



# DRAFT DETERMINATION

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

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

**VICTORIAN PUBLIC SERVICE AWARD 2016**  
[MA000135]

State and Territory government administration

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 8.2 and inserting the following:

<b>VPS Structure</b>	<b>Value range</b>	<b>Salary (\$ Min)</b>	<b>Salary (\$ Max)</b>
Grade 1	1.1	40,915	46,205
Grade 2	2.1	47,526	53,170
	2.2	54,029	59,187
Grade 3	3.1	60,375	66,328
	3.2	67,517	72,278
Grade 4	4.1	73,603	82,859
Grade 5	5.1	84,182	92,514
	5.2	92,515	100,846
Grade 6	6.1	102,168	118,631
	6.2	118,632	135,094

<b>VPS Structure</b>	<b>Value range</b>	<b>Salary (\$ Min)</b>	<b>Salary (\$ Max)</b>
Senior Technical Specialist	7.1	137,048	152,918
	7.2	152,919	168,785
	7.3	168,786	184,653

2. By deleting the table appearing in clause 8.3(b) and inserting the following:

<b>Legal Officer structure</b>	<b>Value range</b>	<b>Salary Minimum \$</b>
Articled Clerk		51,689
Solicitor 1	1.1	56,975
Solicitor 2	2.1	Base of VPS Grade 3 Value Range 1
	2.2	Base of VPS Grade 3 Value Range 2
Solicitor 3	3	Base of VPS Grade 4
Senior Solicitor	SS.1	Base of VPS Grade 5, Value Range 1
	SS.2	Base of VPS Grade 5, Value Range 2
Principal Solicitor	PS.1	Base of VPS Grade 6, Value Range 1
	PS.2	Base of VPS Grade 6, Value Range 2
VPS Senior Technical Specialist	STS	VPS Senior Technical Specialist

3. By deleting the table appearing in clause 8.6 and inserting the following:

<b>COG structure</b>	<b>Salary (\$ Min)</b>	<b>Salary (\$ Max)</b>
COG 1 Trainee	46,914	
COG 2A Prison Officer	Base of VPS Grade 2, Value Range 1	59,554
COG 2B Prison Officer	Base of VPS Grade 3, Value Range 1	69,074
COG 3 Senior Prison Officer/Industry Officer	70,264	75,509
COG 4 Operations Manager/Industry Supervisor	77,053	Top of VPS Grade 5, Value Range 1
COG 5 General Manager	Base of VPS Grade 5, Value Range 2	Top of VPS Grade 6, Value Range 1
COG 6 Senior General Manager	Base of VPS Grade 6, Value Range 2	Top of VPS Grade 6, Value Range 2

4. By deleting the tables appearing in clause 8.7 and inserting the following tables:

**Table 6—Child Protection Practitioner (CPP) stream**

<b>CPP Structure</b>	<b>Value range</b>	<b>Salary (\$ Min)</b>	<b>Salary (\$ Max)</b>
CPP Grade 2	2.1	47,961	Top of VPS Grade 2, Value Range 2
CPP Grade 3	3.1	Base of VPS Grade 3, Value Range 1	Top of VPS Grade 3, Value Range 2
CPP Grade 4	4.1	Base of VPS Grade 4, Value Range 1	Top of VPS Grade 4, Value Range 1
CPP Grade 5	5.1	Base of VPS Grade 5, Value Range 1	Top of VPS Grade 5, Value Range 1
	5.2	Base of VPS Grade 5, Value Range 2	Top of VPS Grade 5, Value Range 2
CPP Grade 6	6.1	Base of VPS Grade 6, Value Range 1	Top of VPS Grade 6, Value Range 1
	6.2	Base of VPS Grade 6, Value Range 2	Top of VPS Grade 6, Value Range 2

**Table 7—Children, Youth and Families (CYF) stream**

<b>CYF Structure</b>	<b>Value range</b>	<b>Salary (\$ Min)</b>	<b>Salary (\$ Max)</b>
CYF Grade 1	1.1	46,006	55,344
CYF Grade 2	2.1	55,487	68,131
CYF Grade 3	3.1	70,074	78,821
CYF Grade 4	4.1	79,770	88,016
CYF Grade 5	5.1	88,019	Top of VPS Grade 5, Value Range 1
	5.2	Base of VPS Grade 5, Value Range 2	Top of VPS Grade 5, Value Range 2
CYF Grade 6	6.1	Base of VPS Grade 6, Value Range 1	Top of VPS Grade 6, Value Range 1
	6.2	Base of VPS Grade 6, Value Range 2	Top of VPS Grade 6, Value Range 2

5. By deleting the table appearing in clause 8.8 and inserting the following:

<b>YJW Structure</b>	<b>Value range</b>	<b>Salary (\$ Min)</b>	<b>Salary (\$ Max)</b>
YJW Grade 1	1.1	47,735	58,909
YJW Grade 2	2.1	60,085	68,327
YJW Grade 3	3.1	69,495	76,864
YJW Grade 4	4.1	77,728	87,500
YJW Grade 5	5.1	87,631	91,611
	5.2	91,843	100,074
YJW Grade 6	6.1	101,383	104,428
	6.2	117,653	133,919

6. By deleting the table appearing in clause 8.9 and inserting the following:

<b>HSO and HCSO Structure</b>	<b>Value range</b>	<b>Salary (\$ Min)</b>	<b>Salary (\$ Max)</b>
HSO 1	1.1	Base of VPS Grade 2 Value Range 1	
HSO 2	2.1	Base of VPS Grade 2 Value Range 2	
	2.2	Base of VPS Grade 3 Value Range 1	
HSO 3	3.1	Base of VPS Grade 3 Value Range 2	
HCSO unqualified		Base of VPS Grade 3 Value Range 1	
HSCO qualified Level 1 (Cert. III)		48,489	Top of VPS Grade 2, Value Range 1
HSCO qualified Level 2 (Cert. IV)		Base of VPS Grade 2 Value Range 2	Top of VPS Grade 2, Value Range 2

7. By deleting the table appearing in clause 8.10 and inserting the following:

<b>Sheriff's Officer structure</b>	<b>Salary (\$ Min)</b>	<b>Salary (\$ Max)</b>
Sheriff's Officer Trainee	Base of VPS Grade 2, Value Range 1	
Sheriff's Officer	Base of VPS Grade 2, Value Range 2	Top of VPS Grade 2, Value Range 2
Senior Sheriff's Officer	Base of VPS Grade 3, Value Range 1	69,074
Assistant District Supervisor	70,264	Top of VPS Grade 3, Value Range 2

<b>Sheriff's Officer structure</b>	<b>Salary (\$ Min)</b>	<b>Salary (\$ Max)</b>
District Supervisor	Base of VPS Grade 4	
Divisional Operations Manager	Base of VPS Grade 5, Value Range 1	
Regional Operations Manager	Base of VPS Grade 6, Value Range 1	
Deputy Sheriff	Base of VPS Grade 6, Value Range 2	

8. By deleting the table appearing in clause 8.11 and inserting the following:

<b>Community Corrections Officer structure</b>	<b>Salary (\$ Min)</b>	<b>Salary (\$ Max)</b>
Trainee Community Corrections Officer	Base of VPS Grade 2, Value Range 1	
Community Corrections Officer	Base of VPS Grade 2, Value Range 2	Top of Grade 2, Value Range 2
Leading Community Corrections Officer	Base of VPS Grade 3, Value Range 1	69,074
Senior Community Corrections Officer	70,264	75,509
Officer in Charge	77,053	83,225
Location Manager	Base of VPS Grade 5	
General Manager	Base of VPS Grade 6	

9. By deleting the table appearing in clause 8.13 and inserting the following:

<b>Forensic Officer structure</b>	<b>Salary (\$ Min)</b>	<b>Salary (\$ Max)</b>
Forensic Officer Level 1	52,171	56,259
Forensic Officer Level 2	59,902	65,600
Forensic Officer Level 3	73,831	80,978
Forensic Officer Level 4	82,788	90,866
Forensic Officer Level 5	96,717	104,188
Forensic Officer Level 6	112,637	121,410
Forensic Officer Level 7	129,552	139,704

10. By deleting the table appearing in clause 8.14 and inserting the following:

<b>Nursing Employee structure</b>		<b>Salary \$</b>
<b>Enrolled Nurse:</b>		
Pay Point 1		46,607
Pay Point 2		47,260
Pay Point 3		47,907
Pay Point 4		48,556
Pay Point 5		49,072
<b>Registered Nurse:</b>		
Grade 3B	Year 1	65,299
	Year 2 and thereafter	66,445
Grade 4A	Year 1	67,909
	Year 2 and thereafter	69,378
Grade 4B	Year 1	70,696
	Year 2 and thereafter	72,165
Grade 5B		75,639
Grade 6		83,369

11. By deleting the tables appearing in clause 8.15 and inserting the following tables:

**Table 15—Disability Development and Support Officer (DDSO) structure**

<b>DDSO Structure</b>		<b>Salary \$</b>
DDSO 1 - Unqualified	Year 1	44,998
	Year 2	46,002
	Year 3	47,472
	Year 4	48,513
DDSO 1Q - Qualified (Cert IV)	Year 1	49,553
	Year 2	50,597
	Year 3	52,114
	Year 4	52,635
DDSO 2 - Cert IV	Year 1	53,157
	Year 2	53,831
	Year 3	54,880
DDSO 2A - Adv. Diploma (Cert VI)	Year 1	52,689
	Year 2	54,458
	Year 3	56,732
	Year 4	58,738

<b>DDSO Structure</b>		<b>Salary \$</b>
	Year 5	60,878
	Year 6	63,019
	Year 7	65,163
	Year 8	67,305
DDSO 3 - Cert IV	Year 1	57,014
	Year 2	58,104
	Year 3	59,223
	Year 4	60,327
	Year 5	61,429
	Year 6	62,360
DDSO 3A - Adv. Diploma (Cert VI)	Year 1	67,127
	Year 2	67,894
	Year 3	69,314
	Year 4	70,700
	Year 5	72,317
DDSO 4	Year 1	76,400
	Year 2	78,012
	Year 3	79,613
	Year 4	81,218
DDSO 5		88,663
DDSO 6		94,906
DDSO 7		101,151
DDSO 8		108,285
DDSO 9		118,988

**Table 16—Trades and Support Services Structure**

<b>Trades and Support Services Structure</b>		<b>Salary \$</b>
<b>Facility Service Officer (FSO)</b>		
FSO-1	Year 1	44,860
	Year 2	45,384
	Year 3	45,905
	Year 4	47,001
FSO-2	Year 1	46,692
	Year 2	47,472
	Year 3	48,256
	Year 4	49,352

<b>Trades and Support Services Structure</b>		<b>Salary \$</b>
FSO-3	Year 1	49,388
	Year 2	50,520
	Year 3	51,577
	Year 4	52,401
FSO-4	Year 1	52,782
	Year 2	53,891
	Year 3	55,371
	Year 4	56,466
FSO-5	Year 1	57,766
	Year 2	58,862
<b>Trades</b>		
Level 1 - Trades Assistant (TA 1)	Year 1	46,692
	Year 2	47,472
	Year 3	48,256
	Year 4	49,352
Level 2 - Tradesperson (TA 2)	Year 1	50,865
	Year 2	52,000
	Year 3	53,480
	Year 4	54,204
Level 3 - Trades Coordinator		
Level 3 G1 (TA 3)	Year 1	57,111
	Year 2	58,850
	Year 3	59,948
Level 3 G2 (TA 4)		64,946
Level 4 - Trades Coordinator (formerly Maintenance Manager)		77,131
Level 4 - Trades Coordinator (formerly Senior Maintenance Manager)		78,434

12. By deleting the table appearing in clause 8.16 and inserting the following:

<b>Band</b>	<b>Salary Point</b>	<b>Salary \$</b>
<b>Ongoing Staff</b>		
Band 1	1	43,251
	2	44,938
	3	45,518



<b>Band</b>	<b>Salary Point</b>	<b>Salary \$</b>
	4	46,384
	5	47,251
Band 2	1	48,118
	2	48,984
	3	49,852
	4	50,717
Band 3	1	52,162
	2	52,755
	3	53,697
	4	54,264
Band 4	1	55,201
	2	56,141
	3	57,082
	4	58,021
<b>Project fire fighters</b>		
Band 1	1	42,017
	2	43,651
	3	44,207
	4	45,049
	5	45,885
Band 2	1	46,723
	2	47,562
	3	48,399
	4	49,238
Band 3	1	50,634
	2	51,543
	3	52,108
	4	53,016
Band 4	1	53,552
	2	54,461
	3	55,369
	4	56,276

13. By deleting the table appearing in clause 8.17(b) and inserting the following:

<b>Qualification</b>	<b>Salary minimum \$</b>
Certificate III (Trade qualification)	48,237

<b>Qualification</b>	<b>Salary minimum \$</b>
Relevant degree or Diploma	51,675
Certificate IV	53,051
Mandatory 3 year degree	55,256
Mandatory 4 year degree	56,975

14. By deleting the table appearing in clause 12.1(a) and inserting the following:

<b>Allowance</b>	<b>Payable</b>	<b>% of standard rate (\$47,526)</b>	<b>\$</b>
First aid	fortnightly	0.0445	21.15
Sleepover allowance	per night	0.1712	81.36
Stand-by	per night	0.053	25.19
Stand-by	per day and night	0.105	49.90

15. By deleting the amount "\$84,151" appearing in clause 17.3(a) and inserting "\$85,623".
16. By deleting the amount "\$60,890" appearing in clause 17.5(a) and inserting "\$61,955".
17. By deleting the amount "\$31.60" appearing in clause 19.3 and inserting "\$32.15".
18. By deleting the amount "\$79,676" appearing in clause 20.5(b) and inserting "\$81,070".
19. By deleting clause P.5 and inserting the following:

## **P.5 Minimum Wages**

### **P.5.1 Minimum wages for full-time traineeships**

#### **(a) Wage Level A**

Subject to clause P.5.3 of this schedule, the minimum wages for a trainee undertaking a full-time AQF Certificate Level I–III traineeship whose training package and AQF certificate levels are allocated to Wage Level A by Appendix P1 are:

	<b>Highest year of schooling completed</b>		
	<b>Year 10 per week \$</b>	<b>Year 11 per week \$</b>	<b>Year 12 per week \$</b>
School leaver	338.60	372.90	444.20
Plus 1 year out of school	372.90	444.20	517.00
Plus 2 years out of school	444.20	517.00	601.60
Plus 3 years out of school	517.00	601.60	688.80

	<b>Highest year of schooling completed</b>		
	<b>Year 10</b>	<b>Year 11</b>	<b>Year 12</b>
	<b>per week</b>	<b>per week</b>	<b>per week</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>
Plus 4 years out of school	601.60	688.80	
Plus 5 or more years out of school	688.80		

**(b) Wage Level B**

Subject to clause P.5.3 of this schedule, the minimum wages for a trainee undertaking a full-time AQF Certificate Level I–III traineeship whose training package and AQF certificate levels are allocated to Wage Level B by Appendix P1 are:

	<b>Highest year of schooling completed</b>		
	<b>Year 10</b>	<b>Year 11</b>	<b>Year 12</b>
	<b>per week</b>	<b>per week</b>	<b>per week</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>
School leaver	338.60	372.90	432.20
Plus 1 year out of school	372.90	432.20	497.20
Plus 2 years out of school	432.20	497.20	583.10
Plus 3 years out of school	497.20	583.10	665.10
Plus 4 years out of school	583.10	665.10	
Plus 5 or more years out of school	665.10		

**(c) Wage Level C**

Subject to clause P.5.3 of this schedule, the minimum wages for a trainee undertaking a full-time AQF Certificate Level I–III traineeship whose training package and AQF certificate levels are allocated to Wage Level C by Appendix P1 are:

	<b>Highest year of schooling completed</b>		
	<b>Year 10</b>	<b>Year 11</b>	<b>Year 12</b>
	<b>per week</b>	<b>per week</b>	<b>per week</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>
School leaver	338.60	372.90	432.20
Plus 1 year out of school	372.90	432.20	486.60
Plus 2 years out of school	432.20	486.60	543.70
Plus 3 years out of school	486.60	543.70	605.60
Plus 4 years out of school	543.70	605.60	
Plus 5 or more years out of school	605.60		

**(d) AQF Certificate Level IV traineeships**

- (i) Subject to clause P.5.3 of this schedule, the minimum wages for a trainee undertaking a full-time AQF Certificate Level IV traineeship are the minimum wages for the relevant full-time AQF Certificate Level III traineeship with the addition of 3.8% to those minimum wages.
- (ii) Subject to clause P.5.3 of this schedule, the minimum wages for an adult trainee undertaking a full-time AQF Certificate Level IV traineeship are as follows, provided that the relevant wage level is that for the relevant AQF Certificate Level III traineeship:

Wage level	First year of traineeship	Second and subsequent years of traineeship
	per week	per week
	\$	\$
Wage level A	715.50	743.20
Wage level B	690.30	716.70
Wage level C	628.20	651.90

**P.5.2 Minimum wages for part-time traineeships****(a) Wage Level A**

Subject to clauses P.5.2(f) and P.5.3 of this schedule, the minimum wages for a trainee undertaking a part-time AQF Certificate Level I–III traineeship whose training package and AQF certificate levels are allocated to Wage Level A by Appendix P1 are:

	Highest year of schooling completed		
	Year 10	Year 11	Year 12
	per hour	per hour	per hour
	\$	\$	\$
School leaver	11.14	12.28	14.62
Plus 1 year out of school	12.28	14.62	17.02
Plus 2 years out of school	14.62	17.02	19.79
Plus 3 years out of school	17.02	19.79	22.65
Plus 4 years out of school	19.79	22.65	
Plus 5 or more years out of school	22.65		

**(b) Wage Level B**

Subject to clauses P.5.2(f) and P.5.3 of this schedule, the minimum wages for a trainee undertaking a part-time AQF Certificate Level I–III traineeship whose training package and AQF certificate levels are allocated to Wage Level B by Appendix P1 are:

	<b>Highest year of schooling completed</b>		
	<b>Year 10</b>	<b>Year 11</b>	<b>Year 12</b>
	<b>per hour</b>	<b>per hour</b>	<b>per hour</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>
School leaver	11.14	12.28	14.23
Plus 1 year out of school	12.28	14.23	16.36
Plus 2 years out of school	14.23	16.36	19.20
Plus 3 years out of school	16.36	19.20	21.90
Plus 4 years out of school	19.20	21.90	
Plus 5 or more years out of school	21.90		

**(c) Wage Level C**

Subject to clauses P.5.2(f) and P.5.3 of this schedule, the minimum wages for a trainee undertaking a part-time AQF Certificate Level I–III traineeship whose training package and AQF certificate levels are allocated to Wage Level C by Appendix P1 are:

	<b>Highest year of schooling completed</b>		
	<b>Year 10</b>	<b>Year 11</b>	<b>Year 12</b>
	<b>per hour</b>	<b>per hour</b>	<b>per hour</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>
School leaver	11.14	12.28	14.23
Plus 1 year out of school	12.28	14.23	16.01
Plus 2 years out of school	14.23	16.01	17.88
Plus 3 years out of school	16.01	17.88	19.92
Plus 4 years out of school	17.88	19.92	
Plus 5 or more years out of school	19.92		

**(d) School-based traineeships**

Subject to clauses P.5.2(f) and P.5.3 of this schedule, the minimum wages for a trainee undertaking a school-based AQF Certificate Level I–III traineeship whose training package and AQF certificate levels are allocated to Wage Levels A, B or C by Appendix P1 are as follows when the trainee works ordinary hours:

<b>Year of schooling</b>	
<b>Year 11 or lower</b>	<b>Year 12</b>
<b>per hour</b>	<b>per hour</b>
<b>\$</b>	<b>\$</b>
11.14	12.28

**(e) AQF Certificate Level IV traineeships**

- (i) Subject to clauses P.5.2(f) and P.5.3 of this schedule, the minimum wages for a trainee undertaking a part-time AQF Certificate Level IV traineeship are the minimum wages for the relevant part-time AQF Certificate Level III traineeship with the addition of 3.8% to those minimum wages.
- (ii) Subject to clauses P.5.2(f) and P.5.3 of this schedule, the minimum wages for an adult trainee undertaking a part-time AQF Certificate Level IV traineeship are as follows, provided that the relevant wage level is that for the relevant AQF Certificate Level III traineeship:

Wage level	First year of traineeship	Second and subsequent years of traineeship
	per hour \$	per hour \$
Wage level A	23.52	24.45
Wage level B	22.68	23.56
Wage level C	20.67	21.45

**(f) Calculating the actual minimum wage**

- (i) Where the full-time ordinary hours of work are not 38 or an average of 38 per week, the appropriate hourly minimum wage is obtained by multiplying the relevant minimum wage in clauses P.5.2(a)–(e) of this schedule by 38 and then dividing the figure obtained by the full-time ordinary hours of work per week.
- (ii) Where the approved training for a part-time traineeship is provided fully off-the-job by a registered training organisation, for example at school or at TAFE, the relevant minimum wage in clauses P.5.2(a)–(e) of this schedule applies to each ordinary hour worked by the trainee.
- (iii) Where the approved training for a part-time traineeship is undertaken solely on-the-job or partly on-the-job and partly off-the-job, the relevant minimum wage in clauses P.5.2(a)–(e) of this schedule minus 20% applies to each ordinary hour worked by the trainee.

**P.5.3 Other minimum wage provisions**

- (a) An employee who was employed by an employer immediately prior to becoming a trainee with that employer must not suffer a reduction in their minimum wage per week or per hour by virtue of becoming a trainee. Casual loadings will be disregarded when determining whether the employee has suffered a reduction in their minimum wage.

- (b) If a qualification is converted from an AQF Certificate Level II to an AQF Certificate Level III traineeship, or from an AQF Certificate Level III to an AQF Certificate Level IV traineeship, then the trainee must be paid the next highest minimum wage provided in this schedule, where a higher minimum wage is provided for the new AQF certificate level.

#### **P.5.4 Default wage rate**

The minimum wage for a trainee undertaking an AQF Certificate Level I–III traineeship whose training package and AQF certificate level are not allocated to a wage level by Appendix P1 is the relevant minimum wage under this schedule for a trainee undertaking an AQF Certificate to Level I–III traineeship whose training package and AQF certificate level are allocated to Wage Level B.

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