



**RTBU**

**IN THE FAIR WORK COMMISSION**

**Annual Wage Review 2018–19 — Junior rates of pay in modern awards C2019/1**

**SUBMISSIONS OF THE AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION**

The Australian Rail, Tram and Bus Industry Union (“**RTBU**”) acknowledges that the junior rates under the Rail Industry Award 2010 do not fall below those provided for in the National Minimum Wages Order 2018.

However, the Rail Industry Award 2010 has apprentice rates which fall below the apprentice rates in the National Minimum Wage 4 (“**NMW4**”).

**NMW4 Apprentice Rates**

NMW4 provides for apprentice rates for award/agreement free employees as follows:

*Apprentices*

To be paid in accordance with 14.2 of the Miscellaneous Award 2010 which provides:

<b>Apprentice</b>	<b>Standard rate</b>	<b>Percentage</b>	<b>Hourly rate</b>
1st year	22.04	55%	12.12
2nd Year	22.04	65%	14.33
3rd Year	22.04	80%	17.63
4th Year	22.04	95%	20.94

*Adult Apprentices - commencing on or after 1 Jan 2014*

To be paid in accordance with 14.2 of the Miscellaneous Award 2010 which provides:

<b>Adult Apprentice</b>	<b>Standard rate</b>	<b>Whichever greater</b>	<b>Hourly rate</b>
1st year	22.04	80% of standard	17.63
2nd Year	22.04	Lowest rate in 14.1	18.93
3rd Year	22.04	Lowest rate in 14.1	18.93
4th Year	22.04	apprentice rate higher	20.94

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*Adult Apprentices - commencing before 1 Jan 2014*

Paid in accordance with the non-adult apprentice rates however, in accordance with NMW4 if the adult apprentice was engaged before 1 July 2014 and is in their first year of apprenticeship must be paid \$16.37p/h.

**Rail Industry Award Apprentice Rates**

Apprentice rates in the Rail Industry Award 2010 are paid as a percentage of two classifications:

Level	Classification	Weekly Wage
4	Rail Worker (T.C.I)	837.4
3	Rail Worker (Operations)	846.7

The following apprentice rates in **RED** from the Rail Industry Award 2010 fall below those in NMW4.

*Pre 1 Jan 2014*

Years of Apprentice	% of Adult Rate	Weekly Rate: Rail Worker (T.C.I)	Hourly Rate	Weekly Rate: Rail Worker (Operations)	Hourly Rate
1 <sup>st</sup> Year	45	376.83	\$9.92	\$381.02	\$10.03
2 <sup>nd</sup> year	55	460.57	\$12.12	\$465.69	\$12.26
3 <sup>rd</sup> year	75	628.05	\$16.53	\$635.03	\$16.71
4 <sup>th</sup> year	88	736.912	\$19.39	\$745.10	\$19.61

*After 1 Jan 2014*

*Not completed year 12*

Years of Apprentice	% of Adult Rate	Weekly Rate: Rail Worker (T.C.I)	Hourly Rate	Weekly Rate: Rail Worker (Operations)	Hourly Rate
1 <sup>st</sup> Year	50	418.7	\$11.02	\$423.35	\$11.14
2 <sup>nd</sup> year	60	502.44	\$13.22	\$508.02	\$13.37
3 <sup>rd</sup> year	75	628.05	\$16.53	\$635.03	\$16.71
4 <sup>th</sup> year	88	736.91	\$19.39	\$745.10	\$19.61

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*Completed Year 12*

Years of Apprenticeship	% of Adult Rate	Weekly Rate: Rail Worker (T.C.I)	Hourly Rate	Weekly Rate: Rail Worker (Operations)	Hourly Rate
1 <sup>st</sup> Year	55	460.57	\$12.12	\$465.69	\$12.26
2 <sup>nd</sup> year	65	544.31	\$14.32	\$550.36	\$14.48
3 <sup>rd</sup> year	75	628.05	\$16.53	\$635.03	\$16.71
4 <sup>th</sup> year	88	736.912	\$19.39	\$745.10	\$19.61

*Adult apprentices*

If pre 1 Jan 2014 use non-adult apprentice rates which as already indicated fall below

*After 1 Jan 2014*

Years of Apprenticeship	% of Adult Rate	Weekly Rate: Rail Worker (T.C.I)	Hourly Rate	Weekly Rate: Rail Worker (Operations)	Hourly Rate
1 <sup>st</sup> Year	80	669.92	\$17.63	677.36	17.83
2 <sup>nd</sup> year	100	\$739.50	\$19.46	\$719.20	\$18.93
3 <sup>rd</sup> year	100	\$739.50	\$19.46	\$719.20	\$18.93
4 <sup>th</sup> year	100	\$739.50	\$19.46	\$745.10	19.61

The RTBU submits that it is inappropriate for any apprentice rates whether junior or adult provided in a modern award to fall below those provided to award/agreement free employees and that the FWC should rectify these deficiencies in the Rail Industry Award 2010.

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14 May 2019

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