



# DRAFT DETERMINATION

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

**Annual Wage Review 2021–22**  
(C2022/1)

**AQUACULTURE INDUSTRY AWARD 2020**  
[MA000114]

Aquaculture

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:

<b>Employee classification</b>	<b>Minimum weekly rate (full-time employee)</b>	<b>Minimum hourly rate</b>
	<b>\$</b>	<b>\$</b>
Aquaculture Attendant Level 1	812.60	21.38
Aquaculture Attendant Level 2	823.80	21.68
Aquaculture Attendant Level 3	897.30	23.61
Aquaculture Attendant Level 4	940.90	24.76

2. By deleting the year “2021” in clause 16.6(b) and inserting “2022”.

3. By deleting the amount "\$3.06" appearing in clause 18.2(a) and inserting "\$3.20".
4. By deleting the amount "\$4.23" appearing in clause 18.2(b) and inserting "\$4.42".
5. By deleting the table appearing in clause B.1.1 and inserting the following:

<b>Employee classification</b>	<b>Ordinary hours</b>	<b>Saturday</b>	<b>Sunday</b>	<b>Public holiday</b>
	<b>% of minimum hourly rate</b>			
	<b>100%</b>	<b>125%</b>	<b>150%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Aquaculture Attendant Level 1	21.38	26.73	32.07	53.45
Aquaculture Attendant Level 2	21.68	27.10	32.52	54.20
Aquaculture Attendant Level 3	23.61	29.51	35.42	59.03
Aquaculture Attendant Level 4	24.76	30.95	37.14	61.90

6. By deleting the table appearing in clause B.1.2 and inserting the following:

<b>Employee classification</b>	<b>Day</b>	<b>Afternoon</b>	<b>Night</b>	<b>Non-successive afternoon or night<sup>1</sup></b>		<b>Saturday</b>	<b>Sunday</b>	<b>Public holiday</b>	
				<b>First 3 hours</b>	<b>After 3 hours</b>			<b>All ordinary hours on PH<sup>2</sup> – non-cont s'worker</b>	<b>Major portion of shift on PH<sup>2</sup> – cont s'worker</b>
	<b>% of minimum hourly rate</b>								
	<b>100%</b>	<b>115%</b>	<b>130%</b>	<b>150%</b>	<b>200%</b>	<b>150%</b>	<b>200%</b>	<b>250%</b>	<b>200%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Aquaculture Attendant Level 1	21.38	24.59	27.79	32.07	42.76	32.07	42.76	53.45	42.76
Aquaculture Attendant Level 2	21.68	24.93	28.18	32.52	43.36	32.52	43.36	54.20	43.36
Aquaculture Attendant Level 3	23.61	27.15	30.69	35.42	47.22	35.42	47.22	59.03	47.22
Aquaculture Attendant Level 4	24.76	28.47	32.19	37.14	49.52	37.14	49.52	61.90	49.52

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

<b>Employee classification</b>	<b>Day</b>	<b>Saturday</b>	<b>Sunday</b>	<b>Public holiday</b>
	<b>% of minimum hourly rate</b>			
	<b>125%</b>	<b>125%</b>	<b>150%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Aquaculture Attendant Level 1	26.73	26.73	32.07	53.45
Aquaculture Attendant Level 2	27.10	27.10	32.52	54.20
Aquaculture Attendant Level 3	29.51	29.51	35.42	59.03
Aquaculture Attendant Level 4	30.95	30.95	37.14	61.90

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

<b>Employee classification</b>	<b>Day</b>	<b>Afternoon</b>	<b>Night</b>	<b>Non-successive afternoon or night<sup>1</sup></b>		<b>Saturday</b>	<b>Sunday</b>	<b>Public holiday</b>	
				<b>First 3 hours</b>	<b>After 3 hours</b>			<b>All ordinary hours on PH<sup>2</sup>– non-cont s’worker</b>	<b>Major portion of shift on PH<sup>2</sup>– cont s’worker</b>
	<b>% of minimum hourly rate</b>								
	<b>125%</b>	<b>140%</b>	<b>155%</b>	<b>175%</b>	<b>225%</b>	<b>175%</b>	<b>225%</b>	<b>275%</b>	<b>225%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Aquaculture Attendant Level 1	26.73	29.93	33.14	37.42	48.11	37.42	48.11	58.80	48.11
Aquaculture Attendant Level 2	27.10	30.35	33.60	37.94	48.78	37.94	48.78	59.62	48.78
Aquaculture Attendant Level 3	29.51	33.05	36.60	41.32	53.12	41.32	53.12	64.93	53.12
Aquaculture Attendant Level 4	30.95	34.66	38.38	43.33	55.71	43.33	55.71	68.09	55.71

9. By deleting the table appearing in clause B.3.1 and inserting the following:

<b>Employee classification</b>	<b>Monday to Saturday</b>		<b>Sunday – all day</b>	<b>Public holiday</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>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>

Employee classification	Monday to Saturday		Sunday – all day	Public holiday
	first 3 hours	after 3 hours		
	<b>% of minimum hourly rate</b>			
	<b>150%</b>	<b>200%</b>	<b>200%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Aquaculture Attendant Level 1	32.07	42.76	42.76	53.45
Aquaculture Attendant Level 2	32.52	43.36	43.36	54.20
Aquaculture Attendant Level 3	35.42	47.22	47.22	59.03
Aquaculture Attendant Level 4	37.14	49.52	49.52	61.90

10. By deleting the table appearing in clause B.3.2 and inserting the following:

Employee classification	Non-continuous shiftworkers				Continuous shiftworkers	
	Monday to Saturday		Sunday – all day	Public holiday	Monday to Sunday	Public holiday
	first 3 hours	after 3 hours				
	<b>% of minimum hourly rate</b>					
	<b>150%</b>	<b>200%</b>	<b>200%</b>	<b>250%</b>	<b>200%</b>	<b>200%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Aquaculture Attendant Level 1	32.07	42.76	42.76	53.45	42.76	42.76
Aquaculture Attendant Level 2	32.52	43.36	43.36	54.20	43.36	43.36
Aquaculture Attendant Level 3	35.42	47.22	47.22	59.03	47.22	47.22
Aquaculture Attendant Level 4	37.14	49.52	49.52	61.90	49.52	49.52

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

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

Allowance	Clause	% of standard rate	\$	Payable
First aid allowance	18.2(a)	0.34	3.20	per working day
Diving allowance— finfish attendants	18.2(b)	0.47	4.42	per hour or part thereof

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