



# DRAFT DETERMINATION

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

**Annual Wage Review 2023–24**  
(C2024/1)

**ASPHALT INDUSTRY AWARD 2020**  
[MA000054]

Asphalt industry

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

SYDNEY, XX JUNE 2024

*Annual Wage Review 2023–24.*

A. Further to the decision issued by the Expert Panel in the Annual Wage Review 2023–24 on 3 June 2024 [[2024] FWCFB 3500], the above award is varied as follows:

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

<b>Employee classification</b>	<b>Minimum weekly rate (full-time employee)</b>	<b>Minimum hourly rate</b>
	<b>\$</b>	<b>\$</b>
Skill Level 1	891.50	23.46
Skill Level 2	941.00	24.76
Skill Level 3	978.50	25.75
Skill Level 4	1032.50	27.17
Skill Level 5	1041.40	27.41

2. By deleting the year “2023” in clause 15.4(b) and inserting “2024”.
3. By deleting the amount “\$37.72” appearing in clause 17.2(b) and inserting “\$39.14”.

4. By deleting the amount “\$38.67” appearing in clause 17.2(c)(i) and inserting “\$40.12”.
5. By deleting the amount “\$3.77” appearing in clause 17.2(d) and inserting “\$3.91”.
6. By deleting the amount “\$33.01” appearing in clause 17.2(e) and inserting “\$34.25”.
7. By deleting the table appearing in clause A.2.1 and inserting the following:

	<b>Day</b>	<b>Public holiday</b>
	<b>% of ordinary hourly rate<sup>1</sup></b>	
	<b>100%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>
Skill Level 1	25.55	63.88
Skill Level 2	26.85	67.13
Skill Level 3	27.84	69.60
Skill Level 4	29.26	73.15
Skill Level 5	29.50	73.75

8. By deleting the table appearing in clause A.2.2 and inserting the following:

	<b>Monday to Saturday – first 2 hours</b>	<b>Monday to Saturday – after 2 hours</b>	<b>Sunday – all day</b>
	<b>% of ordinary hourly rate<sup>1</sup></b>		
	<b>150%</b>	<b>200%</b>	<b>200%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>
Skill Level 1	38.33	51.10	51.10
Skill Level 2	40.28	53.70	53.70
Skill Level 3	41.76	55.68	55.68
Skill Level 4	43.89	58.52	58.52
Skill Level 5	44.25	59.00	59.00

9. By deleting the table appearing in clause A.2.3 and inserting the following:

	Day	Afternoon or night	Non-successive afternoon or night <sup>1</sup>		Permanent night <sup>2</sup>	Saturday	Sunday	Public holiday
			8 hours or less	More than 8 hours				
		<b>% of ordinary hourly rate<sup>3</sup></b>						
	<b>100%</b>	<b>115%</b>	<b>150%</b>	<b>200%</b>	<b>130%</b>	<b>150%</b>	<b>200%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Skill Level 1	25.55	29.38	38.33	51.10	33.22	38.33	51.10	63.88
Skill Level 2	26.85	30.88	40.28	53.70	34.91	40.28	53.70	67.13
Skill Level 3	27.84	32.02	41.76	55.68	36.19	41.76	55.68	69.60
Skill Level 4	29.26	33.65	43.89	58.52	38.04	43.89	58.52	73.15
Skill Level 5	29.50	33.93	44.25	59.00	38.35	44.25	59.00	73.75

10. By deleting the table appearing in clause A.2.4 and inserting the following:

	Overtime	Unrelieved overtime	
		First 8 hours	After 8 hours
		<b>% of ordinary rate<sup>1</sup></b>	
	<b>200%</b>	<b>150%</b>	<b>200%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>
Skill Level 1	51.10	38.33	51.10
Skill Level 2	53.70	40.28	53.70
Skill Level 3	55.68	41.76	55.68
Skill Level 4	58.52	43.89	58.52
Skill Level 5	59.00	44.25	59.00

11. By deleting the table appearing in clause A.3.2 and inserting the following:

	<b>Day</b>	<b>Public holiday</b>
	<b>% of casual ordinary hourly rate<sup>1</sup></b>	
	<b>100%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>
Skill Level 1	31.94	79.85
Skill Level 2	33.56	83.90
Skill Level 3	34.80	87.00
Skill Level 4	36.58	91.45
Skill Level 5	36.88	92.20

12. By deleting the table appearing in clause A.3.3 and inserting the following:

	<b>Day</b>	<b>Afternoon or night</b>	<b>Non-successive afternoon or night<sup>1</sup></b>		<b>Permanent night<sup>2</sup></b>	<b>Saturday</b>	<b>Sunday</b>	<b>Public holiday</b>
			<b>8 hours or less</b>	<b>More than 8 hours</b>				
	<b>% of casual ordinary hourly rate<sup>3</sup></b>							
	<b>100%</b>	<b>115%</b>	<b>150%</b>	<b>200%</b>	<b>130%</b>	<b>150%</b>	<b>200%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Skill Level 1	31.94	36.73	47.91	63.88	41.52	47.91	63.88	79.85
Skill Level 2	33.56	38.59	50.34	67.12	43.63	50.34	67.12	83.90
Skill Level 3	34.80	40.02	52.20	69.60	45.24	52.20	69.60	87.00
Skill Level 4	36.58	42.07	54.87	73.16	47.55	54.87	73.16	91.45
Skill Level 5	36.88	42.41	55.32	73.76	47.94	55.32	73.76	92.20

13. By deleting the amount “\$943.10” appearing in clause B.1.1 and inserting “\$978.50”.

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

<b>Allowance</b>	<b>Clause</b>	<b>% of standard rate</b>	<b>\$</b>	<b>Payable</b>
Industry allowance <sup>1</sup>	17.2(b)	4.0	39.14	per week

<b>Allowance</b>	<b>Clause</b>	<b>% of standard rate</b>	<b>\$</b>	<b>Payable</b>
Inclement weather allowance <sup>2</sup>	17.2(c)(i)	4.1	40.12	per week
First aid allowance	17.2(d)	0.4	3.91	per day
Leading hand allowance	17.2(e)	3.5	34.25	per week

B. This determination comes into operation on 1 July 2024. In accordance with s 286(5) of the *Fair Work Act 2009* (Cth) 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 2024.

PRESIDENT