



# DRAFT DETERMINATION

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

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

**AQUACULTURE INDUSTRY AWARD 2020**  
[MA000114]

Aquaculture

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 16.1 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>                  |
| Aquaculture Attendant Level 1  | 891.50  | 23.46                      |
| Aquaculture Attendant Level 2  | 903.90  | 23.79                      |
| Aquaculture Attendant Level 3  | 984.50  | 25.91                      |
| Aquaculture Attendant Level 4  | 1032.30   | 27.17                      |

2. By deleting the year “2023” in clause 16.6(b) and inserting “2024”.

3. By deleting the amount “\$3.38” appearing in clause 18.2(a) and inserting “\$3.51”.
4. By deleting the amount “\$4.68” appearing in clause 18.2(b) and inserting “\$4.85”.
5. By deleting the table appearing in clause B.1.1 and inserting the following:

| <b>Employee classification</b> | <b>Ordinary hours</b>           | <b>Saturday</b> | <b>Sunday</b> | <b>Public holiday</b> |
|--------------------------------|---------------------------------|-----------------|---------------|-----------------------|
|                                | <b>% of minimum hourly rate</b> |                 |               |                       |
|                                | <b>100%</b>                     | <b>125%</b>     | <b>150%</b>   | <b>250%</b>           |
|                                | <b>\$</b>                       | <b>\$</b>       | <b>\$</b>     | <b>\$</b>             |
| Aquaculture Attendant Level 1  | 23.46                           | 29.33           | 35.19         | 58.65                 |
| Aquaculture Attendant Level 2  | 23.79                           | 29.74           | 35.69         | 59.48                 |
| Aquaculture Attendant Level 3  | 25.91                           | 32.39           | 38.87         | 64.78                 |
| Aquaculture Attendant Level 4  | 27.17                           | 33.96           | 40.76         | 67.93                 |

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

| <b>Employee classification</b> | <b>Day</b>                      | <b>Afternoon</b> | <b>Night</b> | <b>Non-successive afternoon or night<sup>1</sup></b> |                      | <b>Saturday</b> | <b>Sunday</b> | <b>Public holiday</b>   |   |
|--------------------------------|---------------------------------|------------------|--------------|--|----------------------|-----------------|---------------|---|---|
|                                |                                 |                  |              | <b>First 3 hours</b>                                 | <b>After 3 hours</b> |                 |               | <b>All ordinary hours on PH<sup>2</sup> – non-cont s’worker</b> | <b>Major portion of shift on PH<sup>2</sup> – cont s’worker</b> |
|                                | <b>% of minimum hourly rate</b> |                  |              |  |                      |                 |               |   |   |
|                                | <b>100%</b>                     | <b>115%</b>      | <b>130%</b>  | <b>150%</b>  | <b>200%</b>          | <b>150%</b>     | <b>200%</b>   | <b>250%</b>   | <b>200%</b>   |
|                                | <b>\$</b>                       | <b>\$</b>        | <b>\$</b>    | <b>\$</b>  | <b>\$</b>            | <b>\$</b>       | <b>\$</b>     | <b>\$</b>   | <b>\$</b>   |
| Aquaculture Attendant Level 1  | 23.46                           | 26.98            | 30.50        | 35.19  | 46.92                | 35.19           | 46.92         | 58.65   | 46.92   |
| Aquaculture Attendant Level 2  | 23.79                           | 27.36            | 30.93        | 35.69  | 47.58                | 35.69           | 47.58         | 59.48   | 47.58   |
| Aquaculture Attendant Level 3  | 25.91                           | 29.80            | 33.68        | 38.87  | 51.82                | 38.87           | 51.82         | 64.78   | 51.82   |
| Aquaculture Attendant Level 4  | 27.17                           | 31.25            | 35.32        | 40.76  | 54.34                | 40.76           | 54.34         | 67.93   | 54.34   |

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

| <b>Employee classification</b> | <b>Day</b>                      | <b>Saturday</b> | <b>Sunday</b> | <b>Public holiday</b> |
|--------------------------------|---------------------------------|-----------------|---------------|-----------------------|
|                                | <b>% of minimum hourly rate</b> |                 |               |                       |
|                                | <b>125%</b>                     | <b>125%</b>     | <b>150%</b>   | <b>250%</b>           |
|                                | <b>\$</b>                       | <b>\$</b>       | <b>\$</b>     | <b>\$</b>             |
| Aquaculture Attendant Level 1  | 29.33                           | 29.33           | 35.19         | 58.65                 |
| Aquaculture Attendant Level 2  | 29.74                           | 29.74           | 35.69         | 59.48                 |
| Aquaculture Attendant Level 3  | 32.39                           | 32.39           | 38.87         | 64.78                 |
| Aquaculture Attendant Level 4  | 33.96                           | 33.96           | 40.76         | 67.93                 |

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

| <b>Employee classification</b> | <b>Day</b>                      | <b>Afternoon</b> | <b>Night</b> | <b>Non-successive afternoon or night<sup>1</sup></b> |                      | <b>Saturday</b> | <b>Sunday</b> | <b>Public holiday</b>  |   |
|--------------------------------|---------------------------------|------------------|--------------|--|----------------------|-----------------|---------------|--|---|
|                                |                                 |                  |              | <b>First 3 hours</b>                                 | <b>After 3 hours</b> |                 |               | <b>All ordinary hours on PH<sup>2</sup>- non-cont s'worker</b> | <b>Major portion of shift on PH<sup>2</sup>-cont s'worker</b> |
|                                | <b>% of minimum hourly rate</b> |                  |              |  |                      |                 |               |  |   |
|                                | <b>125%</b>                     | <b>140%</b>      | <b>155%</b>  | <b>175%</b>  | <b>225%</b>          | <b>175%</b>     | <b>225%</b>   | <b>275%</b>  | <b>225%</b>   |
|                                | <b>\$</b>                       | <b>\$</b>        | <b>\$</b>    | <b>\$</b>  | <b>\$</b>            | <b>\$</b>       | <b>\$</b>     | <b>\$</b>  | <b>\$</b>   |
| Aquaculture Attendant Level 1  | 29.33                           | 32.84            | 36.36        | 41.06  | 52.79                | 41.06           | 52.79         | 64.52  | 52.79   |
| Aquaculture Attendant Level 2  | 29.74                           | 33.31            | 36.87        | 41.63  | 53.53                | 41.63           | 53.53         | 65.42  | 53.53   |
| Aquaculture Attendant Level 3  | 32.39                           | 36.27            | 40.16        | 45.34  | 58.30                | 45.34           | 58.30         | 71.25  | 58.30   |
| Aquaculture Attendant Level 4  | 33.96                           | 38.04            | 42.11        | 47.55  | 61.13                | 47.55           | 61.13         | 74.72  | 61.13   |

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

| Employee classification       | Monday to Saturday              |               | Sunday – all day | Public holiday |
|-------------------------------|---------------------------------|---------------|------------------|----------------|
|                               | first 3 hours                   | after 3 hours |                  |                |
|                               | <b>% of minimum hourly rate</b> |               |                  |                |
|                               | <b>150%</b>                     | <b>200%</b>   | <b>200%</b>      | <b>250%</b>    |
|                               | <b>\$</b>                       | <b>\$</b>     | <b>\$</b>        | <b>\$</b>      |
| Aquaculture Attendant Level 1 | 35.19                           | 46.92         | 46.92            | 58.65          |
| Aquaculture Attendant Level 2 | 35.69                           | 47.58         | 47.58            | 59.48          |
| Aquaculture Attendant Level 3 | 38.87                           | 51.82         | 51.82            | 64.78          |
| Aquaculture Attendant Level 4 | 40.76                           | 54.34         | 54.34            | 67.93          |

10. By deleting the table appearing in clause B.3.2 and inserting the following:

| Employee classification       | Non-continuous shiftworkers     |             |                  |                | Continuous shiftworkers |                |
|-------------------------------|---------------------------------|-------------|------------------|----------------|-------------------------|----------------|
|                               | Monday to Saturday              |             | Sunday – all day | Public holiday | Monday to Sunday        | Public holiday |
| first 3 hours                 | after 3 hours                   |             |                  |                |                         |                |
|                               | <b>% of minimum hourly rate</b> |             |                  |                |                         |                |
|                               | <b>150%</b>                     | <b>200%</b> | <b>200%</b>      | <b>250%</b>    | <b>200%</b>             | <b>200%</b>    |
|                               | <b>\$</b>                       | <b>\$</b>   | <b>\$</b>        | <b>\$</b>      | <b>\$</b>               | <b>\$</b>      |
| Aquaculture Attendant Level 1 | 35.19                           | 46.92       | 46.92            | 58.65          | 46.92                   | 46.92          |
| Aquaculture Attendant Level 2 | 35.69                           | 47.58       | 47.58            | 59.48          | 47.58                   | 47.58          |
| Aquaculture Attendant Level 3 | 38.87                           | 51.82       | 51.82            | 64.78          | 51.82                   | 51.82          |
| Aquaculture Attendant Level 4 | 40.76                           | 54.34       | 54.34            | 67.93          | 54.34                   | 54.34          |

11. By deleting the amount “\$995.00” appearing in clause C.1.1 and inserting “\$1032.30”.

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

| <b>Allowance</b>                        | <b>Clause</b> | <b>% of<br/>standard rate</b> | <b>\$</b> | <b>Payable</b>              |
|---|---------------|-------------------------------|-----------|-----------------------------|
| First aid allowance                     | 18.2(a)       | 0.34                          | 3.51      | per working<br>day          |
| Diving allowance—<br>finfish attendants | 18.2(b)       | 0.47                          | 4.85      | per hour or<br>part thereof |

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