



# DRAFT DETERMINATION

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

**Annual Wage Review 2022–23**  
(C2023/1)

**LEGAL SERVICES AWARD 2020**  
[MA000116]

Clerical 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:

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

<b>Employee classification</b>	<b>Minimum weekly rate (full-time employee)</b>	<b>Minimum hourly rate</b>
	<b>\$</b>	<b>\$</b>
Level 1—Legal clerical and administrative employee	954.00	25.11
Level 2—Legal clerical and administrative employee	995.00	26.18
Level 3—Legal clerical and administrative employee	1050.90	27.66
Level 4—Legal clerical and administrative employee	1103.60	29.04
Level 5—Legal clerical and administrative employee	1148.40	30.22
Level 5—Law graduate	1148.40	30.22
Level 6—Law clerk	1217.30	32.03

2. By deleting the year “2022” appearing in clause 15.5(b) and inserting “2023”.
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 <sup>1</sup>		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	25.11	27.62	28.88	37.67	50.22	32.64
Level 2—Legal clerical and administrative employee	26.18	28.80	30.11	39.27	52.36	34.03
Level 3—Legal clerical and administrative employee	27.66	30.43	31.81	41.49	55.32	35.96
Level 4—Legal clerical and administrative employee	29.04	31.94	33.40	43.56	58.08	37.75
Level 5—Legal clerical and administrative employee	30.22	33.24	34.75	45.33	60.44	39.29
Level 5—Law graduate	30.22	33.24	34.75	45.33	60.44	39.29
Level 6—Law clerk	32.03	35.23	36.83	48.05	64.06	41.64

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	37.67	50.22	62.78	50.22

	<b>All shiftworkers</b>	<b>Shiftworkers other than continuous shiftworkers</b>		<b>Continuous shiftworkers only</b>
	<b>Saturday</b>	<b>Sunday</b>	<b>Public holidays</b>	<b>Sunday &amp; public holidays</b>
	<b>% of minimum hourly rate</b>			
	<b>150%</b>	<b>200%</b>	<b>250%</b>	<b>200%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Level 2—Legal clerical and administrative employee	39.27	52.36	65.45	52.36
Level 3—Legal clerical and administrative employee	41.49	55.32	69.15	55.32
Level 4—Legal clerical and administrative employee	43.56	58.08	72.60	58.08
Level 5—Legal clerical and administrative employee	45.33	60.44	75.55	60.44
Level 5—Law graduate	45.33	60.44	75.55	60.44
Level 6—Law clerk	48.05	64.06	80.08	64.06

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

	<b>Shiftworkers other than continuous shiftworkers</b>				<b>Continuous shiftworkers only</b>
	<b>Monday to Friday &amp; Saturday until 12.00 pm</b>		<b>Saturday after 12.00 pm &amp; Sunday</b>	<b>Public holiday</b>	<b>Monday to Sunday &amp; Public holidays</b>
	<b>First 3 hours</b>	<b>After 3 hours</b>			
	<b>% of minimum hourly rate</b>				
	<b>150%</b>	<b>200%</b>	<b>200%</b>	<b>250%</b>	<b>200%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Level 1—Legal clerical and administrative employee	37.67	50.22	50.22	62.78	50.22
Level 2—Legal clerical and administrative employee	39.27	52.36	52.36	65.45	52.36

	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 3—Legal clerical and administrative employee	41.49	55.32	55.32	69.15	55.32
Level 4—Legal clerical and administrative employee	43.56	58.08	58.08	72.60	58.08
Level 5—Legal clerical and administrative employee	45.33	60.44	60.44	75.55	60.44
Level 5—Law graduate	45.33	60.44	60.44	75.55	60.44
Level 6—Law clerk	48.05	64.06	64.06	80.08	64.06

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 <sup>1</sup>		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	31.39	33.90	35.15	43.94	56.50	38.92
Level 2—Legal clerical and administrative employee	32.73	35.34	36.65	45.82	58.91	40.58
Level 3—Legal clerical and administrative employee	34.58	37.34	38.72	48.41	62.24	42.87
Level 4—Legal clerical and administrative employee	36.30	39.20	40.66	50.82	65.34	45.01

	Ordinary hours	Early morning	Afternoon & night	Non-continuous afternoon or night <sup>1</sup>		Permanent night
				First 3 hours	After 3 hours	
% of minimum hourly rate						
	125%	135%	140%	175%	225%	155%
	\$	\$	\$	\$	\$	\$
Level 5—Legal clerical and administrative employee	37.78	40.80	42.31	52.89	68.00	46.84
Level 5—Law graduate	37.78	40.80	42.31	52.89	68.00	46.84
Level 6—Law clerk	40.04	43.24	44.84	56.05	72.07	49.65

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	43.94	56.50	69.05	56.50
Level 2—Legal clerical and administrative employee	45.82	58.91	72.00	58.91
Level 3—Legal clerical and administrative employee	48.41	62.24	76.07	62.24
Level 4—Legal clerical and administrative employee	50.82	65.34	79.86	65.34
Level 5—Legal clerical and administrative employee	52.89	68.00	83.11	68.00
Level 5—Law graduate	52.89	68.00	83.11	68.00
Level 6—Law clerk	56.05	72.07	88.08	72.07

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 night <sup>1</sup>		Permanent night
				First 3 hours	After 3 hours	
<b>Legal, clerical and administrative employee</b>	<b>% of junior hourly rate</b>					
	<b>100%</b>	<b>110%</b>	<b>115%</b>	<b>150%</b>	<b>200%</b>	<b>130%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
<b>Level 1</b>						
Under 16 years	11.30	12.43	13.00	16.95	22.60	14.69
16 years	12.56	13.82	14.44	18.84	25.12	16.33
17 years	15.07	16.58	17.33	22.61	30.14	19.59
18 years	17.58	19.34	20.22	26.37	35.16	22.85
19 years	20.09	22.10	23.10	30.14	40.18	26.12
20 years	22.60	24.86	25.99	33.90	45.20	29.38
<b>Level 2</b>						
Under 16 years	11.78	12.96	13.55	17.67	23.56	15.31
16 years	13.09	14.40	15.05	19.64	26.18	17.02
17 years	15.71	17.28	18.07	23.57	31.42	20.42
18 years	18.33	20.16	21.08	27.50	36.66	23.83
19 years	20.94	23.03	24.08	31.41	41.88	27.22
20 years	23.56	25.92	27.09	35.34	47.12	30.63
<b>Level 3</b>						
Under 16 years	12.45	13.70	14.32	18.68	24.90	16.19
16 years	13.83	15.21	15.90	20.75	27.66	17.98
17 years	16.60	18.26	19.09	24.90	33.20	21.58
18 years	19.36	21.30	22.26	29.04	38.72	25.17
19 years	22.13	24.34	25.45	33.20	44.26	28.77
20 years	24.89	27.38	28.62	37.34	49.78	32.36
<b>Level 4</b>						
Under 16 years	13.07	14.38	15.03	19.61	26.14	16.99
16 years	14.52	15.97	16.70	21.78	29.04	18.88
17 years	17.42	19.16	20.03	26.13	34.84	22.65
18 years	20.33	22.36	23.38	30.50	40.66	26.43
19 years	23.23	25.55	26.71	34.85	46.46	30.20
20 years	26.14	28.75	30.06	39.21	52.28	33.98

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%
	\$	\$	\$	\$
<b>Level 1</b>				
Under 16 years	16.95	22.60	28.25	22.60
16 years	18.84	25.12	31.40	25.12
17 years	22.61	30.14	37.68	30.14
18 years	26.37	35.16	43.95	35.16
19 years	30.14	40.18	50.23	40.18
20 years	33.90	45.20	56.50	45.20
<b>Level 2</b>				
Under 16 years	17.67	23.56	29.45	23.56
16 years	19.64	26.18	32.73	26.18
17 years	23.57	31.42	39.28	31.42
18 years	27.50	36.66	45.83	36.66
19 years	31.41	41.88	52.35	41.88
20 years	35.34	47.12	58.90	47.12
<b>Level 3</b>				
Under 16 years	18.68	24.90	31.13	24.90
16 years	20.75	27.66	34.58	27.66
17 years	24.90	33.20	41.50	33.20
18 years	29.04	38.72	48.40	38.72
19 years	33.20	44.26	55.33	44.26
20 years	37.34	49.78	62.23	49.78
<b>Level 4</b>				
Under 16 years	19.61	26.14	32.68	26.14
16 years	21.78	29.04	36.30	29.04
17 years	26.13	34.84	43.55	34.84

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%
	\$	\$	\$	\$
18 years	30.50	40.66	50.83	40.66
19 years	34.85	46.46	58.08	46.46
20 years	39.21	52.28	65.35	52.28

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%
	\$	\$	\$	\$
<b>Level 1</b>				
Under 16 years	16.95	22.60	22.60	28.25
16 years	18.84	25.12	25.12	31.40
17 years	22.61	30.14	30.14	37.68
18 years	26.37	35.16	35.16	43.95
19 years	30.14	40.18	40.18	50.23
20 years	33.90	45.20	45.20	56.50
<b>Level 2</b>				
Under 16 years	17.67	23.56	23.56	29.45
16 years	19.64	26.18	26.18	32.73
17 years	23.57	31.42	31.42	39.28
18 years	27.50	36.66	36.66	45.83
19 years	31.41	41.88	41.88	52.35
20 years	35.34	47.12	47.12	58.90



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			
<b>Legal, clerical and administrative employee</b>	<b>% of junior hourly rate</b>				
	<b>150%</b>	<b>200%</b>	<b>200%</b>	<b>250%</b>	<b>200%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
<b>Level 3</b>					
Under 16 years	18.68	24.90	24.90	31.13	24.90
16 years	20.75	27.66	27.66	34.58	27.66
17 years	24.90	33.20	33.20	41.50	33.20
18 years	29.04	38.72	38.72	48.40	38.72
19 years	33.20	44.26	44.26	55.33	44.26
20 years	37.34	49.78	49.78	62.23	49.78
<b>Level 4</b>					
Under 16 years	19.61	26.14	26.14	32.68	26.14
16 years	21.78	29.04	29.04	36.30	29.04
17 years	26.13	34.84	34.84	43.55	34.84
18 years	30.50	40.66	40.66	50.83	40.66
19 years	34.85	46.46	46.46	58.08	46.46
20 years	39.21	52.28	52.28	65.35	52.28

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 <sup>1</sup>		Permanent night
				First 3 hours	After 3 hours	
	<b>Legal, clerical and administrative employee</b>	<b>% of junior hourly rate</b>				
<b>125%</b>		<b>135%</b>	<b>140%</b>	<b>175%</b>	<b>225%</b>	<b>155%</b>
<b>\$</b>		<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
<b>Level 1</b>						
Under 16 years	14.13	15.26	15.82	19.78	25.43	17.52
16 years	15.70	16.96	17.58	21.98	28.26	19.47

Age	Ordinary hours	Early morning	Afternoon & night	Non-continuous afternoon or night <sup>1</sup>		Permanent night
				First 3 hours	After 3 hours	
<b>Legal, clerical and administrative employee</b>	<b>% of junior hourly rate</b>					
	<b>125%</b>	<b>135%</b>	<b>140%</b>	<b>175%</b>	<b>225%</b>	<b>155%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
17 years	18.84	20.34	21.10	26.37	33.91	23.36
18 years	21.98	23.73	24.61	30.77	39.56	27.25
19 years	25.11	27.12	28.13	35.16	45.20	31.14
20 years	28.25	30.51	31.64	39.55	50.85	35.03
<b>Level 2</b>						
Under 16 years	14.73	15.90	16.49	20.62	26.51	18.26
16 years	16.36	17.67	18.33	22.91	29.45	20.29
17 years	19.64	21.21	21.99	27.49	35.35	24.35
18 years	22.91	24.75	25.66	32.08	41.24	28.41
19 years	26.18	28.27	29.32	36.65	47.12	32.46
20 years	29.45	31.81	32.98	41.23	53.01	36.52
<b>Level 3</b>						
Under 16 years	15.56	16.81	17.43	21.79	28.01	19.30
16 years	17.29	18.67	19.36	24.20	31.12	21.44
17 years	20.75	22.41	23.24	29.05	37.35	25.73
18 years	24.20	26.14	27.10	33.88	43.56	30.01
19 years	27.66	29.88	30.98	38.73	49.79	34.30
20 years	31.11	33.60	34.85	43.56	56.00	38.58
<b>Level 4</b>						
Under 16 years	16.34	17.64	18.30	22.87	29.41	20.26
16 years	18.15	19.60	20.33	25.41	32.67	22.51
17 years	21.78	23.52	24.39	30.49	39.20	27.00
18 years	25.41	27.45	28.46	35.58	45.74	31.51
19 years	29.04	31.36	32.52	40.65	52.27	36.01
20 years	32.68	35.29	36.60	45.75	58.82	40.52

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
<b>Legal, clerical and administrative employee</b>	<b>% of junior hourly rate</b>			
	<b>175%</b>	<b>225%</b>	<b>275%</b>	<b>225%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
<b>Level 1</b>				
Under 16 years	19.78	25.43	31.08	25.43
16 years	21.98	28.26	34.54	28.26
17 years	26.37	33.91	41.44	33.91
18 years	30.77	39.56	48.35	39.56
19 years	35.16	45.20	55.25	45.20
20 years	39.55	50.85	62.15	50.85
<b>Level 2</b>				
Under 16 years	20.62	26.51	32.40	26.51
16 years	22.91	29.45	36.00	29.45
17 years	27.49	35.35	43.20	35.35
18 years	32.08	41.24	50.41	41.24
19 years	36.65	47.12	57.59	47.12
20 years	41.23	53.01	64.79	53.01
<b>Level 3</b>				
Under 16 years	21.79	28.01	34.24	28.01
16 years	24.20	31.12	38.03	31.12
17 years	29.05	37.35	45.65	37.35
18 years	33.88	43.56	53.24	43.56
19 years	38.73	49.79	60.86	49.79
20 years	43.56	56.00	68.45	56.00
<b>Level 4</b>				
Under 16 years	22.87	29.41	35.94	29.41
16 years	25.41	32.67	39.93	32.67
17 years	30.49	39.20	47.91	39.20
18 years	35.58	45.74	55.91	45.74

Age	All shiftworkers	Shiftworkers other than continuous shiftworkers		Continuous shiftworkers only
	Saturday	Sunday	Public holidays	Sunday & public holidays
Legal, clerical and administrative employee	<b>% of junior hourly rate</b>			
	<b>175%</b>	<b>225%</b>	<b>275%</b>	<b>225%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
19 years	40.65	52.27	63.88	52.27
20 years	45.75	58.82	71.89	58.82

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