34.88	40.25	53.66	67.08
Skill Level 4	28.20	32.43	42.30	56.40	36.66	42.30	56.40	70.50
Skill Level 5	28.43	32.69	42.65	56.86	36.96	42.65	56.86	71.08

10. By deleting the table appearing in clause A.2.4 and inserting the following:

	Overtime	Unrelieved overtime	
		First 8 hours	After 8 hours
% of ordinary rate ¹			
	200%	150%	200%
	\$	\$	\$
Skill Level 1	49.24	36.93	49.24
Skill Level 2	51.76	38.82	51.76
Skill Level 3	53.66	40.25	53.66
Skill Level 4	56.40	42.30	56.40
Skill Level 5	56.86	42.65	56.86

11. By deleting the table appearing in clause A.3.2 and inserting the following:

	Day	Public holiday
	% of casual ordinary hourly rate¹	
	100%	250%
	\$	\$
Skill Level 1	30.78	76.95
Skill Level 2	32.35	80.88
Skill Level 3	33.54	83.85
Skill Level 4	35.25	88.13
Skill Level 5	35.54	88.85

12. By deleting the table appearing in clause A.3.3 and inserting the following:

	Day	Afternoon or night	Non-successive afternoon or night¹		Permanent night²	Saturday	Sunday	Public holiday
			8 hours or less	More than 8 hours				
	% of casual ordinary hourly rate³							
	100%	115%	150%	200%	130%	150%	200%	250%
	\$	\$	\$	\$	\$	\$	\$	\$
Skill Level 1	30.78	35.40	46.17	61.56	40.01	46.17	61.56	76.95
Skill Level 2	32.35	37.20	48.53	64.70	42.06	48.53	64.70	80.88
Skill Level 3	33.54	38.57	50.31	67.08	43.60	50.31	67.08	83.85
Skill Level 4	35.25	40.54	52.88	70.50	45.83	52.88	70.50	88.13
Skill Level 5	35.54	40.87	53.31	71.08	46.20	53.31	71.08	88.85

13. By deleting the amount “\$891.80” appearing in clause B.1.1 and inserting “\$943.10”.

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

Allowance	Clause	% of standard rate	\$	Payable
Industry allowance ¹	17.2(b)	4.0	37.72	per week

Allowance	Clause	% of standard rate	\$	Payable
Inclement weather allowance ²	17.2(c)(i)	4.1	38.67	per week
First aid allowance	17.2(d)	0.4	3.77	per day
Leading hand allowance	17.2(e)	3.5	33.01	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