



DRAFT DETERMINATION

Fair Work Act 2009
s 285—Annual wage review

Annual Wage Review 2022–23
(C2023/1)

CLEANING SERVICES AWARD 2020
[MA000022]

Cleaning services

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 and inserting the following:

Column 1	Column 2	Column 3
Cleaning Services Employee classification	Minimum weekly rate (full-time employee)	Minimum hourly rate
	\$	\$
Level 1	914.70	24.07
Level 2	945.00	24.87
Level 3	995.00	26.18

2. By deleting the year “2022” in clause 15.5(b) and inserting “2023”.
3. By deleting the amount “\$3.96” appearing in clause 17.2(b) and inserting “\$4.19”.
4. By deleting the amount “\$19.81” appearing in clause 17.2(c) and inserting “\$20.95”.

5. By deleting the amount “\$0.58” appearing in clause 17.3(a) and inserting “\$0.61”.
6. By deleting the amount “\$0.58” appearing in clause 17.4(a) and inserting “\$0.61”.
7. By deleting the amount “\$0.70” appearing in clause 17.4(b) and inserting “\$0.74”.
8. By deleting the amount “\$0.93” appearing in clause 17.5(b)(i) and inserting “\$0.99”.
9. By deleting the amount “\$1.91” appearing in clause 17.5(b)(ii) and inserting “\$2.02”.
10. By deleting the amount “\$14.19” appearing in clause 17.6(b) and inserting “\$15.00”.
11. By deleting the table appearing in clause 17.7(b) and inserting the following:

Column 1	Column 2
Number of employees in charge of	Allowance per week
	\$
Up to 10	54.88
11–20	70.61
More than 20	86.35

12. By deleting the amount “\$3.94” appearing in clause 17.8(b) and inserting “\$4.17”.
13. By deleting the amounts “\$3.11” and “\$15.28” appearing in clause 17.9 and inserting “\$3.28” and “\$16.15” respectively.
14. By deleting the example appearing in clause 20.2 and inserting the following:

Margaret is a part-time Level 1 employee. She works a non-permanent 5 hour shift on Friday, Saturday and Sunday. Each shift starts at 6.00 pm and finishes at 11.00 pm.

The minimum hourly rate for a Level 1 employee is \$24.07. Margaret will:

- work a total of 5 ordinary hours on night shift (Friday)
- work a total of 5 ordinary hours on Saturday
- work a total of 5 ordinary hours on Sunday

Step 1: Calculating ordinary time pay on night shift (Friday)

(a) Multiply the minimum hourly rate by the penalty rate for part-time employees working a Monday to Friday shift that finishes after 6.00 pm in column 3 of **Table 7—Penalty rates**, to establish the relevant night shift rate.

- Minimum hourly rate (\$24.07) x % Monday to Friday shift finishing after 6.00pm—part-time employees (130%) = \$31.29

(b) Multiply the relevant night shift rate by the number of ordinary hours worked to establish the total amount to be paid for working on night shift.

- $\$31.29 \times 5 = \156.45

Step 2: Calculating ordinary time pay on Saturday

(a) Multiply the minimum hourly rate by the penalty rate for part-time employees working on a Saturday in column 3 of **Table 7—Penalty rates** to establish the relevant Saturday rate.

- Minimum hourly rate (\$24.07) x % Saturday part-time penalty (165%) = \$39.72

(b) Multiply the Saturday rate by the number of ordinary hours worked on Saturday to establish the total amount to be paid working on Saturday.

- $\$39.72 \times 5 = \198.60

Step 3: Calculating ordinary time pay on Sunday

(a) Multiply the minimum hourly rate by the penalty rate for part-time employees working on a Sunday in column 3 of **Table 7—Penalty rates** to establish the relevant Sunday rate.

- Minimum hourly rate (\$24.07) x % Sunday part-time penalty (215%) = \$51.75

(b) Multiply the Sunday rate by the number of ordinary hours worked on Sunday to establish the total amount to be paid for working on Sunday.

- $\$51.75 \times 5 = \258.75

Step 4: Calculating total pay

Add the total amount for night shift in Step 1(b) and the total amount for Saturday work in Step 2(b) and the total amount for Sunday work in Step 3(b) to establish the total pay for 3 shifts.

- $\$156.45 + \$198.60 + \$258.75 = \613.80

Margaret is paid a total of **\$613.80** for working 3 shifts.

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

Cleaning Services Employee	Day	Early morning, afternoon and non-permanent night shift	Permanent night	Saturday	Sunday	Public holiday
	% of minimum hourly rate					
	100%	115%	130%	150%	200%	250%
	\$	\$	\$	\$	\$	\$
Level 1	24.07	27.68	31.29	36.11	48.14	60.18
Level 2	24.87	28.60	32.33	37.31	49.74	62.18
Level 3	26.18	30.11	34.03	39.27	52.36	65.45

16. By deleting the table appearing in clause B.1.2 and inserting the following:

Cleaning services employee	Day	Early morning, afternoon and non-permanent night shift	Permanent night	Saturday	Sunday	Public holiday
	% of minimum hourly rate					
	115%	130%	130%	165%	215%	265%
	\$	\$	\$	\$	\$	\$
Level 1	27.68	31.29	31.29	39.72	51.75	63.79
Level 2	28.60	32.33	32.33	41.04	53.47	65.91
Level 3	30.11	34.03	34.03	43.20	56.29	69.38

17. By deleting the table appearing in clause B.1.3 and inserting the following:

Cleaning Services Employee	Monday to Saturday – first 2 hours	Monday to Saturday – after 2 hours	Sunday – all day	Public holiday – all day
	% of minimum hourly rate			
	150%	200%	200%	250%
	\$	\$	\$	\$
Level 1	36.11	48.14	48.14	60.18
Level 2	37.31	49.74	49.74	62.18
Level 3	39.27	52.36	52.36	65.45

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

Cleaning services employee	Day	Early morning, afternoon and non-permanent night shift	Permanent night	Saturday	Sunday	Public holiday
	% of minimum hourly rate					
	125%	140%	155%	175%	225%	275%
	\$	\$	\$	\$	\$	\$
Level 1	30.09	33.70	37.31	42.12	54.16	66.19
Level 2	31.09	34.82	38.55	43.52	55.96	68.39
Level 3	32.73	36.65	40.58	45.82	58.91	72.00

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

Cleaning Services Employee	Day	Early morning, afternoon and non-permanent night shift	Permanent night	Saturday	Sunday	Public holiday
	% of junior hourly rate					
	100%	115%	130%	150%	200%	250%
	\$	\$	\$	\$	\$	\$
Level 1						
Under 16 years	10.83	12.45	14.08	16.25	21.66	27.08
16 years	12.04	13.85	15.65	18.06	24.08	30.10
17 years	14.44	16.61	18.77	21.66	28.88	36.10
18 years	16.85	19.38	21.91	25.28	33.70	42.13
19 years	19.26	22.15	25.04	28.89	38.52	48.15
20 years	21.66	24.91	28.16	32.49	43.32	54.15
Level 2						
Under 16 years	11.19	12.87	14.55	16.79	22.38	27.98
16 years	12.43	14.29	16.16	18.65	24.86	31.08
17 years	14.92	17.16	19.40	22.38	29.84	37.30
18 years	17.41	20.02	22.63	26.12	34.82	43.53
19 years	19.89	22.87	25.86	29.84	39.78	49.73
20 years	22.38	25.74	29.09	33.57	44.76	55.95

Cleaning Services Employee	Day	Early morning, afternoon and non-permanent night shift	Permanent night	Saturday	Sunday	Public holiday
	% of junior hourly rate					
	100%	115%	130%	150%	200%	250%
	\$	\$	\$	\$	\$	\$
Level 3						
Under 16 years	11.78	13.55	15.31	17.67	23.56	29.45
16 years	13.09	15.05	17.02	19.64	26.18	32.73
17 years	15.71	18.07	20.42	23.57	31.42	39.28
18 years	18.33	21.08	23.83	27.50	36.66	45.83
19 years	20.95	24.09	27.24	31.43	41.90	52.38
20 years	23.57	27.11	30.64	35.36	47.14	58.93

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

Cleaning Services Employee	Day	Early morning, afternoon and non-permanent night shift	Permanent night	Saturday	Sunday	Public holiday
	% of junior hourly rate					
	115%	130%	130%	165%	215%	265%
	\$	\$	\$	\$	\$	\$
Level 1						
Under 16 years	12.45	14.08	14.08	17.87	23.28	28.70
16 years	13.85	15.65	15.65	19.87	25.89	31.91
17 years	16.61	18.77	18.77	23.83	31.05	38.27
18 years	19.38	21.91	21.91	27.80	36.23	44.65
19 years	22.15	25.04	25.04	31.78	41.41	51.04
20 years	24.91	28.16	28.16	35.74	46.57	57.40
Level 2						
Under 16 years	12.87	14.55	14.55	18.46	24.06	29.65
16 years	14.29	16.16	16.16	20.51	26.72	32.94
17 years	17.16	19.40	19.40	24.62	32.08	39.54
18 years	20.02	22.63	22.63	28.73	37.43	46.14
19 years	22.87	25.86	25.86	32.82	42.76	52.71
20 years	25.74	29.09	29.09	36.93	48.12	59.31

Cleaning Services Employee	Day	Early morning, afternoon and non-permanent night shift	Permanent night	Saturday	Sunday	Public holiday
	% of junior hourly rate					
	115%	130%	130%	165%	215%	265%
	\$	\$	\$	\$	\$	\$
Level 3						
Under 16 years	13.55	15.31	15.31	19.44	25.33	31.22
16 years	15.05	17.02	17.02	21.60	28.14	34.69
17 years	18.07	20.42	20.42	25.92	33.78	41.63
18 years	21.08	23.83	23.83	30.24	39.41	48.57
19 years	24.09	27.24	27.24	34.57	45.04	55.52
20 years	27.11	30.64	30.64	38.89	50.68	62.46

21. By deleting the table appearing in clause B.2.4 and inserting the following:

Cleaning Services Employee	Monday to Saturday – first 2 hours	Monday to Saturday – after 2 hours	Sunday – all day	Public holiday – all day
	% of junior hourly rate			
	150%	200%	200%	250%
	\$	\$	\$	\$
Level 1				
Under 16 years	16.25	21.66	21.66	27.08
16 years	18.06	24.08	24.08	30.10
17 years	21.66	28.88	28.88	36.10
18 years	25.28	33.70	33.70	42.13
19 years	28.89	38.52	38.52	48.15
20 years	32.49	43.32	43.32	54.15
Level 2				
Under 16 years	16.79	22.38	22.38	27.98
16 years	18.65	24.86	24.86	31.08
17 years	22.38	29.84	29.84	37.30
18 years	26.12	34.82	34.82	43.53
19 years	29.84	39.78	39.78	49.73
20 years	33.57	44.76	44.76	55.95

Cleaning Services Employee	Monday to Saturday – first 2 hours	Monday to Saturday – after 2 hours	Sunday – all day	Public holiday – all day
	% of junior hourly rate			
	150%	200%	200%	250%
	\$	\$	\$	\$
Level 3				
Under 16 years	17.67	23.56	23.56	29.45
16 years	19.64	26.18	26.18	32.73
17 years	23.57	31.42	31.42	39.28
18 years	27.50	36.66	36.66	45.83
19 years	31.43	41.90	41.90	52.38
20 years	35.36	47.14	47.14	58.93

22. By deleting the table appearing in clause B.2.5 and inserting the following:

Cleaning Services Employee	Day	Early morning, afternoon and non-permanent night shift	Permanent night	Saturday	Sunday	Public holiday
	% of junior hourly rate					
	125%	140%	155%	175%	225%	275%
	\$	\$	\$	\$	\$	\$
Level 1						
Under 16 years	13.54	15.16	16.79	18.95	24.37	29.78
16 years	15.05	16.86	18.66	21.07	27.09	33.11
17 years	18.05	20.22	22.38	25.27	32.49	39.71
18 years	21.06	23.59	26.12	29.49	37.91	46.34
19 years	24.08	26.96	29.85	33.71	43.34	52.97
20 years	27.08	30.32	33.57	37.91	48.74	59.57
Level 2						
Under 16 years	13.99	15.67	17.34	19.58	25.18	30.77
16 years	15.54	17.40	19.27	21.75	27.97	34.18
17 years	18.65	20.89	23.13	26.11	33.57	41.03
18 years	21.76	24.37	26.99	30.47	39.17	47.88
19 years	24.86	27.85	30.83	34.81	44.75	54.70
20 years	27.98	31.33	34.69	39.17	50.36	61.55

Cleaning Services Employee	Day	Early morning, afternoon and non-permanent night shift	Permanent night	Saturday	Sunday	Public holiday
	% of junior hourly rate					
	125%	140%	155%	175%	225%	275%
	\$	\$	\$	\$	\$	\$
Level 3						
Under 16 years	14.73	16.49	18.26	20.62	26.51	32.40
16 years	16.36	18.33	20.29	22.91	29.45	36.00
17 years	19.64	21.99	24.35	27.49	35.35	43.20
18 years	22.91	25.66	28.41	32.08	41.24	50.41
19 years	26.19	29.33	32.47	36.66	47.14	57.61
20 years	29.46	33.00	36.53	41.25	53.03	64.82

23. By deleting the amount “\$865.00” appearing in clause C.1.1 and inserting “\$914.70”.
24. By deleting the table appearing in C.1.1 and inserting the following:

Allowance	Clause	% of standard rate	\$	Payable
Broken shift allowance—per day	17.2(b)	0.458	4.19	per day
Broken shift allowance—maximum per week	17.2(c)	2.29	20.95	per week
Cold work allowance	17.3(a)	0.067	0.61	per hour
Hot work allowance—46°C to 54°C	17.4(a)	0.067	0.61	per hour
Hot work allowance—over 54°C	17.4(b)	0.081	0.74	per hour
Height allowance—up to and including 22nd floor	17.5(b)(i)	0.108	0.99	per hour or part thereof
Height allowance—above 22nd floor	17.5(b)(ii)	0.221	2.02	per hour or part thereof
First aid allowance	17.6(b)	1.64	15.00	per week
Leading hand in charge of—1 to 10 employees	17.7(b)	6.0	54.88	per week

Allowance	Clause	% of standard rate	\$	Payable
Leading hand in charge of— 11 to 20 employees	17.7(b)	7.72	70.61	per week
Leading hand in charge of— more than 20 employees	17.7(b)	9.44	86.35	per week
Refuse collection allowance	17.8(b)	0.456	4.17	per shift
Toilet cleaning allowance— per shift; or	17.9	0.359	3.28	per shift
Toilet cleaning allowance— per week	17.9	1.766	16.15	per week

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