



# DRAFT DETERMINATION

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

**Annual Wage Review 2022–23**  
(C2023/1)

**RAIL INDUSTRY AWARD 2020**  
[MA000015]

Rail industry

JUSTICE HATCHER, PRESIDENT  
VICE PRESIDENT CATANZARITI  
VICE PRESIDENT ASBURY  
DEPUTY PRESIDENT HAMPTON  
MS LABINE-ROMAIN  
PROFESSOR BAIRD  
MR CULLY

SYDNEY, XX JUNE 2023

*Annual Wage Review 2022–23.*

A. Further to the decision issued by the Expert Panel in the Annual Wage Review 2022–23 on 2 June 2023 [[2023] FWCFB 3500], the above award is varied as follows:

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

<b>Classification</b>	<b>Annual salary equivalent<sup>1</sup> (full-time employee)</b>	<b>Minimum weekly rate (full-time employee)</b>	<b>Minimum hourly rate</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>
Level 1 Rail Worker (CAP)	47,138	903.60	23.78
Level 2 Rail Worker (CAP)	50,915	976.00	25.68
Level 3 Rail Worker (CAP)	52,866	1013.40	26.67
Level 4 Rail Worker (CAP)	55,208	1058.30	27.85
Level 5 Rail Worker (CAP)	59,908	1148.40	30.22
Level 6 Rail Worker (CAP)	64,212	1230.90	32.39
Level 7 Rail Worker (CAP)	68,124	1305.90	34.37

<b>Classification</b>	<b>Annual salary equivalent<sup>1</sup> (full-time employee)</b>	<b>Minimum weekly rate (full-time employee)</b>	<b>Minimum hourly rate</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>
Level 8 Rail Worker (CAP)	76,727	1470.80	38.71
Level 9 Rail Worker (CAP)	91,980	1763.20	46.40

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

<b>Classification</b>	<b>Annual salary equivalent<sup>1</sup> (full-time employee)</b>	<b>Minimum weekly rate (full-time employee)</b>	<b>Minimum hourly rate</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>
Level 1 Rail Worker (Op)	44,827	859.30	22.61
Level 2 Rail Worker (Op)	47,519	910.90	23.97
Level 3 Rail Worker (Op)	52,485	1006.10	26.48
Level 4 Rail Worker (Op)	57,571	1103.60	29.04
Level 5 Rail Worker (Op)	63,043	1208.50	31.80
Level 6 Rail Worker (Op)	67,389	1291.80	33.99

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

<b>Classification</b>	<b>Annual salary equivalent<sup>1</sup> (full-time employee)</b>	<b>Minimum weekly rate (full-time employee)</b>	<b>Minimum hourly rate</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>
Level 1 Rail Worker (TCI)	46,032	882.40	23.22
Level 2 Rail Worker (TCI)	47,722	914.80	24.07
Level 3 Rail Worker (TCI)	49,292	944.90	24.87
Level 4 Rail Worker (TCI)	51,906	995.00	26.18
Level 5 Rail Worker (TCI)	54,212	1039.20	27.35
Level 6 Rail Worker (TCI)	56,622	1085.40	28.56
Level 7 Rail Worker (TCI)	61,092	1171.10	30.82

4. By deleting the year “2022” in clause 15.7(b) and inserting “2023”.
5. By deleting the amount “\$17.88” appearing in clause 18.2(a) and inserting “\$18.90”.

6. By deleting the amounts “\$12.23” and “\$30.68” appearing in clause 18.2(b)(i) and inserting “\$12.93” and “\$32.44” respectively.
7. By deleting the amount “\$0.72” appearing in clause 18.3(d)(i) and inserting “\$0.76”.
8. By deleting the amount “\$0.94” appearing in clause 18.3(e) and inserting “\$0.99”.
9. By deleting the amount “\$0.72” appearing in clause 18.3(f) and inserting “\$0.76”.
10. By deleting the amount “\$0.52” appearing in clause 18.3(g) and inserting “\$0.55”.
11. By deleting the amount “\$0.94” appearing in clause 18.3(h) and inserting “\$0.99”.
12. By deleting the amounts “\$1.86” and “\$0.24” appearing in clause 18.3(i) and inserting “\$1.96” and “\$0.26” respectively.
13. By deleting the amount “\$0.54” appearing in clause 18.3(j)(i) and inserting “\$0.58”.
14. By deleting the amount “\$3.28” appearing in clause 21.2(a) and inserting “\$3.47”.
15. By deleting the amount “\$3.89” appearing in clause 21.2(b) and inserting “\$4.12”.
16. By deleting the amount “\$7.39” appearing in clause 21.2(c) and inserting “\$7.82”.
17. By deleting the table appearing in clause B.1.3 and inserting the following:

	<b>Ordinary hours</b>	<b>Early morning/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>100%</b>	<b>100% + \$3.47</b>	<b>100% + \$4.12</b>	<b>100% + \$7.82</b>	<b>150%</b>	<b>200%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Level 1 Rail Worker (CAP)	23.78	27.25	27.90	31.60	35.67	47.56	59.45
Level 2 Rail Worker (CAP)	25.68	29.15	29.80	33.50	38.52	51.36	64.20
Level 3 Rail Worker (CAP)	26.67	30.14	30.79	34.49	40.01	53.34	66.68
Level 4 Rail Worker (CAP)	27.85	31.32	31.97	35.67	41.78	55.70	69.63
Level 5 Rail Worker (CAP)	30.22	33.69	34.34	38.04	45.33	60.44	75.55
Level 6 Rail Worker (CAP)	32.39	35.86	36.51	40.21	48.59	64.78	80.98

	<b>Ordinary hours</b>	<b>Early morning/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>100%</b>	<b>100% + \$3.47</b>	<b>100% + \$4.12</b>	<b>100% + \$7.82</b>	<b>150%</b>	<b>200%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Level 7 Rail Worker (CAP)	34.37	37.84	38.49	42.19	51.56	68.74	85.93
Level 8 Rail Worker (CAP)	38.71	42.18	42.83	46.53	58.07	77.42	96.78
Level 9 Rail Worker (CAP)	46.40	49.87	50.52	54.22	69.60	92.80	116.00

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

	<b>Weekday – first 3 hours</b>	<b>Weekday – after 3 hours</b>	<b>Saturday – all day</b>	<b>Sunday – all day</b>	<b>Public holiday – all day</b>
	<b>% of ordinary hourly rate<sup>1</sup></b>				
	<b>150%</b>	<b>200%</b>	<b>150%</b>	<b>200%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Level 1 Rail Worker (CAP)	35.67	47.56	35.67	47.56	59.45
Level 2 Rail Worker (CAP)	38.52	51.36	38.52	51.36	64.20
Level 3 Rail Worker (CAP)	40.01	53.34	40.01	53.34	66.68
Level 4 Rail Worker (CAP)	41.78	55.70	41.78	55.70	69.63
Level 5 Rail Worker (CAP)	45.33	60.44	45.33	60.44	75.55
Level 6 Rail Worker (CAP)	48.59	64.78	48.59	64.78	80.98
Level 7 Rail Worker (CAP) <sup>2</sup>	51.56	68.74	51.56	68.74	85.93
Level 8 Rail Worker (CAP) <sup>2</sup>	58.07	77.42	58.07	77.42	96.78
Level 9 Rail Worker (CAP) <sup>2</sup>	69.60	92.80	69.60	92.80	116.00

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

	<b>Ordinary hours</b>	<b>Early morning/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>100%</b>	<b>100% + \$3.47</b>	<b>100% + \$4.12</b>	<b>100% + \$7.82</b>	<b>150%</b>	<b>200%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Level 1 Rail Worker (TCI)	23.22	26.69	27.34	31.04	34.83	46.44	58.05
Level 2 Rail Worker (TCI)	24.07	27.54	28.19	31.89	36.11	48.14	60.18
Level 3 Rail Worker (TCI)	24.87	28.34	28.99	32.69	37.31	49.74	62.18
Level 4 Rail Worker (TCI)	26.18	29.65	30.30	34.00	39.27	52.36	65.45
Level 5 Rail Worker (TCI)	27.35	30.82	31.47	35.17	41.03	54.70	68.38
Level 6 Rail Worker (TCI)	28.56	32.03	32.68	36.38	42.84	57.12	71.40
Level 7 Rail Worker (TCI)	30.82	34.29	34.94	38.64	46.23	61.64	77.05

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

	<b>Weekday – first 3 hours</b>	<b>Weekday – after 3 hours</b>	<b>Saturday – all day</b>	<b>Sunday – all day</b>	<b>Public holiday – all day</b>
	<b>% of ordinary hourly rate<sup>1</sup></b>				
	<b>150%</b>	<b>200%</b>	<b>150%</b>	<b>200%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Level 1 Rail Worker (TCI)	34.83	46.44	34.83	46.44	58.05
Level 2 Rail Worker (TCI)	36.11	48.14	36.11	48.14	60.18
Level 3 Rail Worker (TCI)	37.31	49.74	37.31	49.74	62.18
Level 4 Rail Worker (TCI)	39.27	52.36	39.27	52.36	65.45
Level 5 Rail Worker (TCI)	41.03	54.70	41.03	54.70	68.38
Level 6 Rail Worker (TCI)	42.84	57.12	42.84	57.12	71.40
Level 7 Rail Worker (TCI)	46.23	61.64	46.23	61.64	77.05

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

	<b>Ordinary hours</b>	<b>Early morning/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>100%</b>	<b>100% + \$3.47</b>	<b>100% + \$4.12</b>	<b>100% + \$7.82</b>	<b>150%</b>	<b>200%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Level 1 Rail Worker (Op)	22.61	26.08	26.73	30.43	33.92	45.22	56.53
Level 2 Rail Worker (Op)	23.97	27.44	28.09	31.79	35.96	47.94	59.93
Level 3 Rail Worker (Op)	26.48	29.95	30.60	34.30	39.72	52.96	66.20
Level 4 Rail Worker (Op)	29.04	32.51	33.16	36.86	43.56	58.08	72.60
Level 5 Rail Worker (Op)	31.80	35.27	35.92	39.62	47.70	63.60	79.50
Level 6 Rail Worker (Op)	33.99	37.46	38.11	41.81	50.99	67.98	84.98

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

	<b>Weekday – first 3 hours</b>	<b>Weekday – after 3 hours</b>	<b>Saturday – all day</b>	<b>Sunday – all day</b>	<b>Public holiday – all day</b>
	<b>% of ordinary hourly rate<sup>1</sup></b>				
	<b>150%</b>	<b>200%</b>	<b>150%</b>	<b>200%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Level 1 Rail Worker (Op)	33.92	45.22	33.92	45.22	56.53
Level 2 Rail Worker (Op)	35.96	47.94	35.96	47.94	59.93
Level 3 Rail Worker (Op)	39.72	52.96	39.72	52.96	66.20
Level 4 Rail Worker (Op)	43.56	58.08	43.56	58.08	72.60
Level 5 Rail Worker (Op)	47.70	63.60	47.70	63.60	79.50
Level 6 Rail Worker (Op)	50.99	67.98	50.99	67.98	84.98

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

	<b>Ordinary hours</b>	<b>Early morning/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>125%</b>	<b>125% + \$3.47</b>	<b>125% + \$4.12</b>	<b>125% + \$7.82</b>	<b>175%</b>	<b>225%</b>	<b>275%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Level 1 Rail Worker (CAP)	29.73	33.20	33.85	37.55	41.62	53.51	65.40
Level 2 Rail Worker (CAP)	32.10	35.57	36.22	39.92	44.94	57.78	70.62
Level 3 Rail Worker (CAP)	33.34	36.81	37.46	41.16	46.67	60.01	73.34
Level 4 Rail Worker (CAP)	34.81	38.28	38.93	42.63	48.74	62.66	76.59
Level 5 Rail Worker (CAP)	37.78	41.25	41.90	45.60	52.89	68.00	83.11
Level 6 Rail Worker (CAP)	40.49	43.96	44.61	48.31	56.68	72.88	89.07
Level 7 Rail Worker (CAP)	42.96	46.43	47.08	50.78	60.15	77.33	94.52
Level 8 Rail Worker (CAP)	48.39	51.86	52.51	56.21	67.74	87.10	106.45
Level 9 Rail Worker (CAP)	58.00	61.47	62.12	65.82	81.20	104.40	127.60

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

	<b>Ordinary hours</b>	<b>Early morning/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>125%</b>	<b>125% + \$3.47</b>	<b>125% + \$4.12</b>	<b>125% + \$7.82</b>	<b>175%</b>	<b>225%</b>	<b>275%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Level 1 Rail Worker (TCI)	29.03	32.50	33.15	36.85	40.64	52.25	63.86
Level 2 Rail Worker (TCI)	30.09	33.56	34.21	37.91	42.12	54.16	66.19
Level 3 Rail Worker (TCI)	31.09	34.56	35.21	38.91	43.52	55.96	68.39
Level 4 Rail	32.73	36.20	36.85	40.55	45.82	58.91	72.00

	<b>Ordinary hours</b>	<b>Early morning/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>125%</b>	<b>125% + \$3.47</b>	<b>125% + \$4.12</b>	<b>125% + \$7.82</b>	<b>175%</b>	<b>225%</b>	<b>275%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Worker (TCI)							
Level 5 Rail Worker (TCI)	34.19	37.66	38.31	42.01	47.86	61.54	75.21
Level 6 Rail Worker (TCI)	35.70	39.17	39.82	43.52	49.98	64.26	78.54
Level 7 Rail Worker (TCI)	38.53	42.00	42.65	46.35	53.94	69.35	84.76

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

	<b>Ordinary hours</b>	<b>Early morning/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>125%</b>	<b>125% + \$3.47</b>	<b>125% + \$4.12</b>	<b>125% + \$7.82</b>	<b>175%</b>	<b>225%</b>	<b>275%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Level 1 Rail Worker (Op)	28.26	31.73	32.38	36.08	39.57	50.87	62.18
Level 2 Rail Worker (Op)	29.96	33.43	34.08	37.78	41.95	53.93	65.92
Level 3 Rail Worker (Op)	33.10	36.57	37.22	40.92	46.34	59.58	72.82
Level 4 Rail Worker (Op)	36.30	39.77	40.42	44.12	50.82	65.34	79.86
Level 5 Rail Worker (Op)	39.75	43.22	43.87	47.57	55.65	71.55	87.45
Level 6 Rail Worker (Op)	42.49	45.96	46.61	50.31	59.48	76.48	93.47

26. By deleting the amount “\$24.76” appearing in clause C.1.1 and inserting “\$26.18”.

27. 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>
First aid allowance	18.2(a)	72.2	18.90	per week



<b>Allowance</b>	<b>Clause</b>	<b>% of standard rate</b>	<b>\$</b>	<b>Payable</b>
On-call allowance: For a night	18.2(b)(i)	49.4	12.93	per night
On-call allowance: For a day and night	18.2(b)(i)	123.9	32.44	per day and night
Wet places	18.3(d)(i)	2.9	0.76	per hour
Confined spaces	18.3(e)	3.8	0.99	per hour
Dirty work	18.3(f)	2.9	0.76	per hour
Height money	18.3(g)	2.1	0.55	per hour
Insulation materials	18.3(h)	3.8	0.99	per hour
Explosive powered tools—per day	18.3(i)	7.5	1.96	per day
Explosive powered tools—per hour	18.3(i)	Per day divided by 7.6	0.26	per hour
Foundry allowance	18.3(j)(i)	2.2	0.58	per hour
Early morning or afternoon shift	21.2(a)	13.24	3.47	per hour
Night shift	21.2(b)	15.73	4.12	per hour
Permanent night shift	21.2(c)	29.86	7.82	per hour

B. This determination comes into operation on 1 July 2023. 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 2023.

PRESIDENT