



# DETERMINATION

*Fair Work Act 2009*

s 160—Variation a modern award to remove ambiguity or uncertainty or correct error

## Variation of modern awards on the Commission’s own motion – junior rates

(AM2023/27)

### HAIR AND BEAUTY INDUSTRY AWARD 2020

[MA000005]

Hair and beauty

JUSTICE HATCHER, PRESIDENT

SYDNEY, 19 DECEMBER 2023

*Section 160 of the Fair Work Act 2009 (Cth) – variation on the Commission’s own motion – junior rates – Hair and Beauty Industry Award 2020.*

A. Further to the decision issued by the Fair Work Commission on 19 December 2023 [\[\[2023\] FWC 3393\]](#), the above award is varied as follows:

- By deleting the table appearing in clause 17.2 and inserting the following:

Age	% of applicable adult rate
Under 17 years	50
17 years	75
18 years	100

- By deleting the table appearing in clause 22.5 and inserting the following:

For overtime worked:	Full-time and part-time employees	Casual employees
	% of minimum hourly rate	% of minimum hourly rate
Monday to Saturday—first 3 hours	150	175
Monday to Saturday—after 3 hours	200	225
Sunday—all overtime hours	200	225
Public holiday—all overtime hours	250	250

<b>For overtime worked:</b>	<b>Full-time and part-time employees</b>	<b>Casual employees</b>
	<b>% of minimum hourly rate</b>	<b>% of minimum hourly rate</b>
Rostered day off—all overtime hours	200	—

3. By deleting the table appearing in clause 23.2 and inserting the following:

<b>For ordinary hours worked:</b>	<b>Casual employees</b>
	<b>% of minimum hourly rate</b>
Monday to Friday—before 7.00 am and after 9.00 pm	150
Saturday—before 7.00 am and after 6.00 pm	150
Saturday—between 7.00 am and 6.00 pm	158
Sunday—any time of day	225
Public holiday—any time of day	250

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

	<b>Monday to Friday – between 7.00 am and 9.00 pm</b>	<b>Monday to Friday – before 7.00 am and after 9.00 pm</b>	<b>Saturday – before 7.00 am and after 6.00 pm</b>	<b>Saturday – between 7.00 am and 6.00 pm</b>	<b>Sunday – any time of day</b>	<b>Public holiday – any time of day</b>
	<b>% of minimum hourly rate</b>					
	<b>125%</b>	<b>150%</b>	<b>150%</b>	<b>158%</b>	<b>225%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Level 1	30.91	37.10	37.10	39.07	55.64	61.83
Level 2	31.61	37.94	37.94	39.96	56.90	63.23
Level 3	32.73	39.27	39.27	41.36	58.91	65.45
Level 4	33.34	40.01	40.01	42.14	60.01	66.68
Level 5	34.34	41.21	41.21	43.40	61.81	68.68
Level 6	35.56	42.68	42.68	44.95	64.01	71.13

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

	<b>Monday to Saturday – first 3 hours</b>	<b>Monday to Saturday – after 3 hours</b>	<b>Sunday – all hours</b>	<b>Public holiday – all hours</b>
	<b>% of minimum hourly rate</b>			
	<b>175%</b>	<b>225%</b>	<b>225%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Level 1	43.28	55.64	55.64	61.83
Level 2	44.26	56.90	56.90	63.23
Level 3	45.82	58.91	58.91	65.45
Level 4	46.67	60.01	60.01	66.68
Level 5	48.07	61.81	61.81	68.68
Level 6	49.79	64.01	64.01	71.13

6. By deleting the words “16 years or under” wherever they appear in clause B.3.2 and inserting the words “Under 17 years”.

7. By deleting the words “16 years or under” wherever they appear in clause B.3.3 and inserting the words “Under 17 years”.

8. By deleting the table appearing in clause B.4.1 and inserting the following:

	<b>Junior hourly rate – Monday to Friday – between 7.00 am and 9.00 pm</b>	<b>Monday to Friday – before 7.00 am and after 9.00 pm</b>	<b>Saturday – before 7.00 am and after 6.00 pm</b>	<b>Saturday – between 7.00 am and 6.00 pm</b>	<b>Sunday – any time of day</b>	<b>Public holiday – any time of day</b>
	<b>% of junior hourly rate</b>					
	<b>125%</b>	<b>150%</b>	<b>150%</b>	<b>158%</b>	<b>225%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
<b>Level 1</b>						
Under 17 years	15.46	18.56	18.56	19.54	27.83	30.93
17 years	23.19	27.83	27.83	29.31	41.74	46.38
<b>Level 2</b>						
Under 17 years	15.81	18.98	18.98	19.99	28.46	31.63
17 years	23.71	28.46	28.46	29.97	42.68	47.43
<b>Level 3</b>						

	<b>Junior hourly rate – Monday to Friday – between 7.00 am and 9.00 pm</b>	<b>Monday to Friday – before 7.00 am and after 9.00 pm</b>	<b>Saturday – before 7.00 am and after 6.00 pm</b>	<b>Saturday – between 7.00 am and 6.00 pm</b>	<b>Sunday – any time of day</b>	<b>Public holiday – any time of day</b>
	<b>% of junior hourly rate</b>					
	<b>125%</b>	<b>150%</b>	<b>150%</b>	<b>158%</b>	<b>225%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Under 17 year	16.36	19.64	19.64	20.68	29.45	32.73
17 years	24.55	29.46	29.46	31.03	44.19	49.10
<b>Level 4</b>						
Under 17 years	16.68	20.01	20.01	21.08	30.02	33.35
17 years	25.00	30.00	30.00	31.60	45.00	50.00
<b>Level 5</b>						
Under 17 years	17.18	20.61	20.61	21.71	30.92	34.35
17 years	25.75	30.90	30.90	32.55	46.35	51.50
<b>Level 6</b>						
Under 17 years	17.79	21.35	21.35	22.48	32.02	35.58
17 years	26.68	32.01	32.01	33.72	48.02	53.35

9. By deleting the table appearing in clause B.4.2 and inserting the following:

	<b>Monday to Saturday – first 3 hours</b>	<b>Monday to Saturday – after 3 hours</b>	<b>Sunday – all hours</b>	<b>Public holiday – all hours</b>
	<b>% of junior hourly rate</b>			
	<b>175%</b>	<b>225%</b>	<b>225%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
<b>Level 1</b>				
Under 17 years	21.65	27.83	27.83	30.93
17 years	32.46	41.74	41.74	46.38
<b>Level 2</b>				

	<b>Monday to Saturday – first 3 hours</b>	<b>Monday to Saturday – after 3 hours</b>	<b>Sunday – all hours</b>	<b>Public holiday – all hours</b>
	<b>% of junior hourly rate</b>			
	<b>175%</b>	<b>225%</b>	<b>225%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Under 17 years	22.14	28.46	28.46	31.63
17 years	33.20	42.68	42.68	47.43
<b>Level 3</b>				
Under 17 years	22.91	29.45	29.45	32.73
17 years	34.37	44.19	44.19	49.10
<b>Level 4</b>				
Under 17 years	23.35	30.02	30.02	33.35
17 years	35.00	45.00	45.00	50.00
<b>Level 5</b>				
Under 17 years	24.05	30.92	30.92	34.35
17 years	36.05	46.35	46.35	51.50
<b>Level 6</b>				
Under 17 years	24.90	32.02	32.02	35.58
17 years	37.35	48.02	48.02	53.35

B. This determination comes into operation on 31 December 2023. In accordance with s 165(3) of the *Fair Work Act 2009* (Cth) 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 31 December 2023.



PRESIDENT

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