



DRAFT DETERMINATION

Fair Work Act 2009
s.285—Annual wage review

Annual Wage Review 2019–20
(C2020/1)

RAIL INDUSTRY AWARD 2020
[MA000015]

Rail industry

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:

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

Classification	Annual salary equivalent¹ (full-time employee)	Minimum weekly rate (full-time employee)	Minimum hourly rate
	\$	\$	\$
Level 1 Rail Worker (CAP)	41,452	794.60	20.91
Level 2 Rail Worker (CAP)	44,905	860.80	22.65
Level 3 Rail Worker (CAP)	46,632	893.90	23.52
Level 4 Rail Worker (CAP)	48,698	933.50	24.57
Level 5 Rail Worker (CAP)	52,840	1012.90	26.66
Level 6 Rail Worker (CAP)	56,637	1085.70	28.57
Level 7 Rail Worker (CAP)	60,086	1151.80	30.31

Classification	Annual salary equivalent¹ (full-time employee)	Minimum weekly rate (full-time employee)	Minimum hourly rate
	\$	\$	\$
Level 8 Rail Worker (CAP)	67,671	1297.20	34.14
Level 9 Rail Worker (CAP)	81,124	1555.10	40.92

2. By deleting the table appearing in clause 15.1(b) and inserting the following:

Classification	Annual salary equivalent¹ (full-time employee)	Minimum weekly rate (full-time employee)	Minimum hourly rate
	\$	\$	\$
Level 1 Rail Worker (Op)	39,323	753.80	19.84
Level 2 Rail Worker (Op)	41,806	801.40	21.09
Level 3 Rail Worker (Op)	46,293	887.40	23.35
Level 4 Rail Worker (Op)	50,779	973.40	25.62
Level 5 Rail Worker (Op)	55,604	1065.90	28.05
Level 6 Rail Worker (Op)	59,439	1139.40	29.98

3. By deleting the table appearing in clause 15.1(c) and inserting the following:

Classification	Annual salary equivalent¹ (full-time employee)	Minimum weekly rate (full-time employee)	Minimum hourly rate
	\$	\$	\$
Level 1 Rail Worker (TCI)	40,429	775.00	20.39
Level 2 Rail Worker (TCI)	41,994	805.00	21.18
Level 3 Rail Worker (TCI)	43,439	832.70	21.91
Level 4 Rail Worker (TCI)	45,781	877.60	23.09
Level 5 Rail Worker (TCI)	47,816	916.60	24.12
Level 6 Rail Worker (TCI)	49,944	957.40	25.19
Level 7 Rail Worker (TCI)	53,883	1032.90	27.18

4. By deleting the year “2019” in clause 15.7(b) and inserting “2020”.
5. By deleting the amount “\$16.39” appearing in clause 18.2(a) and inserting “\$16.67”.

6. By deleting the amounts “\$11.21” and “\$28.13” appearing in clause 18.2(b)(i) and inserting “\$11.41” and “\$28.61” respectively.
7. By deleting the amount “\$0.66” appearing in clause 18.3(d)(i) and inserting “\$0.67”.
8. By deleting the amount “\$0.86” appearing in clause 18.3(e) and inserting “\$0.88”.
9. By deleting the amount “\$0.66” appearing in clause 18.3(f) and inserting “\$0.67”.
10. By deleting the amount “\$0.48” appearing in clause 18.3(g) and inserting “\$0.48”.
11. By deleting the amount “\$0.86” appearing in clause 18.3(h) and inserting “\$0.88”.
12. By deleting the amounts “\$1.70” and “\$0.22” appearing in clause 18.3(i) and inserting “\$1.73” and “\$0.23” respectively.
13. By deleting the amount “\$0.50” appearing in clause 18.3(j)(i) and inserting “\$0.51”.
14. By deleting the amount “\$3.01” appearing in clause 21.2(a) and inserting “\$3.06”.
15. By deleting the amount “\$3.57” appearing in clause 21.2(b) and inserting “\$3.63”.
16. By deleting the amount “\$6.78” appearing in clause 21.2(c) and inserting “\$6.89”.
17. By deleting the table appearing in clause B.1.3 and inserting the following:

	Ordinary hours	Early morning/afternoon	Night	Permanent night	Saturday	Sunday	Public holiday
	% of ordinary hourly rate¹						
	100%	100% + \$3.06	100% + \$3.63	100% + \$6.89	150%	200%	250%
	\$	\$	\$	\$	\$	\$	\$
Level 1 Rail Worker (CAP)	20.91	23.97	24.54	27.80	31.37	41.82	52.28
Level 2 Rail Worker (CAP)	22.65	25.71	26.28	29.54	33.98	45.30	56.63
Level 3 Rail Worker (CAP)	23.52	26.58	27.15	30.41	35.28	47.04	58.80
Level 4 Rail Worker (CAP)	24.57	27.63	28.20	31.46	36.86	49.14	61.43
Level 5 Rail Worker (CAP)	26.66	29.72	30.29	33.55	39.99	53.32	66.65
Level 6 Rail Worker (CAP)	28.57	31.63	32.20	35.46	42.86	57.14	71.43

	Ordinary hours	Early morning/afternoon	Night	Permanent night	Saturday	Sunday	Public holiday
	% of ordinary hourly rate¹						
	100%	100% + \$3.06	100% + \$3.63	100% + \$6.89	150%	200%	250%
	\$	\$	\$	\$	\$	\$	\$
Level 7 Rail Worker (CAP)	30.31	33.37	33.94	37.20	45.47	60.62	75.78
Level 8 Rail Worker (CAP)	34.14	37.20	37.77	41.03	51.21	68.28	85.35
Level 9 Rail Worker (CAP)	40.92	43.98	44.55	47.81	61.38	81.84	102.30

18. By deleting the table appearing in clause B.1.4 and inserting the following:

	Weekday – first 3 hours	Weekday – after 3 hours	Saturday – all day	Sunday – all day	Public holiday – all day
	% of ordinary hourly rate¹				
	150%	200%	150%	200%	250%
	\$	\$	\$	\$	\$
Level 1 Rail Worker (CAP)	31.37	41.82	31.37	41.82	52.28
Level 2 Rail Worker (CAP)	33.98	45.30	33.98	45.30	56.63
Level 3 Rail Worker (CAP)	35.28	47.04	35.28	47.04	58.80
Level 4 Rail Worker (CAP)	36.86	49.14	36.86	49.14	61.43
Level 5 Rail Worker (CAP)	39.99	53.32	39.99	53.32	66.65
Level 6 Rail Worker (CAP)	42.86	57.14	42.86	57.14	71.43
Level 7 Rail Worker (CAP) ²	–	–	–	–	–
Level 8 Rail Worker (CAP) ²	–	–	–	–	–
Level 9 Rail Worker (CAP) ²	–	–	–	–	–

19. By deleting the table appearing in clause B.1.5 and inserting the following:

	Ordinary hours	Early morning/afternoon	Night	Permanent night	Saturday	Sunday	Public holiday
	% of ordinary hourly rate¹						
	100%	100% + \$3.06	100% + \$3.63	100% + \$6.89	150%	200%	250%
	\$	\$	\$	\$	\$	\$	\$
Level 1 Rail Worker (TCI)	20.39	23.45	24.02	27.28	30.59	40.78	50.98
Level 2 Rail Worker (TCI)	21.18	24.24	24.81	28.07	31.77	42.36	52.95
Level 3 Rail Worker (TCI)	21.91	24.97	25.54	28.80	32.87	43.82	54.78
Level 4 Rail Worker (TCI)	23.09	26.15	26.72	29.98	34.64	46.18	57.73
Level 5 Rail Worker (TCI)	24.12	27.18	27.75	31.01	36.18	48.24	60.30
Level 6 Rail Worker (TCI)	25.19	28.25	28.82	32.08	37.79	50.38	62.98
Level 7 Rail Worker (TCI)	27.18	30.24	30.81	34.07	40.77	54.36	67.95

20. By deleting the table appearing in clause B.1.6 and inserting the following:

	Weekday – first 3 hours	Weekday – after 3 hours	Saturday – all day	Sunday – all day	Public holiday – all day
	% of ordinary hourly rate¹				
	150%	200%	150%	200%	250%
	\$	\$	\$	\$	\$
Level 1 Rail Worker (TCI)	30.59	40.78	30.59	40.78	50.98
Level 2 Rail Worker (TCI)	31.77	42.36	31.77	42.36	52.95
Level 3 Rail Worker (TCI)	32.87	43.82	32.87	43.82	54.78
Level 4 Rail Worker (TCI)	34.64	46.18	34.64	46.18	57.73
Level 5 Rail Worker (TCI)	36.18	48.24	36.18	48.24	60.30
Level 6 Rail Worker (TCI)	37.79	50.38	37.79	50.38	62.98
Level 7 Rail Worker (TCI)	40.77	54.36	40.77	54.36	67.95

21. By deleting the table appearing in clause B.1.7 and inserting the following:

	Ordinary hours	Early morning/afternoon	Night	Permanent night	Saturday	Sunday	Public holiday
	% of ordinary hourly rate¹						
	100%	100% + \$3.06	100% + \$3.63	100% + \$6.89	150%	200%	250%
	\$	\$	\$	\$	\$	\$	\$
Level 1 Rail Worker (Op)	19.84	22.90	23.47	26.73	29.76	39.68	49.60
Level 2 Rail Worker (Op)	21.09	24.15	24.72	27.98	31.64	42.18	52.73
Level 3 Rail Worker (Op)	23.35	26.41	26.98	30.24	35.03	46.70	58.38
Level 4 Rail Worker (Op)	25.62	28.68	29.25	32.51	38.43	51.24	64.05
Level 5 Rail Worker (Op)	28.05	31.11	31.68	34.94	42.08	56.10	70.13
Level 6 Rail Worker (Op)	29.98	33.04	33.61	36.87	44.97	59.96	74.95

22. By deleting the table appearing in clause B.1.8 and inserting the following:

	Weekday – first 3 hours	Weekday – after 3 hours	Saturday – all day	Sunday – all day	Public holiday – all day
	% of ordinary hourly rate¹				
	150%	200%	150%	200%	250%
	\$	\$	\$	\$	\$
Level 1 Rail Worker (Op)	29.76	39.68	29.76	39.68	49.60
Level 2 Rail Worker (Op)	31.64	42.18	31.64	42.18	52.73
Level 3 Rail Worker (Op)	35.03	46.70	35.03	46.70	58.38
Level 4 Rail Worker (Op)	38.43	51.24	38.43	51.24	64.05
Level 5 Rail Worker (Op)	42.08	56.10	42.08	56.10	70.13
Level 6 Rail Worker (Op)	44.97	59.96	44.97	59.96	74.95

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

	Ordinary hours	Early morning/afternoon	Night	Permanent night	Saturday	Sunday	Public holiday
	% of ordinary hourly rate¹						
	125%	125% + \$3.06	125% + \$3.63	125% + \$6.89	175%	225%	275%
	\$	\$	\$	\$	\$	\$	\$
Level 1 Rail Worker (CAP)	26.14	29.20	29.77	33.03	36.59	47.05	57.50
Level 2 Rail Worker (CAP)	28.31	31.37	31.94	35.20	39.64	50.96	62.29
Level 3 Rail Worker (CAP)	29.40	32.46	33.03	36.29	41.16	52.92	64.68
Level 4 Rail Worker (CAP)	30.71	33.77	34.34	37.60	43.00	55.28	67.57
Level 5 Rail Worker (CAP)	33.33	36.39	36.96	40.22	46.66	59.99	73.32
Level 6 Rail Worker (CAP)	35.71	38.77	39.34	42.60	50.00	64.28	78.57
Level 7 Rail Worker (CAP)	37.89	40.95	41.52	44.78	53.04	68.20	83.35
Level 8 Rail Worker (CAP)	42.68	45.74	46.31	49.57	59.75	76.82	93.89
Level 9 Rail Worker (CAP)	51.15	54.21	54.78	58.04	71.61	92.07	112.53

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

	Ordinary hours	Early morning/afternoon	Night	Permanent night	Saturday	Sunday	Public holiday
	% of ordinary hourly rate¹						
	125%	125% + \$3.06	125% + \$3.63	125% + \$6.89	175%	225%	275%
	\$	\$	\$	\$	\$	\$	\$
Level 1 Rail Worker (TCI)	25.49	28.55	29.12	32.38	35.68	45.88	56.07
Level 2 Rail Worker (TCI)	26.48	29.54	30.11	33.37	37.07	47.66	58.25
Level 3 Rail Worker (TCI)	27.39	30.45	31.02	34.28	38.34	49.30	60.25

	Ordinary hours	Early morning/ afternoon	Night	Permanent night	Saturday	Sunday	Public holiday
	% of ordinary hourly rate¹						
	125%	125% + \$3.06	125% + \$3.63	125% + \$6.89	175%	225%	275%
	\$	\$	\$	\$	\$	\$	\$
Level 4 Rail Worker (TCI)	28.86	31.92	32.49	35.75	40.41	51.95	63.50
Level 5 Rail Worker (TCI)	30.15	33.21	33.78	37.04	42.21	54.27	66.33
Level 6 Rail Worker (TCI)	31.49	34.55	35.12	38.38	44.08	56.68	69.27
Level 7 Rail Worker (TCI)	33.98	37.04	37.61	40.87	47.57	61.16	74.75

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

	Ordinary hours	Early morning/ afternoon	Night	Permanent night	Saturday	Sunday	Public holiday
	% of ordinary hourly rate¹						
	125%	125% + \$3.06	125% + \$3.63	125% + \$6.89	175%	225%	275%
	\$	\$	\$	\$	\$	\$	\$
Level 1 Rail Worker (Op)	24.80	27.86	28.43	31.69	34.72	44.64	54.56
Level 2 Rail Worker (Op)	26.36	29.42	29.99	33.25	36.91	47.45	58.00
Level 3 Rail Worker (Op)	29.19	32.25	32.82	36.08	40.86	52.54	64.21
Level 4 Rail Worker (Op)	32.03	35.09	35.66	38.92	44.84	57.65	70.46
Level 5 Rail Worker (Op)	35.06	38.12	38.69	41.95	49.09	63.11	77.14
Level 6 Rail Worker (Op)	37.48	40.54	41.11	44.37	52.47	67.46	82.45

25. By deleting the amount “\$22.70” appearing in clause C.1.1 and inserting “\$23.09”.

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

Allowance	Clause	% of standard rate	\$	Payable
First aid allowance	18.2(a)	72.2	16.67	per week
On-call allowance: For a night	18.2(b)(i)	49.4	11.41	per night
On-call allowance: For a day and night	18.2(b)(i)	123.9	28.61	per day and night
Wet places	18.3(d)(i)	2.9	0.67	per hour
Confined spaces	18.3(e)	3.8	0.88	per hour
Dirty work	18.3(f)	2.9	0.67	per hour
Height money	18.3(g)	2.1	0.48	per hour
Insulation materials	18.3(h)	3.8	0.88	per hour
Explosive powered tools—per day	18.3(i)	7.5	1.73	per day
Explosive powered tools—per hour	18.3(i)	Per day divided by 7.6	0.23	per hour
Foundry allowance	18.3(j)(i)	2.2	0.51	per hour
Early morning or afternoon shift	21.2(a)	13.24	3.06	per hour
Night shift	21.2(b)	15.73	3.63	per hour
Permanent night shift	21.2(c)	29.86	6.89	per hour

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