



DRAFT DETERMINATION

Fair Work Act 2009
s.285—Annual wage review

Annual Wage Review 2021–22 (C2022/1)

OIL REFINING AND MANUFACTURING AWARD 2020 [MA000072]

Oil and gas industry

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

MELBOURNE, XX JUNE 2022

Annual Wage Review 2021–22.

A. Further to the decision issued by the Expert Panel in the Annual Wage Review 2021–22 on 15 June 2022 [[2022] FWCFB 3500], the above award is varied as follows:

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

Employee classification	Minimum weekly rate (full-time employee)	Minimum hourly rate¹
	\$	\$
Refinery operations		
Trainee operator (level 1)	830.10	23.72
Outside operator (level 2)	898.80	25.68
Advanced outside operator (level 3)	975.30	27.87
Console operator (level 4)	1085.30	31.01
Head operator (level 5)	1171.40	33.47

Employee classification	Minimum weekly rate (full-time employee)	Minimum hourly rate¹
	\$	\$
Lubricants/bitumen plants and terminals		
Trainee (level 1)	812.60	23.22
Operator (competent) (level 2)	858.90	24.54
Operator (advanced) (level 3)	896.80	25.62
Specialist blender (level 4)	935.40	26.73
Head operator (level 5)	974.60	27.85
Maintenance		
Tradesperson (level 1)	940.90	26.88
Advanced tradesperson (level 2)	1003.80	28.68
Dual trade tradesperson (level 3)	1076.50	30.76
Maintenance co-ordinator (level 4)	1121.60	32.05
Clerical		
Level 1—Year 1	861.40	24.61
Level 1—Year 2	902.10	25.77
Level 1—Year 3	929.90	26.57
Level 2—Year 1	940.90	26.88
Level 2—Year 2	958.30	27.38
Level 3	993.80	28.39
Level 4	1043.60	29.82
Level 5	1086.00	31.03

2. By deleting the year “2021” in clause 16.7(b) and inserting “2022”.
3. By deleting the amount “\$35.98” appearing in clause 19.2(b) and inserting “\$37.64”.
4. By deleting the amount “\$17.99” appearing in clause 19.2(c) and inserting “\$18.82”.
5. By deleting the table appearing in clause 19.2(d) and inserting the following:

Allowance	\$ per week
Leading hand in charge of:	
– 3 to 10 employees	41.40

Allowance	\$ per week
– 11 to 20 employees	52.69
– More than 20 employees	70.85

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

	Ordinary hours	Saturday		Sunday	Public holiday
		First 2 hours	After 2 hours		
	% of ordinary hourly rate ¹				
	100%	150%	200%	200%	300%
	\$	\$	\$	\$	\$
Refinery operations					
Trainee operator (level 1)	24.80	37.20	49.60	49.60	74.40
Outside operator (level 2)	26.76	40.14	53.52	53.52	80.28
Advanced outside operator (level 3)	28.95	43.43	57.90	57.90	86.85
Console operator (level 4)	32.09	48.14	64.18	64.18	96.27
Head operator (level 5)	34.55	51.83	69.10	69.10	103.65
Lubricants/bitumen plants and terminals					
Trainee (level 1)	24.30	36.45	48.60	48.60	72.90
Operator (competent) (level 2)	25.62	38.43	51.24	51.24	76.86
Operator (advanced) (level 3)	26.70	40.05	53.40	53.40	80.10
Specialist blender (level 4)	27.81	41.72	55.62	55.62	83.43
Head operator (level 5)	28.93	43.40	57.86	57.86	86.79
Maintenance					
Tradesperson (level 1)	27.96	41.94	55.92	55.92	83.88
Advanced tradesperson (level 2)	29.76	44.64	59.52	59.52	89.28
Dual trade tradesperson (level 3)	31.84	47.76	63.68	63.68	95.52
Maintenance co-ordinator (level 4)	33.13	49.70	66.26	66.26	99.39

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

	Ordinary hours	Saturday		Sunday	Public holiday
		First 2 hours	After 2 hours		
	% of ordinary hourly rate				
	100%	150%	200%	200%	300%
	\$	\$	\$	\$	\$
Clerical					
Level 1—Year 1	24.61	36.92	49.22	49.22	73.83
Level 1—Year 2	25.77	38.66	51.54	51.54	77.31
Level 1—Year 3	26.57	39.86	53.14	53.14	79.71
Level 2—Year 1	26.88	40.32	53.76	53.76	80.64
Level 2—Year 2	27.38	41.07	54.76	54.76	82.14
Level 3	28.39	42.59	56.78	56.78	85.17
Level 4	29.82	44.73	59.64	59.64	89.46
Level 5	31.03	46.55	62.06	62.06	93.09

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

	Monday to Saturday		Sunday	Public holiday
	First 2 hours	After 2 hours		
	% of ordinary hourly rate ¹			
	150%	200%	200%	250%
	\$	\$	\$	\$
Refinery operations				
Trainee operator (level 1)	37.20	49.60	49.60	62.00
Outside operator (level 2)	40.14	53.52	53.52	66.90
Advanced outside operator (level 3)	43.43	57.90	57.90	72.38
Console operator (level 4)	48.14	64.18	64.18	80.23
Head operator (level 5)	51.83	69.10	69.10	86.38
Lubricants/bitumen plants and terminals				
Trainee (level 1)	36.45	48.60	48.60	60.75
Operator (competent) (level 2)	38.43	51.24	51.24	64.05

	Monday to Saturday		Sunday	Public holiday
	First 2 hours	After 2 hours		
	% of ordinary hourly rate ¹			
	150%	200%	200%	250%
	\$	\$	\$	\$
Operator (advanced) (level 3)	40.05	53.40	53.40	66.75
Specialist blender (level 4)	41.72	55.62	55.62	69.53
Head operator (level 5)	43.40	57.86	57.86	72.33
Maintenance				
Tradesperson (level 1)	41.94	55.92	55.92	69.90
Advanced tradesperson (level 2)	44.64	59.52	59.52	74.40
Dual trade tradesperson (level 3)	47.76	63.68	63.68	79.60
Maintenance co-ordinator (level 4)	49.70	66.26	66.26	82.83

9. By deleting the table appearing in clause B.2.2(b) and inserting the following:

	Monday to Saturday		Sunday	Public holiday
	First 2 hours	After 2 hours		
	% of ordinary hourly rate			
	150%	200%	200%	250%
	\$	\$	\$	\$
Clerical				
Level 1—Year 1	36.92	49.22	49.22	61.53
Level 1—Year 2	38.66	51.54	51.54	64.43
Level 1—Year 3	39.86	53.14	53.14	66.43
Level 2—Year 1	40.32	53.76	53.76	67.20
Level 2—Year 2	41.07	54.76	54.76	68.45
Level 3	42.59	56.78	56.78	70.98
Level 4	44.73	59.64	59.64	74.55
Level 5	46.55	62.06	62.06	77.58

10. By deleting the table appearing in clause B.2.3(a) and inserting the following:

	Afternoon & night	Permanent afternoon	Permanent night	Saturday		Sunday	Public holiday
				First 2 hours	After 2 hours		
	% of ordinary hourly rate ¹						
	115%	120%	130%	150%	200%	200%	300%
	\$	\$	\$	\$	\$	\$	\$
Refinery operations							
Trainee operator (level 1)	28.52	29.76	32.24	37.20	49.60	49.60	74.40
Outside operator (level 2)	30.77	32.11	34.79	40.14	53.52	53.52	80.28
Advanced outside operator (level 3)	33.29	34.74	37.64	43.43	57.90	57.90	86.85
Console operator (level 4)	36.90	38.51	41.72	48.14	64.18	64.18	96.27
Head operator (level 5)	39.73	41.46	44.92	51.83	69.10	69.10	103.65
Lubricants/bitumen plants and terminals							
Trainee (level 1)	27.95	29.16	31.59	36.45	48.60	48.60	72.90
Operator (competent) (level 2)	29.46	30.74	33.31	38.43	51.24	51.24	76.86
Operator (advanced) (level 3)	30.71	32.04	34.71	40.05	53.40	53.40	80.10
Specialist blender (level 4)	31.98	33.37	36.15	41.72	55.62	55.62	83.43
Head operator (level 5)	33.27	34.72	37.61	43.40	57.86	57.86	86.79
Maintenance							
Tradesperson (level 1)	32.15	33.55	36.35	41.94	55.92	55.92	83.88
Advanced tradesperson (level 2)	34.22	35.71	38.69	44.64	59.52	59.52	89.28

	Afternoon & night	Permanent afternoon	Permanent night	Saturday		Sunday	Public holiday
				First 2 hours	After 2 hours		
	% of ordinary hourly rate ¹						
	115%	120%	130%	150%	200%	200%	300%
	\$	\$	\$	\$	\$	\$	\$
Dual trade tradesperson (level 3)	36.62	38.21	41.39	47.76	63.68	63.68	95.52
Maintenance co- ordinator (level 4)	38.10	39.76	43.07	49.70	66.26	66.26	99.39

11. By deleting the table appearing in clause B.2.3(b) and inserting the following:

	Afternoon & night	Permanent afternoon	Permanent night	Saturday		Sunday	Public holiday
				First 2 hour s	After 2 hour s		
	% of ordinary hourly rate						
	115%	120%	130%	150%	200%	200%	300%
	\$	\$	\$	\$	\$	\$	\$
Clerical							
Level 1—Year 1	28.30	29.53	31.99	36.92	49.22	49.22	73.83
Level 1—Year 2	29.64	30.92	33.50	38.66	51.54	51.54	77.31
Level 1—Year 3	30.56	31.88	34.54	39.86	53.14	53.14	79.71
Level 2—Year 1	30.91	32.26	34.94	40.32	53.76	53.76	80.64
Level 2—Year 2	31.49	32.86	35.59	41.07	54.76	54.76	82.14
Level 3	32.65	34.07	36.91	42.59	56.78	56.78	85.17
Level 4	34.29	35.78	38.77	44.73	59.64	59.64	89.46
Level 5	35.68	37.24	40.34	46.55	62.06	62.06	93.09

12. By deleting the table appearing in clause B.2.4(a) and inserting the following:

	Monday to Saturday		Sunday	Public holiday	Continuous shift worker
	First 2 hours	After 2 hours			Monday to Sunday
	% of ordinary hourly rate ¹				
	150%	200%	200%	250%	200%
	\$	\$	\$	\$	\$
Refinery operations					
Trainee operator (level 1)	37.20	49.60	49.60	62.00	49.60
Outside operator (level 2)	40.14	53.52	53.52	66.90	53.52
Advanced outside operator (level 3)	43.43	57.90	57.90	72.38	57.90
Console operator (level 4)	48.14	64.18	64.18	80.23	64.18
Head operator (level 5)	51.83	69.10	69.10	86.38	69.10
Lubricants/bitumen plants and terminals					
Trainee (level 1)	36.45	48.60	48.60	60.75	48.60
Operator (competent) (level 2)	38.43	51.24	51.24	64.05	51.24
Operator (advanced) (level 3)	40.05	53.40	53.40	66.75	53.40
Specialist blender (level 4)	41.72	55.62	55.62	69.53	55.62
Head operator (level 5)	43.40	57.86	57.86	72.33	57.86
Maintenance					
Tradesperson (level 1)	41.94	55.92	55.92	69.90	55.92
Advanced tradesperson (level 2)	44.64	59.52	59.52	74.40	59.52
Dual trade tradesperson (level 3)	47.76	63.68	63.68	79.60	63.68
Maintenance co-ordinator (level 4)	49.70	66.26	66.26	82.83	66.26

13. By deleting the table appearing in clause B.2.4(b) and inserting the following:

	Monday to Saturday		Sunday	Public holiday	Continuous shift worker
	First 2 hours	After 2 hours			Monday to Sunday
	% of ordinary hourly rate				
	150%	200%	200%	250%	200%
	\$	\$	\$	\$	\$
Clerical					
Level 1—Year 1	36.92	49.22	49.22	61.53	49.22
Level 1—Year 2	38.66	51.54	51.54	64.43	51.54
Level 1—Year 3	39.86	53.14	53.14	66.43	53.14
Level 2—Year 1	40.32	53.76	53.76	67.20	53.76
Level 2—Year 2	41.07	54.76	54.76	68.45	54.76
Level 3	42.59	56.78	56.78	70.98	56.78
Level 4	44.73	59.64	59.64	74.55	59.64
Level 5	46.55	62.06	62.06	77.58	62.06

14. By deleting the amount “\$899.50” appearing in clause C.1.1 and inserting “\$940.90”.

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

Allowance	Clause	% of standard rate	\$	Payable
Industry allowance—other than clerical employees ¹	19.2(b)	4.0	37.64	per week
First aid allowance	19.2(c)	2.0	18.82	per week
Leading hand in charge of—3 to 10 employees	19.2(d)	4.4	41.40	per week

Allowance	Clause	% of standard rate	\$	Payable
Leading hand in charge of—11 to 20 employees	19.2(d)	5.6	52.69	per week
Leading hand in charge of—more than 20 employees	19.2(d)	7.53	70.85	per week

B. This determination comes into operation on 1 July 2022. 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 2022.

PRESIDENT