



DRAFT DETERMINATION

s.285—Annual wage review

*Fair Work
Act 2009*

Annual Wage Review 2021–22

(C2022/1)

VICTORIAN PUBLIC SERVICE AWARD 2016

[MA000135]

State and Territory government administration

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 8.2 and inserting the following:

VPS Structure	Value range	Salary (\$ Min)	Salary (\$ Max)
Grade 1	1.1	44,025	49,539
Grade 2	2.1	50,955	57,006
	2.2	57,927	63,458
Grade 3	3.1	64,731	71,113
	3.2	72,388	77,493
Grade 4	4.1	78,913	88,837
Grade 5	5.1	90,256	99,189

Draft determination amended 23 June 2022 to correct rates in item A.28 on pages 6–11.

Draft further amended 27 June 2022 to update the weekly rates for wage level C in clause P.5.1(c) (missed in the 23 June 2022 update).

VPS Structure	Value range	Salary (\$ Min)	Salary (\$ Max)
	5.2	99,190	108,122
Grade 6	6.1	109,539	127,190
	6.2	127,192	144,841
Senior Technical Specialist	7.1	146,936	163,951
	7.2	163,952	180,963
	7.3	180,964	197,975

2. By deleting the table appearing in clause 8.3(b) and inserting the following:

Legal Officer structure	Value range	Salary Minimum \$
Articled Clerk		55,418
Solicitor 1	1.1	61,085
Solicitor 2	2.1	Base of VPS Grade 3 Value Range 1
	2.2	Base of VPS Grade 3 Value Range 2
Solicitor 3	3	Base of VPS Grade 4
Senior Solicitor	SS.1	Base of VPS Grade 5, Value Range 1
	SS.2	Base of VPS Grade 5, Value Range 2
Principal Solicitor	PS.1	Base of VPS Grade 6, Value Range 1
	PS.2	Base of VPS Grade 6, Value Range 2
VPS Senior Technical Specialist	STS	VPS Senior Technical Specialist

3. By deleting the table appearing in clause 8.6 and inserting the following:

COG structure	Salary (\$ Min)	Salary (\$ Max)
COG 1 Trainee	50,299	
COG 2A Prison Officer	Base of VPS Grade 2, Value Range 1	63,851
COG 2B Prison Officer	Base of VPS Grade 3, Value Range 1	74,058
COG 3 Senior Prison Officer/Industry Officer	75,334	80,957
COG 4 Operations Manager/Industry Supervisor	82,612	Top of VPS Grade 5, Value Range 1
COG 5 General Manager	Base of VPS Grade 5, Value Range 2	Top of VPS Grade 6, Value Range 1
COG 6 Senior General Manager	Base of VPS Grade 6, Value Range 2	Top of VPS Grade 6, Value Range 2

4. By deleting the tables appearing in clause 8.7 and inserting the following tables:

Table 6—Child Protection Practitioner (CPP) stream

CPP Structure	Value range	Salary (\$ Min)	Salary (\$ Max)
CPP Grade 2	2.1	51,421	Top of VPS Grade 2, Value Range 2
CPP Grade 3	3.1	Base of VPS Grade 3, Value Range 1	Top of VPS Grade 3, Value Range 2
CPP Grade 4	4.1	Base of VPS Grade 4, Value Range 1	Top of VPS Grade 4, Value Range 1
CPP Grade 5	5.1	Base of VPS Grade 5, Value Range 1	Top of VPS Grade 5, Value Range 1
	5.2	Base of VPS Grade 5, Value Range 2	Top of VPS Grade 5, Value Range 2
CPP Grade 6	6.1	Base of VPS Grade 6, Value Range 1	Top of VPS Grade 6, Value Range 1
	6.2	Base of VPS Grade 6, Value Range 2	Top of VPS Grade 6, Value Range 2

Table 7—Children, Youth and Families (CYF) stream

CYF Structure	Value range	Salary (\$ Min)	Salary (\$ Max)
CYF Grade 1	1.1	49,325	59,337
CYF Grade 2	2.1	59,490	73,046
CYF Grade 3	3.1	75,130	84,508
CYF Grade 4	4.1	85,525	94,366
CYF Grade 5	5.1	94,369	Top of VPS Grade 5, Value Range 1
	5.2	Base of VPS Grade 5, Value Range 2	Top of VPS Grade 5, Value Range 2
CYF Grade 6	6.1	Base of VPS Grade 6, Value Range 1	Top of VPS Grade 6, Value Range 1
	6.2	Base of VPS Grade 6, Value Range 2	Top of VPS Grade 6, Value Range 2

5. By deleting the table appearing in clause 8.8 and inserting the following:

YJW Structure	Value range	Salary (\$ Min)	Salary (\$ Max)
YJW Grade 1	1.1	51,179	63,160

YJW Structure	Value range	Salary (\$ Min)	Salary (\$ Max)
YJW Grade 2	2.1	64,420	73,257
YJW Grade 3	3.1	74,509	82,410
YJW Grade 4	4.1	83,336	93,814
YJW Grade 5	5.1	93,954	98,220
	5.2	98,469	107,294
YJW Grade 6	6.1	108,698	111,963
	6.2	126,141	143,581

6. By deleting the table appearing in clause 8.9 and inserting the following:

HCO and HCSO Structure	Value range	Salary (\$ Min)	Salary (\$ Max)
HCO 1	1.1	Base of VPS Grade 2 Value Range 1	
HCO 2	2.1	Base of VPS Grade 2 Value Range 2	
	2.2	Base of VPS Grade 3 Value Range 1	
HCO 3	3.1	Base of VPS Grade 3 Value Range 2	
HCSO unqualified		Base of VPS Grade 2 Value Range 1	
HCO qualified Level 1 (Cert. III)		51,987	Top of VPS Grade 2, Value Range 1
HCO qualified Level 2 (Cert. IV)		Base of VPS Grade 2 Value Range 2	Top of VPS Grade 2, Value Range 2

7. By deleting the table appearing in clause 8.10 and inserting the following:

Sheriff's Officer structure	Salary (\$ Min)	Salary (\$ Max)
Sheriff's Officer Trainee	Base of VPS Grade 2, Value Range 1	
Sheriff's Officer	Base of VPS Grade 2, Value Range 2	Top of VPS Grade 2, Value Range 2
Senior Sheriff's Officer	Base of VPS Grade 3, Value Range 1	74,058
Assistant District Supervisor	75,334	Top of VPS Grade 3, Value Range 2
District Supervisor	Base of VPS Grade 4	
Divisional Operations Manager	Base of VPS Grade 5,	

Sheriff's Officer structure	Salary (\$ Min)	Salary (\$ Max)
	Value Range 1	
Regional Operations Manager	Base of VPS Grade 6, Value Range 1	
Deputy Sheriff	Base of VPS Grade 6, Value Range 2	

8. By deleting the table appearing in clause 8.11 and inserting the following:

Community Corrections Officer structure	Salary (\$ Min)	Salary (\$ Max)
Trainee Community Corrections Officer	Base of VPS Grade 2, Value Range 1	
Community Corrections Officer	Base of VPS Grade 2, Value Range 2	Top of Grade 2, Value Range 2
Leading Community Corrections Officer	Base of VPS Grade 3, Value Range 1	74,058
Senior Community Corrections Officer	75,334	80,957
Officer in Charge	82,612	89,230
Location Manager	Base of VPS Grade 5	
General Manager	Base of VPS Grade 6	

9. By deleting the table appearing in clause 8.13 and inserting the following:

Forensic Officer structure	Salary (\$ Min)	Salary (\$ Max)
Forensic Officer Level 1	55,935	60,318
Forensic Officer Level 2	64,224	70,333
Forensic Officer Level 3	79,158	86,820
Forensic Officer Level 4	88,761	97,422
Forensic Officer Level 5	103,695	111,705
Forensic Officer Level 6	120,764	130,169
Forensic Officer Level 7	138,899	149,784

10. By deleting the table appearing in clause 8.14 and inserting the following:

Nursing Employee structure		Salary
		\$
Enrolled Nurse:		
Pay Point 1		49,970

Nursing Employee structure		Salary
		\$
Pay Point 2		50,670
Pay Point 3		51,364
Pay Point 4		52,059
Pay Point 5		52,613
Registered Nurse:		
Grade 3B	Year 1	70,010
	Year 2 and thereafter	71,239
Grade 4A	Year 1	72,809
	Year 2 and thereafter	74,383
Grade 4B	Year 1	75,796
	Year 2 and thereafter	77,372
Grade 5B		81,096
Grade 6		89,384

11. By deleting the tables appearing in clause 8.15 and inserting the following tables:

Table 15—Disability Development and Support Officer (DDSO) structure

DDSO Structure		Salary
		\$
DDSO 1 - Unqualified	Year 1	48,245
	Year 2	49,321
	Year 3	50,897
	Year 4	52,013
DDSO 1Q - Qualified (Cert IV)	Year 1	53,128
	Year 2	54,248
	Year 3	55,874
	Year 4	56,433
DDSO 2 - Cert IV	Year 1	56,992
	Year 2	57,715
	Year 3	58,840
DDSO 2A - Adv. Diploma (Cert VI)	Year 1	56,490
	Year 2	58,387
	Year 3	60,825
	Year 4	62,975
	Year 5	65,270
	Year 6	67,565

DDSO Structure		Salary
		\$
	Year 7	69,864
	Year 8	72,161
DDSO 3 - Cert IV	Year 1	61,127
	Year 2	62,297
	Year 3	63,496
	Year 4	64,679
	Year 5	65,861
	Year 6	66,859
DDSO 3A - Adv. Diploma (Cert VI)	Year 1	71,970
	Year 2	72,792
	Year 3	74,315
	Year 4	75,802
	Year 5	77,535
DDSO 4	Year 1	81,912
	Year 2	83,640
	Year 3	85,357
	Year 4	87,077
DDSO 5		95,060
DDSO 6		101,754
DDSO 7		108,449
DDSO 8		116,098
DDSO 9		127,573

Table 16—Trades and Support Services Structure

Trades and Support Services Structure		Salary
		\$
Facility Service Officer (FSO)		
FSO-1	Year 1	48,097
	Year 2	48,659
	Year 3	49,217
	Year 4	50,392
FSO-2	Year 1	50,061
	Year 2	50,897
	Year 3	51,737
	Year 4	52,913
FSO-3	Year 1	52,952

Trades and Support Services Structure		Salary
		\$
	Year 2	54,165
	Year 3	55,298
	Year 4	56,182
FSO-4	Year 1	56,591
	Year 2	57,779
	Year 3	59,366
	Year 4	60,540
FSO-5	Year 1	61,934
	Year 2	63,109
Trades		
Level 1 - Trades Assistant (TA 1)	Year 1	50,061
	Year 2	50,897
	Year 3	51,737
	Year 4	52,913
Level 2 - Tradesperson (TA 2)	Year 1	54,535
	Year 2	55,752
	Year 3	57,339
	Year 4	58,115
Level 3 - Trades Coordinator		
Level 3 G1 (TA 3)	Year 1	61,232
	Year 2	63,096
	Year 3	64,274
Level 3 G2 (TA 4)		69,632
Level 4 - Trades Coordinator (formerly Maintenance Manager)		82,696
Level 4 - Trades Coordinator (formerly Senior Maintenance Manager)		84,093

12. By deleting the table appearing in clause 8.16 and inserting the following:

Band	Salary Point	Salary
		\$
Ongoing Staff		
Band 1	1	46,419
	2	48,180
	3	48,802
	4	49,731

Band	Salary Point	Salary
		\$
	5	50,660
Band 2	1	51,590
	2	52,519
	3	53,449
	4	54,376
Band 3	1	55,925
	2	56,561
	3	57,571
	4	58,180
Band 4	1	59,184
	2	60,192
	3	61,200
	4	62,208
Project fire fighters		
Band 1	1	45,154
	2	46,829
	3	47,399
	4	48,299
	5	49,195
Band 2	1	50,094
	2	50,994
	3	51,891
	4	52,791
Band 3	1	54,287
	2	55,262
	3	55,868
	4	56,841
Band 4	1	57,416
	2	58,391
	3	59,364
	4	60,336

13. By deleting the table appearing in clause 8.17(b) and inserting the following:

Qualification	Salary minimum
	\$
Certificate III (Trade qualification)	51,717

Qualification	Salary minimum
	\$
Relevant degree or Diploma	55,403
Certificate IV	56,878
Mandatory 3 year degree	59,242
Mandatory 4 year degree	61,085

14. By deleting the table appearing in clause 12.1(a) and inserting the following:

Allowance	Payable	% of standard rate (\$50,955)	\$
First aid	Per fortnight	0.0445	22.67
Sleepover allowance	Per night	0.1712	87.23
Stand-by	Per night	0.053	27.01
Stand-by	Per day and night	0.105	53.50

15. By deleting the amount "\$87,763" appearing in clause 17.3(a) and inserting "\$91,801".
16. By deleting the amount "\$63,504" appearing in clause 17.5(a) and inserting "\$66,425".
17. By deleting the amount "\$32.95" appearing in clause 19.3 and inserting "\$34.47".
18. By deleting the amount "\$83,096" appearing in clause 20.5(b) and inserting "\$86,919".
19. By deleting clause P.5 and inserting the following:

P.5 Minimum Wages

P.5.1 Minimum wages for full-time traineeships

(a) Wage Level A

Subject to clause P.5.3 of this schedule, the minimum wages for a trainee undertaking a full-time AQF Certificate Level I–III traineeship whose training package and AQF certificate levels are allocated to Wage Level A by Appendix P1 are:

	Highest year of schooling completed		
	Year 10	Year 11	Year 12
	per week	per week	per week
	\$	\$	\$
School leaver	363.40	400.10	475.90
Plus 1 year out of school	400.10	475.90	553.90
Plus 2 years out of school	475.90	553.90	644.50
Plus 3 years out of school	553.90	644.50	738.00

	Highest year of schooling completed		
	Year 10	Year 11	Year 12
	per week	per week	per week
	\$	\$	\$
Plus 4 years out of school	644.50	738.00	
Plus 5 or more years out of school	738.00		

(b) Wage Level B

Subject to clause P.5.3 of this schedule, the minimum wages for a trainee undertaking a full-time AQF Certificate Level I–III traineeship whose training package and AQF certificate levels are allocated to Wage Level B by Appendix P1 are:

	Highest year of schooling completed		
	Year 10	Year 11	Year 12
	per week	per week	per week
	\$	\$	\$
School leaver	363.40	400.10	463.80
Plus 1 year out of school	400.10	463.80	533.50
Plus 2 years out of school	463.80	533.50	625.80
Plus 3 years out of school	533.50	625.80	713.70
Plus 4 years out of school	625.80	713.70	
Plus 5 or more years out of school	713.70		

(c) Wage Level C

Subject to clause P.5.3 of this schedule, the minimum wages for a trainee undertaking a full-time AQF Certificate Level I–III traineeship whose training package and AQF certificate levels are allocated to Wage Level C by Appendix P1 are:

	Highest year of schooling completed		
	Year 10	Year 11	Year 12
	per week	per week	per week
	\$	\$	\$
School leaver	363.40	400.10	463.80
Plus 1 year out of school	400.10	463.80	524.50
Plus 2 years out of school	463.80	524.50	586.00
Plus 3 years out of school	524.50	586.00	652.70
Plus 4 years out of school	586.00	652.70	
Plus 5 or more years out of school	652.70		

(d) AQF Certificate Level IV traineeships

- (i) Subject to clause P.5.3 of this schedule, the minimum wages for a trainee undertaking a full-time AQF Certificate Level IV traineeship are the minimum wages for the relevant full-time AQF Certificate Level III traineeship with the addition of 3.8% to those minimum wages.
- (ii) Subject to clause P.5.3 of this schedule, the minimum wages for an adult trainee undertaking a full-time AQF Certificate Level IV traineeship are as follows, provided that the relevant wage level is that for the relevant AQF Certificate Level III traineeship:

Wage level	First year of traineeship	Second and subsequent years of traineeship
	per week	per week
	\$	\$
Wage level A	766.00	795.10
Wage level B	740.80	769.00
Wage level C	677.50	703.20

P.5.2 Minimum wages for part-time traineeships**(a) Wage Level A**

Subject to clauses P.5.2(f) and P.5.3 of this schedule, the minimum wages for a trainee undertaking a part-time AQF Certificate Level I–III traineeship whose training package and AQF certificate levels are allocated to Wage Level A by Appendix P1 are:

	Highest year of schooling completed		
	Year 10	Year 11	Year 12
	per hour	per hour	per hour
	\$	\$	\$
School leaver	11.95	13.16	15.65
Plus 1 year out of school	13.16	15.65	18.22
Plus 2 years out of school	15.65	18.22	21.20
Plus 3 years out of school	18.22	21.20	24.28
Plus 4 years out of school	21.20	24.28	
Plus 5 or more years out of school	24.28		

(b) Wage Level B

Subject to clauses P.5.2(f) and P.5.3 of this schedule, the minimum wages for a trainee undertaking a part-time AQF Certificate Level I–III traineeship whose training package and AQF certificate levels are allocated to Wage Level B by Appendix P1 are:

	Highest year of schooling completed		
	Year 10	Year 11	Year 12
	per hour	per hour	per hour
	\$	\$	\$
School leaver	11.95	13.16	15.26
Plus 1 year out of school	13.16	15.26	17.55
Plus 2 years out of school	15.26	17.55	20.59
Plus 3 years out of school	17.55	20.59	23.48
Plus 4 years out of school	20.59	23.48	
Plus 5 or more years out of school	23.48		

(c) Wage Level C

Subject to clauses P.5.2(f) and P.5.3 of this schedule, the minimum wages for a trainee undertaking a part-time AQF Certificate Level I–III traineeship whose training package and AQF certificate levels are allocated to Wage Level C by Appendix P1 are:

	Highest year of schooling completed		
	Year 10	Year 11	Year 12
	per hour	per hour	per hour
	\$	\$	\$
School leaver	11.95	13.16	15.26
Plus 1 year out of school	13.16	15.26	17.25
Plus 2 years out of school	15.26	17.25	19.28
Plus 3 years out of school	17.25	19.28	21.47
Plus 4 years out of school	19.28	21.47	
Plus 5 or more years out of school	21.47		

(d) School-based traineeships

Subject to clauses P.5.2(f) and P.5.3 of this schedule, the minimum wages for a trainee undertaking a school-based AQF Certificate Level I–III traineeship whose training package and AQF certificate levels are allocated to Wage Levels A, B or C by Appendix P1 are as follows when the trainee works ordinary hours:

Year of schooling	
Year 11 or lower	Year 12
per hour	per hour
\$	\$
11.95	13.16

(e) AQF Certificate Level IV traineeships

- (i) Subject to clauses P.5.2(f) and P.5.3 of this schedule, the minimum wages for a trainee undertaking a part-time AQF Certificate Level IV traineeship are the minimum wages for the relevant part-time AQF Certificate Level III traineeship with the addition of 3.8% to those minimum wages.
- (ii) Subject to clauses P.5.2(f) and P.5.3 of this schedule, the minimum wages for an adult trainee undertaking a part-time AQF Certificate Level IV traineeship are as follows, provided that the relevant wage level is that for the relevant AQF Certificate Level III traineeship:

Wage level	First year of traineeship	Second and subsequent years of traineeship
	per hour	per hour
	\$	\$
Wage level A	25.20	26.15
Wage level B	24.37	25.30
Wage level C	22.29	23.13

(f) Calculating the actual minimum wage

- (i) Where the full-time ordinary hours of work are not 38 or an average of 38 per week, the appropriate hourly minimum wage is obtained by multiplying the relevant minimum wage in clauses P.5.2(a)–(e) of this schedule by 38 and then dividing the figure obtained by the full-time ordinary hours of work per week.
- (ii) Where the approved training for a part-time traineeship is provided fully off-the-job by a registered training organisation, for example at school or at TAFE, the relevant minimum wage in clauses P.5.2(a)–(e) of this schedule applies to each ordinary hour worked by the trainee.

- (iii) Where the approved training for a part-time traineeship is undertaken solely on-the-job or partly on-the-job and partly off-the-job, the relevant minimum wage in clauses P.5.2(a)–(e) of this schedule minus 20% applies to each ordinary hour worked by the trainee.

P.5.3 Other minimum wage provisions

- (a) An employee who was employed by an employer immediately prior to becoming a trainee with that employer must not suffer a reduction in their minimum wage per week or per hour by virtue of becoming a trainee. Casual loadings will be disregarded when determining whether the employee has suffered a reduction in their minimum wage.
- (b) If a qualification is converted from an AQF Certificate Level II to an AQF Certificate Level III traineeship, or from an AQF Certificate Level III to an AQF Certificate Level IV traineeship, then the trainee must be paid the next highest minimum wage provided in this schedule, where a higher minimum wage is provided for the new AQF certificate level.

P.5.4 Default wage rate

The minimum wage for a trainee undertaking an AQF Certificate Level I–III traineeship whose training package and AQF certificate level are not allocated to a wage level by Appendix P1 is the relevant minimum wage under this schedule for a trainee undertaking an AQF Certificate to Level I–III traineeship whose training package and AQF certificate level are allocated to Wage Level B.

B. This determination comes into operation from 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