



# DRAFT DETERMINATION

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

**Annual Wage Review 2020–21**  
(C2021/1)

**CEMETERY INDUSTRY AWARD 2020**  
[MA000070]

Cemetery operations

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

MELBOURNE, XX JUNE 2021

*Annual Wage Review 2020–21.*

A. Further to the decision issued by the Expert Panel in the Annual Wage Review 2020–21 on 16 June 2021 [[2021] FWCFB 3500], the above award is varied as follows:

- 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>
Cemetery Employee Class 1	772.60	20.33
Cemetery Employee Class 2	825.20	21.72
Cemetery Employee Class 3	853.60	22.46
Cemetery Employee Class 4	899.50	23.67
Cemetery Employee Class 5	946.50	24.91

**Item A.2 was amended on 23 June 2021 to insert the correct date of reference to the National Training Wage in the *Miscellaneous Award 2020***

<b>Classification</b>	<b>Minimum weekly rate (full-time employee)</b>	<b>Minimum hourly rate</b>
	<b>\$</b>	<b>\$</b>
Cemetery Employee Class 6	972.20	25.58

2. By deleting the words “1 November 2020” in clause 14.7(b) and inserting “1 July 2021”.
3. By deleting the amount “\$33.35” appearing in clause 16.2(b) and inserting “\$34.18”.
4. By deleting the amount “\$18.43” appearing in clause 16.2(c)(i) and inserting “\$18.89”.
5. By deleting the amount “\$40.37” appearing in clause 16.2(c)(ii) and inserting “\$41.38”.
6. By deleting the amount “\$10.53” appearing in clause 16.2(d) and inserting “\$10.79”.
7. By deleting the amount “\$78.11” appearing in clause 16.2(e)(i) and inserting “\$80.06”.
8. By deleting the amount “\$93.90” appearing in clause 16.2(e)(ii) and inserting “\$96.25”.
9. By deleting the amount “\$156.21” appearing in clause 16.2(e)(iii) and inserting “\$160.11”.
10. By deleting the amount “\$78.11” appearing in clause 16.2(e)(iv) and inserting “\$80.06”.
11. By deleting the table appearing in clause 16.2(f) and inserting the following:

<b>Age of grave since last burial (years)</b>				
	<b>5 but less than 10</b>	<b>10 but less than 25</b>	<b>25 but less than 50</b>	<b>more than 50</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
per occasion	78.26	58.47	38.68	19.79

12. By deleting the amount “\$47.39” appearing in clause 16.2(g)(i) and inserting “\$48.57”.
13. By deleting the amount “\$23.70” appearing in clause 16.2(g)(ii) and inserting “\$24.29”.
14. By deleting the table appearing in clause B.2.1 and inserting the following:

	<b>Ordinary hours</b>	<b>Public holiday</b>
	<b>% of ordinary hourly rate<sup>1</sup></b>	
	<b>100%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>
Cemetery Employee Class 1	21.23	53.08

	<b>Ordinary hours</b>	<b>Public holiday</b>
	<b>% of ordinary hourly rate<sup>1</sup></b>	
	<b>100%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>
Cemetery Employee Class 2	22.62	56.55
Cemetery Employee Class 3	23.36	58.40
Cemetery Employee Class 4	24.57	61.43
Cemetery Employee Class 5	25.81	64.53
Cemetery Employee Class 6	26.48	66.20

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

	<b>Monday to Saturday –first 2 hours</b>	<b>Monday to Saturday –after 2 hours</b>	<b>Sunday</b>	<b>Public holiday</b>
	<b>% of ordinary hourly rate<sup>1</sup></b>			
	<b>150%</b>	<b>200%</b>	<b>200%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Cemetery Employee Class 1	31.85	42.46	42.46	53.08
Cemetery Employee Class 2	33.93	45.24	45.24	56.55
Cemetery Employee Class 3	35.04	46.72	46.72	58.40
Cemetery Employee Class 4	36.86	49.14	49.14	61.43
Cemetery Employee Class 5	38.72	51.62	51.62	64.53
Cemetery Employee Class 6	39.72	52.96	52.96	66.20

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

	<b>Ordinary hours</b>	<b>Public holiday</b>
	<b>% of ordinary hourly rate<sup>1</sup></b>	
	<b>125%</b>	<b>275%</b>
	<b>\$</b>	<b>\$</b>
Cemetery Employee Class 1	26.54	58.38
Cemetery Employee Class 2	28.28	62.21
Cemetery Employee Class 3	29.20	64.24
Cemetery Employee Class 4	30.71	67.57
Cemetery Employee Class 5	32.26	70.98

	<b>Ordinary hours</b>	<b>Public holiday</b>
	<b>% of ordinary hourly rate <sup>1</sup></b>	
	<b>125%</b>	<b>275%</b>
	<b>\$</b>	<b>\$</b>
Cemetery Employee Class 6	33.10	72.82

17. By deleting the amount “\$877.60” appearing in clause C.1.1 and inserting “\$899.50”.
18. By deleting the table appearing in clause C.1.1 and inserting the following:

<b>Allowance</b>	<b>Clause</b>	<b>% of standard rate</b>	<b>\$</b>	<b>Payable</b>
Industry allowance <sup>1</sup>	16.2(b)	3.8	34.18	per week
Leading hand—Class 5 and above—in charge of 2 to 6 employees	16.2(c)(i)	2.1	18.89	per week
Leading hand—Class 5 and above—in charge of more than 6 employees	16.2(c)(ii)	4.6	41.38	per week
First aid allowance	16.2(d)	1.2	10.79	per week
Exhumation allowance—body buried for 14 days or less	16.2(e)(i)	8.9	80.06	per body
Exhumation allowance—body buried for 14 days to 7 years and arterially embalmed and sealed in approved container	16.2(e)(ii)	10.7	96.25	per body
Exhumation allowance—body buried for 14 days to 7 years and not arterially embalmed and sealed in approved container	16.2(e)(iii)	17.8	160.11	per body
Exhumation allowance—body buried for more than 7 years	16.2(e)(iv)	8.9	80.06	per body
Lift and deepen allowance—age of grave since last burial—5 to 10 years	16.2(f)	8.7	78.26	per occasion
Lift and deepen allowance—age of grave since last burial—10 to 25 years	16.2(f)	6.5	58.47	per occasion
Lift and deepen allowance—age of grave since last burial—25 to 50 years	16.2(f)	4.3	38.68	per occasion

<b>Allowance</b>	<b>Clause</b>	<b>% of standard rate</b>	<b>\$</b>	<b>Payable</b>
Lift and deepen allowance—age of grave since last burial—more than 50 years	16.2(f)	2.2	19.79	per occasion
Excavation allowance—first body	16.2(g)(i)	5.4	48.57	for first body
Excavation allowance—each additional body from the same grave	16.2(g)(ii)	2.7	24.29	per additional body

B. This determination comes into operation on 1 July 2021. 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 2021.

PRESIDENT