



# DRAFT DETERMINATION

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

**Annual Wage Review 2019–20**  
(C2020/1)

**PORTS, HARBOURS AND ENCLOSED WATER VESSELS AWARD  
2020**  
[MA000052]

Port authorities

JUSTICE ROSS, PRESIDENT  
VICE PRESIDENT CATANZARITI  
DEPUTY PRESIDENT ASBURY  
COMMISSIONER HAMPTON  
MR FERGUSON  
PROFESSOR WOODEN  
MS LABINE-ROMAIN

MELBOURNE, XX JUNE 2020

*Annual Wage Review 2019–20.*

A. Further to the decision issued by the majority of the Expert Panel in the Annual Wage Review 2019–20 on 19 June 2020 [[2020] FWCFB 3500], the above award is varied as follows:

1. By deleting the table appearing in clause 14.1 and inserting the following:

<b>Classification</b>	<b>Minimum weekly rate (full-time employee)</b>	<b>Minimum hourly rate</b>
	<b>\$</b>	<b>\$</b>
Master	1028.00	27.05
Mate	979.00	25.76
Engineer	979.00	25.76
General Purpose Hand, Deckhand, Greaser, Passenger Attendant, Turnstile Attendant, Boating	926.50	24.38

<b>Classification</b>	<b>Minimum weekly rate (full-time employee)</b>	<b>Minimum hourly rate</b>
	<b>\$</b>	<b>\$</b>
Attendant, Host, Fireman, Trimmer, Linesman, Cook, Sailor, Able Seaman, Leading Hand		
Shipkeeper	849.40	22.35
Crane Driver (under 20 tonnes)	864.50	22.75
Crane Driver (over 20 tonnes)	951.80	25.05

2. By deleting the amounts "\$29.69" and "\$44.16" appearing in clause 16.2(b) and inserting "\$30.20" and "\$44.94" respectively.
3. By deleting the amounts "\$512.03" and "\$72.85" appearing in clause 16.2(c)(ii) and inserting "\$520.97" and "\$74.12" respectively.
4. By deleting the amounts "\$5.28" and "\$0.66" appearing in clause 16.2(d) and inserting "\$5.37" and "\$0.67" respectively.
5. By deleting the amount "\$0.64" appearing in clause 16.2(e)(i) and inserting "\$0.65".
6. By deleting the amount "\$1.64" appearing in clause 16.2(e)(ii) and inserting "\$1.67".
7. By deleting the amount "\$0.27" appearing in clause 16.2(f)(i) and inserting "\$0.28".
8. By deleting the amount "\$0.64" appearing in clause 16.2(g) and inserting "\$0.65".
9. By deleting the amount "\$1.00" appearing in clause 16.2(h) and inserting "\$1.02".
10. By deleting the amount "\$0.09" appearing in clause 16.2(i) and inserting "\$0.09".
11. By deleting the amount "\$15.48" appearing in clause 16.2(j) and inserting "\$15.75".
12. By deleting the amounts "\$5.46" and "\$5.55" appearing in clause 16.2(k)(i) and inserting "\$5.56" and "\$5.65" respectively.
13. By deleting the amount "\$47.62" appearing in clause 16.2(k)(ii) and inserting "\$48.46".
14. By deleting the amount "\$18.30" appearing in clause 16.2(k)(iii) and inserting "\$18.62".
15. By deleting the amount "\$27.32" appearing in clause 16.2(k)(iv) and inserting "\$27.80".

16. By deleting the amounts “\$150.34” and “\$3.82” appearing in clause 16.2(l)(i) and inserting “\$152.97” and “\$3.89” respectively.

17. By deleting the amount “\$2.64” appearing in clause 16.2(m)(i) and inserting “\$2.69”.

18. By deleting the amount “\$2.46” appearing in clause 16.2(m)(ii) and inserting “\$2.50”.

19. By deleting the amount “\$15.57” appearing in clause 16.2(n)(i) and inserting “\$15.84”.

20. By deleting the amount “\$5.01” appearing in clause 16.2(o) and inserting “\$5.10”.

21. By deleting the table appearing in clause A.2.1 and inserting the following:

	<b>Ordinary hours</b>	<b>Saturday</b>	<b>Sunday</b>	<b>Public holiday</b>
	<b>% of ordinary hourly rate<sup>1</sup></b>			
	<b>100%</b>	<b>150%</b>	<b>200%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Master	27.05	40.58	54.10	67.63
Mate	25.76	38.64	51.52	64.40
Engineer	25.76	38.64	51.52	64.40
General Purpose Hand, Deckhand, Greaser, Passenger Attendant, Turnstile Attendant, Boating Attendant, Host, Fireman, Trimmer, Linesman, Cook, Sailor, Able Seaman, Leading Hand	24.38	36.57	48.76	60.95
Shipkeeper	22.35	33.53	44.70	55.88
Crane Driver (under 20 tonnes)	22.75	34.13	45.50	56.88
Crane Driver (over 20 tonnes)	25.05	37.58	50.10	62.63

22. By deleting the table appearing in clause A.2.2 and inserting the following:

	<b>Afternoon</b>	<b>Night</b>	<b>Permanent night</b>	<b>Saturday</b>	<b>Sunday</b>	<b>Public holiday</b>
	<b>% of ordinary hourly rate<sup>1</sup></b>					
	<b>115%</b>	<b>115%</b>	<b>130%</b>	<b>150%</b>	<b>200%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Master	31.11	31.11	35.17	40.58	54.10	67.63
Mate	29.62	29.62	33.49	38.64	51.52	64.40
Engineer	29.62	29.62	33.49	38.64	51.52	64.40

	<b>Afternoon</b>	<b>Night</b>	<b>Permanent night</b>	<b>Saturday</b>	<b>Sunday</b>	<b>Public holiday</b>
	<b>% of ordinary hourly rate<sup>1</sup></b>					
	<b>115%</b>	<b>115%</b>	<b>130%</b>	<b>150%</b>	<b>200%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
General Purpose Hand, Deckhand, Greaser, Passenger Attendant, Turnstile Attendant, Boating Attendant, Host, Fireman, Trimmer, Linesman, Cook, Sailor, Able Seaman, Leading Hand	28.04	28.04	31.69	36.57	48.76	60.95
Shipkeeper	25.70	25.70	29.06	33.53	44.70	55.88
Crane Driver (under 20 tonnes)	26.16	26.16	29.58	34.13	45.50	56.88
Crane Driver (over 20 tonnes)	28.81	28.81	32.57	37.58	50.10	62.63

23. By deleting the table appearing in clause A.3.1 and inserting the following:

	<b>Ordinary hours</b>	<b>Saturday</b>	<b>Sunday</b>	<b>Public holiday</b>
	<b>% of ordinary hourly rate<sup>1</sup></b>			
	<b>125%</b>	<b>150%</b>	<b>200%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Master	33.81	40.58	54.10	67.63
Mate	32.20	38.64	51.52	64.40
Engineer	32.20	38.64	51.52	64.40
General Purpose Hand, Deckhand, Greaser, Passenger Attendant, Turnstile Attendant, Boating Attendant, Host, Fireman, Trimmer, Linesman, Cook, Sailor, Able Seaman, Leading Hand	30.48	36.57	48.76	60.95
Shipkeeper	27.94	33.53	44.70	55.88
Crane Driver (under 20 tonnes)	28.44	34.13	45.50	56.88
Crane Driver (over 20 tonnes)	31.31	37.58	50.10	62.63

24. By deleting the table appearing in clause A.3.2 and inserting the following:

	<b>Afternoon</b>	<b>Night</b>	<b>Permanent night</b>	<b>Saturday</b>	<b>Sunday</b>	<b>Public holiday</b>
	<b>% of ordinary hourly rate <sup>1</sup></b>					
	<b>140%</b>	<b>140%</b>	<b>155%</b>	<b>150%</b>	<b>200%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Master	37.87	37.87	41.93	40.58	54.10	67.63
Mate	36.06	36.06	39.93	38.64	51.52	64.40
Engineer	36.06	36.06	39.93	38.64	51.52	64.40
General Purpose Hand, Deckhand, Greaser, Passenger Attendant, Turnstile Attendant, Boating Attendant, Host, Fireman, Trimmer, Linesman, Cook, Sailor, Able Seaman, Leading Hand	34.13	34.13	37.79	36.57	48.76	60.95
Shipkeeper	31.29	31.29	34.64	33.53	44.70	55.88
Crane Driver (under 20 tonnes)	31.85	31.85	35.26	34.13	45.50	56.88
Crane Driver (over 20 tonnes)	35.07	35.07	38.83	37.58	50.10	62.63

25. By deleting the amount “\$910.60” appearing in clause B.1.1 and inserting “\$926.50”.

26. By deleting the table appearing in clause B.1.1 and inserting the following:

<b>Allowance</b>	<b>Clause</b>	<b>% of standard rate</b>	<b>\$</b>	<b>Payable</b>
Charge hands allowance	16.2(b)	3.26	30.20	per week
Charge hands allowance—not directly supervised by foreman	16.2(b)	4.85	44.94	per week
Distant work—relieving employee—week of 7 days	16.2(c)(ii)	56.23	520.97	per week
Distant work—relieving employee—broken parts of a week	16.2(c)(ii)	8.0	74.12	per day

<b>Allowance</b>	<b>Clause</b>	<b>% of standard rate</b>	<b>\$</b>	<b>Payable</b>
Dual capacity allowance <sup>1</sup>	16.2(d)	0.58	5.37	per day or part thereof
Dual capacity allowance <sup>1</sup>	16.2(d)	Daily Allowance / 8	0.67	per hour
Dirty or offensive work allowance	16.2(e)(i)	0.07	0.65	per hour
Dirty work allowance—work alongside vessels in discharging alumina, petroleum, coke etc.	16.2(e)(ii)	0.18	1.67	per hour
Wet work allowance	16.2(f)(i)	0.03	0.28	per hour
Unloading and loading garbage allowance	16.2(g)	0.07	0.65	per hour
Bilge allowance	16.2(h)	0.11	1.02	per hour
Chipping hammers allowance	16.2(i)	0.01	0.09	per hour
First aid allowance	16.2(j)	1.7	15.75	per week
Loading and discharge of cargo and supplies—transporting passengers and cargo—week of 5 working days	16.2(k)(i)	0.6	5.56	per day
Loading and discharge of cargo and supplies—transporting passengers and cargo—working week in excess of 5 days—additional allowance	16.2(k)(i)	0.61	5.65	per day
Loading and discharge of cargo and supplies—transporting cargo only	16.2(k)(ii)	5.23	48.46	per trip
Loading and discharge of cargo and supplies—overnight cruises, one to 6 nights	16.2(k)(iii)	2.01	18.62	per trip
Loading and discharge of cargo and supplies—overnight cruises, over	16.2(k)(iv)	3.0	27.80	per trip

<b>Allowance</b>	<b>Clause</b>	<b>% of standard rate</b>	<b>\$</b>	<b>Payable</b>
6 nights				
Waiting orders— telephone installed at home	16.2(l)(i)	16.51	152.97	per annum
Waiting orders—off-duty employee	16.2(l)(i)	0.42	3.89	per call
Towing allowance— towing or carrying explosives <sup>1</sup>	16.2(m)(i)	0.29	2.69	per day or part thereof
Towing allowance— towing non self-propelled bunker barges <sup>1</sup>	16.2(m)(ii)	0.27	2.50	per day or part thereof
Special efforts allowance—ships stranded or wrecked or on fire	16.2(n)(i)	1.71	15.84	per hour
Loading for duties outside normal work	16.2(o)	0.55	5.10	per day

B. This determination comes into operation on 1 November 2020. 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 November 2020.

PRESIDENT