



DRAFT DETERMINATION

Fair Work Act 2009
s 285—Annual wage review

Annual Wage Review 2022–23
(C2023/1)

PROFESSIONAL DIVING INDUSTRY (INDUSTRIAL) AWARD 2020
[MA000108]

Diving 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 27.1 and inserting the following:

Employee classification	Minimum weekly rate (full-time employee)	Minimum hourly rate
	\$	\$
Diving Supervisor	1611.40	42.41
Hyperbaric Welder	1250.40	32.91
Diver	1195.30	31.46
Diver’s Attendant	982.80	25.86

2. By deleting the amounts “\$4.86” and “\$1.47” appearing in clause 29.2(a) and inserting “\$5.14” and “\$1.55” respectively.
3. By deleting the amount “\$73.58” appearing in clause 29.2(b) and inserting “\$77.81”.

4. By deleting the amount “\$5.54” appearing in clause 29.2(c)(ii) and inserting “\$5.86”.
5. By deleting the amount “\$3.73” appearing in clause 29.2(c)(iii) and inserting “\$3.94”.
6. By deleting the table appearing in clause 32.1(a) and inserting the following:

Employee classification	Full-time employees		
	Minimum weekly rate (full-time employee)	Aggregate weekly factor (percentage of minimum weekly rate)	Total weekly rate (minimum weekly rate plus aggregate weekly factor)
	\$	%	\$
Diving Superintendent	1313.60	117	2850.51
Diving Supervisor	1227.70	116	2651.83
Supervisor (ADS Operations)	1227.70	116	2651.83
Hyperbaric Welder	1184.90	116	2559.38
Life Support Technician	1123.40	114	2404.08
Senior Operator (OMB Operations)	1123.40	114	2404.08
Systems Maintenance Technician	1051.80	113	2240.33
Diver	988.70	111	2086.16
Operator (ADS Operations)	988.70	111	2086.16
Diver’s Attendant	864.50	108	1798.16

7. By deleting the amount “\$74.79” appearing in clause 34.2(a)(i) and inserting “\$79.10”.
8. By deleting the amount “\$88.72” appearing in clause 34.2(a)(ii) and inserting “\$93.83”.
9. By deleting the amounts “\$4.39”, “\$1.31”, “\$65.50” and “\$327.50” appearing in clause 34.2(b)(i) and inserting “\$4.65”, “\$1.38”, “\$69.00” and “\$345.00” respectively.
10. By deleting the amounts “\$2.15”, “\$0.65” and “\$162.50” appearing in clause 34.2(b)(ii) and inserting “\$2.27”, “\$0.69” and “\$172.50” respectively.
11. By deleting the amount “\$65.82” appearing in clause 34.2(c) and inserting “\$69.60”.

- 12. By deleting the amount “\$5.42” appearing in clause 34.2(d)(ii) and inserting “\$5.73”.
- 13. By deleting the amount “\$3.65” appearing in clause 34.2(d)(iii) and inserting “\$3.86”.
- 14. By deleting the table appearing in clause B.1.1 and inserting the following:

	Ordinary hours	Public holiday
	% of minimum hourly rate	
	100%	250%
	\$	\$
Diving Supervisor	42.41	106.03
Hyperbaric Welder	32.91	82.28
Diver	31.46	78.65
Diver’s Attendant	25.86	64.65

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

	Monday to Saturday– first 2 hours	Monday to Saturday– after 2 hours	Sunday–all day	Public holiday
	% of minimum hourly rate			
	150%	200%	200%	250%
	\$	\$	\$	\$
Diving Supervisor	63.62	84.82	84.82	106.03
Hyperbaric Welder	49.37	65.82	65.82	82.28
Diver	47.19	62.92	62.92	78.65
Diver’s Attendant	38.79	51.72	51.72	64.65

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

	Ordinary hours	Public holiday
	% of casual hourly rate	
	100%	250%
	\$	\$
Diving Supervisor	53.01	132.53

	Ordinary hours	Public holiday
	% of casual hourly rate	
	100%	250%
	\$	\$
Hyperbaric Welder	41.14	102.85
Diver	39.33	98.33
Diver's Attendant	32.33	80.83

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

	Total hourly rate	Total monthly rate¹
	\$	\$
Diving Superintendent	75.01	12,399.72
Diving Supervisor	69.79	11,535.46
Supervisor (ADS Operations)	69.79	11,535.46
Hyperbaric Welder	67.35	11,133.30
Life Support Technician	63.27	10,457.75
Senior Operator (OMB Operations)	63.27	10,457.75
Systems Maintenance Technician	58.96	9745.44
Diver	54.90	9074.80
Operator (ADS Operations)	54.90	9074.80
Diver's Attendant	47.32	7822.00

18. By deleting the table appearing in clause B.4.1 and inserting the following:

	Casual ordinary rate
	\$
Diving Superintendent	43.21
Diving Supervisor	40.39
Supervisor (ADS Operations)	40.39
Hyperbaric Welder	38.98
Life Support Technician	36.95
Senior Operator (OMB Operations)	36.95
Systems Maintenance Technician	34.60

	Casual ordinary rate
	\$
Diver	32.53
Operator (ADS Operations)	32.53
Diver's Attendant	28.44

19. By deleting the amount "\$1130.30" appearing in clause C.1.1 and inserting "\$1195.30".

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

Allowance	Clause	% of standard rate	\$	Payable
Diving allowance—Per metre; OR	29.2(a)	0.43	5.14	per metre
Diving allowance—Per foot of water or equivalent pressure	29.2(a)	0.13	1.55	per foot of water or equivalent pressure
Non-destructive testing allowance	29.2(b)	6.51	77.81	per day
Hyperbaric welding allowance	29.2(c)(ii)	0.49	5.86	per linear millimetre
Hyperbaric welding allowance—weld which requires repair	29.2(c)(iii)	0.33	3.94	per linear millimetre

21. By deleting the amount "\$934.90" appearing in clause C.3.1 and inserting "\$988.70".

22. By deleting the table appearing in clause C.3.1 and inserting the following:

Allowance	Clause	% of standard rate	\$	Payable
Disability allowance—Full-time/part-time employees	34.2(a)(i)	8.0	79.10	per on-duty day
Disability allowance—Casual employees	34.2(a)(ii)	9.49	93.83	per on-duty day
Diving allowance—other than ADS Operations—Per metre; OR	34.2(b)(i)	0.47	4.65	per metre

Allowance	Clause	% of standard rate	\$	Payable
Diving allowance—other than ADS Operations—Per foot or equivalent pressure	34.2(b)(i)	0.14	1.38	per foot or equivalent pressure
Diving allowance—other than ADS Operations—Minimum payment—50 x Diving allowance per foot; OR	34.2(b)(i)		69.00	per 12 hour period
Diving allowance—other than ADS Operations—Minimum payment using saturation techniques—250 x Diving allowance per foot	34.2(b)(i)		345.00	per 12 hour period
Diving allowance—ADS Operations—Per metre; OR	34.2(b)(ii)	0.23	2.27	per metre
Diving allowance—ADS Operations—Per foot	34.2(b)(ii)	0.07	0.69	per foot
Diving allowance—ADS Operations—Minimum payment—250 x Diving allowance per foot	34.2(b)(ii)		172.50	per 12 hour period
Non-destructive testing allowance	34.2(c)	7.04	69.60	per day
Hyperbaric welding allowance	34.2(d)(ii)	0.58	5.73	per linear millimetre
Hyperbaric welding allowance—weld which requires repair	34.2(d)(iii)	0.39	3.86	per linear millimetre

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