



DRAFT DETERMINATION

Fair Work Act 2009
s.285—Annual wage review

Annual Wage Review 2019–20
(C2020/1)

LEGAL SERVICES AWARD 2020
[MA000116]

Clerical 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:

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
	\$	\$
Level 1—Legal clerical and administrative employee	841.10	22.13
Level 2—Legal clerical and administrative employee	877.60	23.09
Level 3—Legal clerical and administrative employee	926.90	24.39
Level 4—Legal clerical and administrative employee	973.40	25.62
Level 5—Legal clerical and administrative employee	1012.90	26.66
Level 5—Law graduate	1012.90	26.66
Level 6—Law clerk	1073.70	28.26

2. By deleting the year “2019” appearing in clause 15.5(b) and inserting “2020”.
3. By deleting the table appearing in clause B.1.1 and inserting the following:

	Ordinary hours	Early morning	Afternoon & night	Non-continuous afternoon or night ¹		Permanent night
				First 3 hours	After 3 hours	
% of minimum hourly rate						
	100%	110%	115%	150%	200%	130%
	\$	\$	\$	\$	\$	\$
Level 1—Legal clerical and administrative employee	22.13	24.34	25.45	33.20	44.26	28.77
Level 2—Legal clerical and administrative employee	23.09	25.40	26.55	34.64	46.18	30.02
Level 3—Legal clerical and administrative employee	24.39	26.83	28.05	36.59	48.78	31.71
Level 4—Legal clerical and administrative employee	25.62	28.18	29.46	38.43	51.24	33.31
Level 5—Legal clerical and administrative employee	26.66	29.33	30.66	39.99	53.32	34.66
Level 5—Law graduate	26.66	29.33	30.66	39.99	53.32	34.66
Level 6—Law clerk	28.26	31.09	32.50	42.39	56.52	36.74

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

	All shiftworkers	Shiftworkers other than continuous shiftworkers		Continuous shiftworkers only
	Saturday	Sunday	Public holidays	Sunday & public holidays
% of minimum hourly rate				
	150%	200%	250%	200%
	\$	\$	\$	\$
Level 1—Legal clerical and administrative employee	33.20	44.26	55.33	44.26
Level 2—Legal clerical and	34.64	46.18	57.73	46.18

	All shiftworkers	Shiftworkers other than continuous shiftworkers		Continuous shiftworkers only
	Saturday	Sunday	Public holidays	Sunday & public holidays
	% of minimum hourly rate			
	150%	200%	250%	200%
	\$	\$	\$	\$
administrative employee				
Level 3—Legal clerical and administrative employee	36.59	48.78	60.98	48.78
Level 4—Legal clerical and administrative employee	38.43	51.24	64.05	51.24
Level 5—Legal clerical and administrative employee	39.99	53.32	66.65	53.32
Level 5—Law graduate	39.99	53.32	66.65	53.32
Level 6—Law clerk	42.39	56.52	70.65	56.52

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

	Shiftworkers other than continuous shiftworkers				Continuous shiftworkers only
	Monday to Friday & Saturday until 12.00 pm		Saturday after 12.00 pm & Sunday	Public holiday	Monday to Sunday & Public holidays
	First 3 hours	After 3 hours			
	% of minimum hourly rate				
	150%	200%	200%	250%	200%
	\$	\$	\$	\$	\$
Level 1—Legal clerical and administrative employee	33.20	44.26	44.26	55.33	44.26
Level 2—Legal clerical and administrative employee	34.64	46.18	46.18	57.73	46.18
Level 3—Legal clerical and administrative employee	36.59	48.78	48.78	60.98	48.78
Level 4—Legal clerical and administrative employee	38.43	51.24	51.24	64.05	51.24
Level 5—Legal clerical and administrative employee	39.99	53.32	53.32	66.65	53.32
Level 5—Law graduate	39.99	53.32	53.32	66.65	53.32

	Shiftworkers other than continuous shiftworkers			Continuous shiftworkers only	
	Monday to Friday & Saturday until 12.00 pm	Saturday after 12.00 pm & Sunday	Public holiday	Monday to Sunday & Public holidays	
	First 3 hours	After 3 hours			
	% of minimum hourly rate				
	150%	200%	200%	250%	200%
	\$	\$	\$	\$	\$
Level 6—Law clerk	42.39	56.52	56.52	70.65	56.52

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

	Ordinary hours	Early morning	Afternoon & night	Non-continuous afternoon or night ¹		Permanent night
				First 3 hours	After 3 hours	
	% of minimum hourly rate					
	125%	135%	140%	175%	225%	155%
	\$	\$	\$	\$	\$	\$
Level 1—Legal clerical and administrative employee	27.66	29.88	30.98	38.73	49.79	34.30
Level 2—Legal clerical and administrative employee	28.86	31.17	32.33	40.41	51.95	35.79
Level 3—Legal clerical and administrative employee	30.49	32.93	34.15	42.68	54.88	37.80
Level 4—Legal clerical and administrative employee	32.03	34.59	35.87	44.84	57.65	39.71
Level 5—Legal clerical and administrative employee	33.33	35.99	37.32	46.66	59.99	41.32
Level 5—Law graduate	33.33	35.99	37.32	46.66	59.99	41.32
Level 6—Law clerk	35.33	38.15	39.56	49.46	63.59	43.80

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

	All shiftworkers	Shiftworkers other than continuous shiftworkers		Continuous shiftworkers only
	Saturday	Sunday	Public holiday	Sunday & public holiday
	% of minimum hourly rate			
	175%	225%	275%	225%
	\$	\$	\$	\$
Level 1—Legal clerical and administrative employee	38.73	49.79	60.86	49.79
Level 2—Legal clerical and administrative employee	40.41	51.95	63.50	51.95
Level 3—Legal clerical and administrative employee	42.68	54.88	67.07	54.88
Level 4—Legal clerical and administrative employee	44.84	57.65	70.46	57.65
Level 5—Legal clerical and administrative employee	46.66	59.99	73.32	59.99
Level 5—Law graduate	46.66	59.99	73.32	59.99
Level 6—Law clerk	49.46	63.59	77.72	63.59

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

Age	Ordinary hours	Early morning	Afternoon & night	Non-continuous afternoon or night¹		Permanent night
				First 3 hours	After 3 hours	
Legal, clerical and administrative employee	% of junior hourly rate					
	100%	110%	115%	150%	200%	130%
	\$	\$	\$	\$	\$	\$
Level 1						
Under 16 years	9.96	10.96	11.45	14.94	19.92	12.95
16 years	11.07	12.18	12.73	16.61	22.14	14.39
17 years	13.28	14.61	15.27	19.92	26.56	17.26
18 years	15.49	17.04	17.81	23.24	30.98	20.14
19 years	17.70	19.47	20.36	26.55	35.40	23.01
20 years	19.92	21.91	22.91	29.88	39.84	25.90
Level 2						
Under 16 years	10.39	11.43	11.95	15.59	20.78	13.51
16 years	11.55	12.71	13.28	17.33	23.10	15.02

Age	Ordinary hours	Early morning	Afternoon & night	Non-continuous afternoon or night ¹		Permanent night
				First 3 hours	After 3 hours	
Legal, clerical and administrative employee	% of junior hourly rate					
	100%	110%	115%	150%	200%	130%
	\$	\$	\$	\$	\$	\$
17 years	13.85	15.24	15.93	20.78	27.70	18.01
18 years	16.16	17.78	18.58	24.24	32.32	21.01
19 years	18.47	20.32	21.24	27.71	36.94	24.01
20 years	20.78	22.86	23.90	31.17	41.56	27.01
Level 3						
Under 16 years	10.98	12.08	12.63	16.47	21.96	14.27
16 years	12.20	13.42	14.03	18.30	24.40	15.86
17 years	14.63	16.09	16.82	21.95	29.26	19.02
18 years	17.07	18.78	19.63	25.61	34.14	22.19
19 years	19.51	21.46	22.44	29.27	39.02	25.36
20 years	21.95	24.15	25.24	32.93	43.90	28.54
Level 4						
Under 16 years	11.53	12.68	13.26	17.30	23.06	14.99
16 years	12.81	14.09	14.73	19.22	25.62	16.65
17 years	15.37	16.91	17.68	23.06	30.74	19.98
18 years	17.93	19.72	20.62	26.90	35.86	23.31
19 years	20.50	22.55	23.58	30.75	41.00	26.65
20 years	23.06	25.37	26.52	34.59	46.12	29.98

9. By deleting the table appearing in clause B.3.2 and inserting the following:

Age	All shiftworkers	Shiftworkers other than continuous shiftworkers		Continuous shiftworkers only
	Saturday	Sunday	Public holidays	Sunday & public holidays
Legal, clerical and administrative employee	% of junior hourly rate			
	150%	200%	250%	200%
	\$	\$	\$	\$
Level 1				
Under 16 years	14.94	19.92	24.90	19.92
16 years	16.61	22.14	27.68	22.14
17 years	19.92	26.56	33.20	26.56
18 years	23.24	30.98	38.73	30.98

Age	All shiftworkers	Shiftworkers other than continuous shiftworkers		Continuous shiftworkers only
	Saturday	Sunday	Public holidays	Sunday & public holidays
Legal, clerical and administrative employee	% of junior hourly rate			
	150%	200%	250%	200%
	\$	\$	\$	\$
19 years	26.55	35.40	44.25	35.40
20 years	29.88	39.84	49.80	39.84
Level 2				
Under 16 years	15.59	20.78	25.98	20.78
16 years	17.33	23.10	28.88	23.10
17 years	20.78	27.70	34.63	27.70
18 years	24.24	32.32	40.40	32.32
19 years	27.71	36.94	46.18	36.94
20 years	31.17	41.56	51.95	41.56
Level 3				
Under 16 years	16.47	21.96	27.45	21.96
16 years	18.30	24.40	30.50	24.40
17 years	21.95	29.26	36.58	29.26
18 years	25.61	34.14	42.68	34.14
19 years	29.27	39.02	48.78	39.02
20 years	32.93	43.90	54.88	43.90
Level 4				
Under 16 years	17.30	23.06	28.83	23.06
16 years	19.22	25.62	32.03	25.62
17 years	23.06	30.74	38.43	30.74
18 years	26.90	35.86	44.83	35.86
19 years	30.75	41.00	51.25	41.00
20 years	34.59	46.12	57.65	46.12

10. By deleting the table appearing in clause B.3.3 and inserting the following:

Age	Shiftworkers other than continuous shiftworkers				Continuous shiftworkers only
	Monday to Friday & Saturday until 12.00 pm		Saturday after 12.00 pm & Sunday	Public holiday	Monday to Sunday & Public holidays
	First 3 hours	After 3 hours			
Legal, clerical and administrative employee	% of junior hourly rate				
	150%	200%	200%	250%	200%
	\$	\$	\$	\$	\$
Level 1					
Under 16 years	14.94	19.92	19.92	24.90	19.92
16 years	16.61	22.14	22.14	27.68	22.14
17 years	19.92	26.56	26.56	33.20	26.56
18 years	23.24	30.98	30.98	38.73	30.98
19 years	26.55	35.40	35.40	44.25	35.40
20 years	29.88	39.84	39.84	49.80	39.84
Level 2					
Under 16 years	15.59	20.78	20.78	25.98	20.78
16 years	17.33	23.10	23.10	28.88	23.10
17 years	20.78	27.70	27.70	34.63	27.70
18 years	24.24	32.32	32.32	40.40	32.32
19 years	27.71	36.94	36.94	46.18	36.94
20 years	31.17	41.56	41.56	51.95	41.56
Level 3					
Under 16 years	16.47	21.96	21.96	27.45	21.96
16 years	18.30	24.40	24.40	30.50	24.40
17 years	21.95	29.26	29.26	36.58	29.26
18 years	25.61	34.14	34.14	42.68	34.14
19 years	29.27	39.02	39.02	48.78	39.02
20 years	32.93	43.90	43.90	54.88	43.90
Level 4					
Under 16 years	17.30	23.06	23.06	28.83	23.06
16 years	19.22	25.62	25.62	32.03	25.62

Age	Shiftworkers other than continuous shiftworkers				Continuous shiftworkers only
	Monday to Friday & Saturday until 12.00 pm		Saturday after 12.00 pm & Sunday	Public holiday	Monday to Sunday & Public holidays
	First 3 hours	After 3 hours			
Legal, clerical and administrative employee	% of junior hourly rate				
	150%	200%	200%	250%	200%
	\$	\$	\$	\$	\$
17 years	23.06	30.74	30.74	38.43	30.74
18 years	26.90	35.86	35.86	44.83	35.86
19 years	30.75	41.00	41.00	51.25	41.00
20 years	34.59	46.12	46.12	57.65	46.12

11. By deleting the table appearing in clause B.3.4 and inserting the following:

Age	Ordinary hours	Early morning	Afternoon & night	Non-continuous afternoon or night ¹		Permanent night
				First 3 hours	After 3 hours	
	Legal, clerical and administrative employee	% of junior hourly rate				
125%		135%	140%	175%	225%	155%
\$		\$	\$	\$	\$	\$
Level 1						
Under 16 years	12.45	13.45	13.94	17.43	22.41	15.44
16 years	13.84	14.94	15.50	19.37	24.91	17.16
17 years	16.60	17.93	18.59	23.24	29.88	20.58
18 years	19.36	20.91	21.69	27.11	34.85	24.01
19 years	22.13	23.90	24.78	30.98	39.83	27.44
20 years	24.90	26.89	27.89	34.86	44.82	30.88
Level 2						
Under 16 years	12.99	14.03	14.55	18.18	23.38	16.10
16 years	14.44	15.59	16.17	20.21	25.99	17.90
17 years	17.31	18.70	19.39	24.24	31.16	21.47
18 years	20.20	21.82	22.62	28.28	36.36	25.05
19 years	23.09	24.93	25.86	32.32	41.56	28.63
20 years	25.98	28.05	29.09	36.37	46.76	32.21

Age	Ordinary hours	Early morning	Afternoon & night	Non-continuous afternoon or night ¹		Permanent night
				First 3 hours	After 3 hours	
Legal, clerical and administrative employee	% of junior hourly rate					
	125%	135%	140%	175%	225%	155%
	\$	\$	\$	\$	\$	\$
Level 3						
Under 16 years	13.73	14.82	15.37	19.22	24.71	17.02
16 years	15.25	16.47	17.08	21.35	27.45	18.91
17 years	18.29	19.75	20.48	25.60	32.92	22.68
18 years	21.34	23.04	23.90	29.87	38.41	26.46
19 years	24.39	26.34	27.31	34.14	43.90	30.24
20 years	27.44	29.63	30.73	38.41	49.39	34.02
Level 4						
Under 16 years	14.41	15.57	16.14	20.18	25.94	17.87
16 years	16.01	17.29	17.93	22.42	28.82	19.86
17 years	19.21	20.75	21.52	26.90	34.58	23.82
18 years	22.41	24.21	25.10	31.38	40.34	27.79
19 years	25.63	27.68	28.70	35.88	46.13	31.78
20 years	28.83	31.13	32.28	40.36	51.89	35.74

12. By deleting the table appearing in clause B.3.5 and inserting the following:

Age	All shiftworkers	Shiftworkers other than continuous shiftworkers		Continuous shiftworkers only
	Saturday	Sunday	Public holidays	Sunday & public holidays
Legal, clerical and administrative employee	% of junior hourly rate			
	175%	225%	275%	225%
	\$	\$	\$	\$
Level 1				
Under 16 years	17.43	22.41	27.39	22.41
16 years	19.37	24.91	30.44	24.91
17 years	23.24	29.88	36.52	29.88
18 years	27.11	34.85	42.60	34.85
19 years	30.98	39.83	48.68	39.83
20 years	34.86	44.82	54.78	44.82

Age	All shiftworkers	Shiftworkers other than continuous shiftworkers		Continuous shiftworkers only
	Saturday	Sunday	Public holidays	Sunday & public holidays
Legal, clerical and administrative employee	% of junior hourly rate			
	175%	225%	275%	225%
	\$	\$	\$	\$
Level 2				
Under 16 years	18.18	23.38	28.57	23.38
16 years	20.21	25.99	31.76	25.99
17 years	24.24	31.16	38.09	31.16
18 years	28.28	36.36	44.44	36.36
19 years	32.32	41.56	50.79	41.56
20 years	36.37	46.76	57.15	46.76
Level 3				
Under 16 years	19.22	24.71	30.20	24.71
16 years	21.35	27.45	33.55	27.45
17 years	25.60	32.92	40.23	32.92
18 years	29.87	38.41	46.94	38.41
19 years	34.14	43.90	53.65	43.90
20 years	38.41	49.39	60.36	49.39
Level 4				
Under 16 years	20.18	25.94	31.71	25.94
16 years	22.42	28.82	35.23	28.82
17 years	26.90	34.58	42.27	34.58
18 years	31.38	40.34	49.31	40.34
19 years	35.88	46.13	56.38	46.13
20 years	40.36	51.89	63.42	51.89

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