



DRAFT DETERMINATION

Fair Work Act 2009

s.158—Application to vary or revoke a modern award

Australian Hotels Association

(AM2021/73)

HOSPITALITY INDUSTRY (GENERAL) AWARD 2020

[MA000009]

Hospitality industry

JUSTICE ROSS, PRESIDENT
DEPUTY PRESIDENT CLANCY
COMMISSIONER BISSETT

MELBOURNE, XX AUGUST 2022

Application to vary modern award – Schedule J—Loaded Rate Arrangement – Hospitality Industry (General) Award 2020 – variation to J.5.1 and J.5.2.

A. Further to the decision issued by the Fair Work Commission on XX MONTH YEAR [[YEAR] FWCFB XXX], the above award is varied as follows:

1. By deleting the table appearing in clause J.5.1 and inserting the following:

Loaded Rate Percentage (% of ordinary hourly rate)	Loaded Rate Range of Days	Loaded Rate Maximum Weekly Hours
110.20 (Levels 4-6)	Monday to Friday	40
110.30 (Level 3 only under J.5.2)	Monday to Friday	40
120.00	Monday to Friday	45
116.95	Monday to Saturday	40
123.40	Monday to Saturday	45
126.85	Monday to Sunday	40
131.05	Monday to Sunday	45

2. By deleting the table appearing in clause J.5.2 and inserting the following:

	Loaded Rate Percentages						
	110.20%	110.30%	120.00%	116.95%	123.40%	126.85%	131.05%
	\$	\$	\$	\$	\$	\$	\$
Level 3	–	25.94	26.95	26.27	27.72	28.49	29.43
Level 4	26.08	–	28.40	27.68	29.21	30.03	31.02
Level 5	27.73	–	30.19	29.42	31.05	31.92	32.97
Level 6	28.46	–	31.00	30.21	31.87	32.77	33.85

B. This determination comes into operation on 2 October 2022. In accordance with s 165(3) 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 2 October 2022.

PRESIDENT

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