



DRAFT DETERMINATION

Fair Work Act 2009
s.285—Annual wage review

Annual Wage Review 2021–22
(C2022/1)

RAIL INDUSTRY AWARD 2020
[MA000015]

Rail industry

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:

- By deleting the table appearing in clause 15.1(a) and inserting the following:

Classification	Annual salary equivalent¹ (full-time employee)	Minimum weekly rate (full-time employee)	Minimum hourly rate
	\$	\$	\$
Level 1 Rail Worker (CAP)	44,576	854.50	22.49
Level 2 Rail Worker (CAP)	48,145	922.90	24.29
Level 3 Rail Worker (CAP)	49,991	958.30	25.22
Level 4 Rail Worker (CAP)	52,208	1000.80	26.34
Level 5 Rail Worker (CAP)	56,653	1086.00	28.58
Level 6 Rail Worker (CAP)	60,722	1164.00	30.63
Level 7 Rail Worker (CAP)	64,421	1234.90	32.50

Classification	Annual salary equivalent¹ (full-time employee)	Minimum weekly rate (full-time employee)	Minimum hourly rate
	\$	\$	\$
Level 8 Rail Worker (CAP)	72,553	1390.80	36.60
Level 9 Rail Worker (CAP)	86,977	1667.30	43.88

2. By deleting the table appearing in clause 15.1(b) and inserting the following:

Classification	Annual salary equivalent¹ (full-time employee)	Minimum weekly rate (full-time employee)	Minimum hourly rate
	\$	\$	\$
Level 1 Rail Worker (Op)	42,391	812.60	21.38
Level 2 Rail Worker (Op)	44,936	861.40	22.67
Level 3 Rail Worker (Op)	49,631	951.40	25.04
Level 4 Rail Worker (Op)	54,441	1043.60	27.46
Level 5 Rail Worker (Op)	59,616	1142.80	30.07
Level 6 Rail Worker (Op)	63,727	1221.60	32.15

3. By deleting the table appearing in clause 15.1(c) and inserting the following:

Classification	Annual salary equivalent¹ (full-time employee)	Minimum weekly rate (full-time employee)	Minimum hourly rate
	\$	\$	\$
Level 1 Rail Worker (TCI)	43,528	834.40	21.96
Level 2 Rail Worker (TCI)	45,129	865.10	22.77
Level 3 Rail Worker (TCI)	46,611	893.50	23.51
Level 4 Rail Worker (TCI)	49,084	940.90	24.76
Level 5 Rail Worker (TCI)	51,264	982.70	25.86
Level 6 Rail Worker (TCI)	53,544	1026.40	27.01
Level 7 Rail Worker (TCI)	57,769	1107.40	29.14

4. By deleting the year “2021” in clause 15.7(b) and inserting “2022”.
5. By deleting the amount "\$17.09" appearing in clause 18.2(a) and inserting "\$17.88".

6. By deleting the amounts "\$11.69" and "\$29.33" appearing in clause 18.2(b)(i) and inserting "\$12.23" and "\$30.68" respectively.
7. By deleting the amount "\$0.69" appearing in clause 18.3(d)(i) and inserting "\$0.72".
8. By deleting the amount "\$0.90" appearing in clause 18.3(e) and inserting "\$0.94".
9. By deleting the amount "\$0.69" appearing in clause 18.3(f) and inserting "\$0.72".
10. By deleting the amount "\$0.50" appearing in clause 18.3(g) and inserting "\$0.52".
11. By deleting the amount "\$0.90" appearing in clause 18.3(h) and inserting "\$0.94".
12. By deleting the amounts "\$1.78" and "\$0.23" appearing in clause 18.3(i) and inserting "\$1.86" and "\$0.24" respectively.
13. By deleting the amount "\$0.52" appearing in clause 18.3(j)(i) and inserting "\$0.54".
14. By deleting the amount "\$3.13" appearing in clause 21.2(a) and inserting "\$3.28".
15. By deleting the amount "\$3.72" appearing in clause 21.2(b) and inserting "\$3.89".
16. By deleting the amount "\$7.07" appearing in clause 21.2(c) and inserting "\$7.39".
17. By deleting the table appearing in clause B.1.3 and inserting the following:

	Ordinary hours	Early morning/ afternoon	Night	Permanent night	Saturday	Sunday	Public holiday
	% of ordinary hourly rate¹						
	100%	100% + \$3.28	100% + \$3.89	100% + \$7.39	150%	200%	250%
	\$	\$	\$	\$	\$	\$	\$
Level 1 Rail Worker (CAP)	22.49	25.77	26.38	29.88	33.74	44.98	56.23
Level 2 Rail Worker (CAP)	24.29	27.57	28.18	31.68	36.44	48.58	60.73
Level 3 Rail Worker (CAP)	25.22	28.50	29.11	32.61	37.83	50.44	63.05
Level 4 Rail Worker (CAP)	26.34	29.62	30.23	33.73	39.51	52.68	65.85
Level 5 Rail Worker (CAP)	28.58	31.86	32.47	35.97	42.87	57.16	71.45
Level 6 Rail Worker (CAP)	30.63	33.91	34.52	38.02	45.95	61.26	76.58

	Ordinary hours	Early morning/afternoon	Night	Permanent night	Saturday	Sunday	Public holiday
	% of ordinary hourly rate¹						
	100%	100% + \$3.28	100% + \$3.89	100% + \$7.39	150%	200%	250%
	\$	\$	\$	\$	\$	\$	\$
Level 7 Rail Worker (CAP)	32.50	35.78	36.39	39.89	48.75	65.00	81.25
Level 8 Rail Worker (CAP)	36.60	39.88	40.49	43.99	54.90	73.20	91.50
Level 9 Rail Worker (CAP)	43.88	47.16	47.77	51.27	65.82	87.76	109.70

18. By deleting the table appearing in clause B.1.4 and inserting the following:

	Weekday – first 3 hours	Weekday – after 3 hours	Saturday – all day	Sunday – all day	Public holiday – all day
	% of ordinary hourly rate¹				
	150%	200%	150%	200%	250%
	\$	\$	\$	\$	\$
Level 1 Rail Worker (CAP)	33.74	44.98	33.74	44.98	56.23
Level 2 Rail Worker (CAP)	36.44	48.58	36.44	48.58	60.73
Level 3 Rail Worker (CAP)	37.83	50.44	37.83	50.44	63.05
Level 4 Rail Worker (CAP)	39.51	52.68	39.51	52.68	65.85
Level 5 Rail Worker (CAP)	42.87	57.16	42.87	57.16	71.45
Level 6 Rail Worker (CAP)	45.95	61.26	45.95	61.26	76.58
Level 7 Rail Worker (CAP) ²	–	–	–	–	–
Level 8 Rail Worker (CAP) ²	–	–	–	–	–
Level 9 Rail Worker (CAP) ²	–	–	–	–	–

19. By deleting the table appearing in clause B.1.5 and inserting the following:

	Ordinary hours	Early morning/afternoon	Night	Permanent night	Saturday	Sunday	Public holiday
	% of ordinary hourly rate¹						
	100%	100% + \$3.28	100% + \$3.89	100% + \$7.39	150%	200%	250%
	\$	\$	\$	\$	\$	\$	\$
Level 1 Rail Worker (TCI)	21.96	25.24	25.85	29.35	32.94	43.92	54.90
Level 2 Rail Worker (TCI)	22.77	26.05	26.66	30.16	34.16	45.54	56.93
Level 3 Rail Worker (TCI)	23.51	26.79	27.40	30.90	35.27	47.02	58.78
Level 4 Rail Worker (TCI)	24.76	28.04	28.65	32.15	37.14	49.52	61.90
Level 5 Rail Worker (TCI)	25.86	29.14	29.75	33.25	38.79	51.72	64.65
Level 6 Rail Worker (TCI)	27.01	30.29	30.90	34.40	40.52	54.02	67.53
Level 7 Rail Worker (TCI)	29.14	32.42	33.03	36.53	43.71	58.28	72.85

20. By deleting the table appearing in clause B.1.6 and inserting the following:

	Weekday – first 3 hours	Weekday – after 3 hours	Saturday – all day	Sunday – all day	Public holiday – all day
	% of ordinary hourly rate¹				
	150%	200%	150%	200%	250%
	\$	\$	\$	\$	\$
Level 1 Rail Worker (TCI)	32.94	43.92	32.94	43.92	54.90
Level 2 Rail Worker (TCI)	34.16	45.54	34.16	45.54	56.93
Level 3 Rail Worker (TCI)	35.27	47.02	35.27	47.02	58.78
Level 4 Rail Worker (TCI)	37.14	49.52	37.14	49.52	61.90
Level 5 Rail Worker (TCI)	38.79	51.72	38.79	51.72	64.65
Level 6 Rail Worker (TCI)	40.52	54.02	40.52	54.02	67.53
Level 7 Rail Worker (TCI)	43.71	58.28	43.71	58.28	72.85

21. By deleting the table appearing in clause B.1.7 and inserting the following:

	Ordinary hours	Early morning/afternoon	Night	Permanent night	Saturday	Sunday	Public holiday
	% of ordinary hourly rate¹						
	100%	100% + \$3.28	100% + \$3.89	100% + \$7.39	150%	200%	250%
	\$	\$	\$	\$	\$	\$	\$
Level 1 Rail Worker (Op)	21.38	24.66	25.27	28.77	32.07	42.76	53.45
Level 2 Rail Worker (Op)	22.67	25.95	26.56	30.06	34.01	45.34	56.68
Level 3 Rail Worker (Op)	25.04	28.32	28.93	32.43	37.56	50.08	62.60
Level 4 Rail Worker (Op)	27.46	30.74	31.35	34.85	41.19	54.92	68.65
Level 5 Rail Worker (Op)	30.07	33.35	33.96	37.46	45.11	60.14	75.18
Level 6 Rail Worker (Op)	32.15	35.43	36.04	39.54	48.23	64.30	80.38

22. By deleting the table appearing in clause B.1.8 and inserting the following:

	Weekday – first 3 hours	Weekday – after 3 hours	Saturday – all day	Sunday – all day	Public holiday – all day
	% of ordinary hourly rate¹				
	150%	200%	150%	200%	250%
	\$	\$	\$	\$	\$
Level 1 Rail Worker (Op)	32.07	42.76	32.07	42.76	53.45
Level 2 Rail Worker (Op)	34.01	45.34	34.01	45.34	56.68
Level 3 Rail Worker (Op)	37.56	50.08	37.56	50.08	62.60
Level 4 Rail Worker (Op)	41.19	54.92	41.19	54.92	68.65
Level 5 Rail Worker (Op)	45.11	60.14	45.11	60.14	75.18
Level 6 Rail Worker (Op)	48.23	64.30	48.23	64.30	80.38

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

	Ordinary hours	Early morning/afternoon	Night	Permanent night	Saturday	Sunday	Public holiday
	% of ordinary hourly rate¹						
	125%	125% + \$3.28	125% + \$3.89	125% + \$7.39	175%	225%	275%
	\$	\$	\$	\$	\$	\$	\$
Level 1 Rail Worker (CAP)	28.11	31.39	32.00	35.50	39.36	50.60	61.85
Level 2 Rail Worker (CAP)	30.36	33.64	34.25	37.75	42.51	54.65	66.80
Level 3 Rail Worker (CAP)	31.53	34.81	35.42	38.92	44.14	56.75	69.36
Level 4 Rail Worker (CAP)	32.93	36.21	36.82	40.32	46.10	59.27	72.44
Level 5 Rail Worker (CAP)	35.73	39.01	39.62	43.12	50.02	64.31	78.60
Level 6 Rail Worker (CAP)	38.29	41.57	42.18	45.68	53.60	68.92	84.23
Level 7 Rail Worker (CAP)	40.63	43.91	44.52	48.02	56.88	73.13	89.38
Level 8 Rail Worker (CAP)	45.75	49.03	49.64	53.14	64.05	82.35	100.65
Level 9 Rail Worker (CAP)	54.85	58.13	58.74	62.24	76.79	98.73	120.67

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

	Ordinary hours	Early morning/afternoon	Night	Permanent night	Saturday	Sunday	Public holiday
	% of ordinary hourly rate¹						
	125%	125% + \$3.28	125% + \$3.89	125% + \$7.39	175%	225%	275%
	\$	\$	\$	\$	\$	\$	\$
Level 1 Rail Worker (TCI)	27.45	30.73	31.34	34.84	38.43	49.41	60.39
Level 2 Rail Worker (TCI)	28.46	31.74	32.35	35.85	39.85	51.23	62.62
Level 3 Rail Worker (TCI)	29.39	32.67	33.28	36.78	41.14	52.90	64.65

	Ordinary hours	Early morning/afternoon	Night	Permanent night	Saturday	Sunday	Public holiday
	% of ordinary hourly rate¹						
	125%	125% + \$3.28	125% + \$3.89	125% + \$7.39	175%	225%	275%
	\$	\$	\$	\$	\$	\$	\$
Level 4 Rail Worker (TCI)	30.95	34.23	34.84	38.34	43.33	55.71	68.09
Level 5 Rail Worker (TCI)	32.33	35.61	36.22	39.72	45.26	58.19	71.12
Level 6 Rail Worker (TCI)	33.76	37.04	37.65	41.15	47.27	60.77	74.28
Level 7 Rail Worker (TCI)	36.43	39.71	40.32	43.82	51.00	65.57	80.14

25. By deleting the table appearing in clause B.2.3 and inserting the following:

	Ordinary hours	Early morning/afternoon	Night	Permanent night	Saturday	Sunday	Public holiday
	% of ordinary hourly rate¹						
	125%	125% + \$3.28	125% + \$3.89	125% + \$7.39	175%	225%	275%
	\$	\$	\$	\$	\$	\$	\$
Level 1 Rail Worker (Op)	26.73	30.01	30.62	34.12	37.42	48.11	58.80
Level 2 Rail Worker (Op)	28.34	31.62	32.23	35.73	39.67	51.01	62.34
Level 3 Rail Worker (Op)	31.30	34.58	35.19	38.69	43.82	56.34	68.86
Level 4 Rail Worker (Op)	34.33	37.61	38.22	41.72	48.06	61.79	75.52
Level 5 Rail Worker (Op)	37.59	40.87	41.48	44.98	52.62	67.66	82.69
Level 6 Rail Worker (Op)	40.19	43.47	44.08	47.58	56.26	72.34	88.41

25. By deleting the amount “\$23.67” appearing in clause C.1.1 and inserting “\$24.76”.

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

Allowance	Clause	% of standard rate	\$	Payable
First aid allowance	18.2(a)	72.2	17.88	per week
On-call allowance: For a night	18.2(b)(i)	49.4	12.23	per night
On-call allowance: For a day and night	18.2(b)(i)	123.9	30.68	per day and night
Wet places	18.3(d)(i)	2.9	0.72	per hour
Confined spaces	18.3(e)	3.8	0.94	per hour
Dirty work	18.3(f)	2.9	0.72	per hour
Height money	18.3(g)	2.1	0.52	per hour
Insulation materials	18.3(h)	3.8	0.94	per hour
Explosive powered tools— per day	18.3(i)	7.5	1.86	per day
Explosive powered tools— per hour	18.3(i)	Per day divided by 7.6	0.24	per hour
Foundry allowance	18.3(j)(i)	2.2	0.54	per hour
Early morning or afternoon shift	21.2(a)	13.24	3.28	per hour
Night shift	21.2(b)	15.73	3.89	per hour
Permanent night shift	21.2(c)	29.86	7.39	per hour

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