



DRAFT DETERMINATION

Fair Work Act 2009

s.160—Application to vary a modern award to remove ambiguity or uncertainty or correct error

Application on the initiative of the Commission

(AM2021/6)

GENERAL RETAIL INDUSTRY AWARD 2020

[MA000004]

Retail industry

JUSTICE ROSS, PRESIDENT

MELBOURNE, 25 FEBRUARY 2021

Application on the initiative of the Commission to vary the General Retail Industry Award 2020 – Schedule B—Summary of Hourly Rates of Pay – award specific penalty rates claims – implementation of transitional arrangements.

A. The above award is varied as follows:

1. By deleting the third row of table 11 at clause 22.1 — containing the rates for “Monday to Friday — after 6:00pm (1 October 2020 to 28 February 2021).
2. By deleting “(from 1 March 2021)” in the fourth row of table 11 at clause 22.1.
3. By deleting the table appearing in clause B.2.1 and inserting the following:

	Ordinary hours	Monday to Friday after 6.00 pm ¹	Saturday	Sunday	Public holiday
	% of minimum hourly rate				
	125%	150%	150%	175%	250%
	\$	\$	\$	\$	\$
Retail Employee Level 1	27.23	32.67	32.67	38.12	54.45
Retail Employee Level 2	27.89	33.47	33.47	39.04	55.78
Retail Employee Level 3	28.31	33.98	33.98	39.64	56.63
Retail Employee Level 4	28.86	34.64	34.64	40.41	57.73
Retail Employee Level 5	30.05	36.06	36.06	42.07	60.10
Retail Employee Level 6	30.49	36.59	36.59	42.68	60.98

	Ordinary hours	Monday to Friday after 6.00 pm¹	Saturday	Sunday	Public holiday
	% of minimum hourly rate				
	125%	150%	150%	175%	250%
	\$	\$	\$	\$	\$
Retail Employee Level 7	32.03	38.43	38.43	44.84	64.05
Retail Employee Level 8	33.33	39.99	39.99	46.66	66.65

4. By deleting the table appearing in clause B.3.4 and inserting the following:

	Ordinary hours	Monday to Friday after 6.00 pm¹	Saturday	Sunday	Public holiday
	% of junior hourly rate				
	125%	150%	150%	175%	250%
	\$	\$	\$	\$	\$
Retail Employee Level 1					
15 years of age and under	12.25	14.70	14.70	17.15	24.50
16 years of age	13.61	16.34	16.34	19.06	27.23
17 years of age	16.34	19.61	19.61	22.87	32.68
18 years of age	19.06	22.88	22.88	26.69	38.13
19 years of age	21.79	26.15	26.15	30.50	43.58
20 years of age and employed by the employer for 6 months or less	24.51	29.42	29.42	34.32	49.03
20 years of age and employed by the employer for more than 6 months	27.23	32.67	32.67	38.12	54.45
Retail Employee Level 2					
15 years of age and under	12.55	15.06	15.06	17.57	25.10
16 years of age	13.94	16.73	16.73	19.51	27.88
17 years of age	16.73	20.07	20.07	23.42	33.45
18 years of age	19.51	23.42	23.42	27.32	39.03
19 years of age	22.30	26.76	26.76	31.22	44.60
20 years of age and employed by the employer for 6 months or less	25.09	30.11	30.11	35.12	50.18
20 years of age and employed by the employer for more than 6 months	27.89	33.47	33.47	39.04	55.78
Retail Employee Level 3					
15 years of age and under	12.74	15.29	15.29	17.83	25.48

	Ordinary hours	Monday to Friday after 6.00 pm ¹	Saturday	Sunday	Public holiday
	% of junior hourly rate				
	125%	150%	150%	175%	250%
	\$	\$	\$	\$	\$
16 years of age	14.16	17.00	17.00	19.83	28.33
17 years of age	16.99	20.39	20.39	23.78	33.98
18 years of age	19.83	23.79	23.79	27.76	39.65
19 years of age	22.65	27.18	27.18	31.71	45.30
20 years of age and employed by the employer for 6 months or less	25.49	30.59	30.59	35.68	50.98
20 years of age and employed by the employer for more than 6 months	28.31	33.98	33.98	39.64	56.63
Retail Employee Level 4					
15 years of age and under	12.99	15.59	15.59	18.18	25.98
16 years of age	14.44	17.33	17.33	20.21	28.88
17 years of age	17.33	20.79	20.79	24.26	34.65
18 years of age	20.21	24.26	24.26	28.30	40.43
19 years of age	23.10	27.72	27.72	32.34	46.20
20 years of age and employed by the employer for 6 months or less	25.99	31.19	31.19	36.38	51.98
20 years of age and employed by the employer for more than 6 months	28.86	34.64	34.64	40.41	57.73
Retail Employee Level 5					
15 years of age and under	13.53	16.23	16.23	18.94	27.05
16 years of age	15.03	18.03	18.03	21.04	30.05
17 years of age	18.04	21.65	21.65	25.25	36.08
18 years of age	21.04	25.25	25.25	29.45	42.08
19 years of age	24.05	28.86	28.86	33.67	48.10
20 years of age and employed by the employer for 6 months or less	27.05	32.46	32.46	37.87	54.10
20 years of age and employed by the employer for more than 6 months	30.05	36.06	36.06	42.07	60.10
Retail Employee Level 6					
15 years of age and under	13.73	16.47	16.47	19.22	27.45
16 years of age	15.25	18.30	18.30	21.35	30.50

	Ordinary hours	Monday to Friday after 6.00 pm ¹	Saturday	Sunday	Public holiday
	% of junior hourly rate				
	125%	150%	150%	175%	250%
	\$	\$	\$	\$	\$
17 years of age	18.30	21.96	21.96	25.62	36.60
18 years of age	21.34	25.61	25.61	29.87	42.68
19 years of age	24.39	29.27	29.27	34.14	48.78
20 years of age and employed by the employer for 6 months or less	27.44	32.93	32.93	38.41	54.88
20 years of age and employed by the employer for more than 6 months	30.49	36.59	36.59	42.68	60.98
Retail Employee Level 7					
15 years of age and under	14.41	17.30	17.30	20.18	28.83
16 years of age	16.01	19.22	19.22	22.42	32.03
17 years of age	19.21	23.06	23.06	26.90	38.43
18 years of age	22.41	26.90	26.90	31.38	44.83
19 years of age	25.61	30.74	30.74	35.86	51.23
20 years of age and employed by the employer for 6 months or less	28.81	34.58	34.58	40.34	57.63
20 years of age and employed by the employer for more than 6 months	32.03	38.43	38.43	44.84	64.05
Retail Employee Level 8					
15 years of age and under	15.00	18.00	18.00	21.00	30.00
16 years of age	16.66	20.00	20.00	23.33	33.33
17 years of age	19.99	23.99	23.99	27.98	39.98
18 years of age	23.33	27.99	27.99	32.66	46.65
19 years of age	26.65	31.98	31.98	37.31	53.30
20 years of age and employed by the employer for 6 months or less	29.99	35.99	35.99	41.98	59.98
20 years of age and employed by the employer for more than 6 months	33.33	39.99	39.99	46.66	66.65

B. This determination comes into operation from 1 March 2021. 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 1 March 2021.

PRESIDENT

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