



# DRAFT DETERMINATION

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

## Annual Wage Review 2019–20 (C2020/1)

### PROFESSIONAL DIVING INDUSTRY (INDUSTRIAL) AWARD 2020 [MA000108]

Diving services

JUSTICE ROSS, PRESIDENT  
VICE PRESIDENT CATANZARITI  
DEPUTY PRESIDENT ASBURY  
COMMISSIONER HAMPTON  
MR FERGUSON  
PROFESSOR WOODEN  
MS LABINE-ROMAIN

MELBOURNE, XX JUNE 2020

*Annual Wage Review 2019–20.*

A. Further to the decision issued by the majority of the Expert Panel in the Annual Wage Review 2019–20 on 19 June 2020 [[2020] FWCFB 3500], the above award is varied as follows:

1. By deleting the table appearing in clause 27.1 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>
Diving Supervisor	1421.30	37.40
Hyperbaric Welder	1102.80	29.02
Diver	1054.20	27.74
Diver's Attendant	866.80	22.81

2. By deleting the amounts "\$4.46" and "\$1.35" appearing in clause 29.2(a) and inserting "\$4.53" and "\$1.37" respectively.
3. By deleting the amount "\$67.45" appearing in clause 29.2(b) and inserting "\$68.63".

4. By deleting the amount "\$5.08" appearing in clause 29.2(c)(ii) and inserting "\$5.17".
5. By deleting the amount "\$3.42" appearing in clause 29.2(c)(iii) and inserting "\$3.48".
6. By deleting the table appearing in clause 32.1(a) and inserting the following:

	<b>Full-time employees</b>		
<b>Employee classification</b>	<b>Minimum weekly rate (full-time employee)</b>	<b>Aggregate weekly factor (percentage of minimum weekly rate)</b>	<b>Total weekly rate (minimum weekly rate plus aggregate weekly factor)</b>
	<b>\$</b>	<b>%</b>	<b>\$</b>
Diving Superintendent	1158.60	117	2514.16
Diving Supervisor	1082.70	116	2338.63
Supervisor (ADS Operations)	1082.70	116	2338.63
Hyperbaric Welder	1045.10	116	2257.42
Life Support Technician	990.80	114	2120.31
Senior Operator (OMB Operations)	990.80	114	2120.31
Systems Maintenance Technician	927.70	113	1976.00
Diver	872.00	111	1839.92
Operator (ADS Operations)	872.00	111	1839.92
Diver's Attendant	758.50	108	1577.68

7. By deleting the amount "\$68.56" appearing in clause 34.2(a)(i) and inserting "\$69.76".
8. By deleting the amount "\$81.33" appearing in clause 34.2(a)(ii) and inserting "\$82.75".
9. By deleting the amounts "\$4.03", "\$1.20", "\$60.00" and "\$300.00" appearing in clause 34.2(b)(i) and inserting "\$4.10", "\$1.22", "\$61.00" and "\$305.00" respectively.
10. By deleting the amounts "\$1.97", "\$0.60" and "\$150.00" appearing in clause 34.2(b)(ii) and inserting "\$2.01", "\$0.61" and "\$152.50" respectively.
11. By deleting the amount "\$60.33" appearing in clause 34.2(c) and inserting "\$61.39".

- 12. By deleting the amount "\$4.97" appearing in clause 34.2(d)(ii) and inserting "\$5.06".
- 13. By deleting the amount "\$3.34" appearing in clause 34.2(d)(iii) and inserting "\$3.40".
- 14. By deleting the table appearing in clause B.1.1 and inserting the following:

	<b>Ordinary hours</b>	<b>Public holiday</b>
	<b>% of minimum hourly rate</b>	
	<b>100%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>
Diving Supervisor	37.40	93.50
Hyperbaric Welder	29.02	72.55
Diver	27.74	69.35
Diver's Attendant	22.81	57.03

- 15. By deleting the table appearing in clause B.1.2 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>Public holiday</b>
	<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>
Diving Supervisor	56.10	74.80	74.80	93.50
Hyperbaric Welder	43.53	58.04	58.04	72.55
Diver	41.61	55.48	55.48	69.35
Diver's Attendant	34.22	45.62	45.62	57.03

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

	<b>Ordinary hours</b>	<b>Public holiday</b>
	<b>% of casual hourly rate</b>	
	<b>100%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>
Diving Supervisor	46.75	116.88

	<b>Ordinary hours</b>	<b>Public holiday</b>
	<b>% of casual hourly rate</b>	
	<b>100%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>
Hyperbaric Welder	36.28	90.70
Diver	34.68	86.70
Diver's Attendant	28.51	71.28

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

	<b>Total hourly rate</b>	<b>Total monthly rate<sup>1</sup></b>
	<b>\$</b>	<b>\$</b>
Diving Superintendent	66.16	10,936.60
Diving Supervisor	61.54	10,173.04
Supervisor (ADS Operations)	61.54	10,173.04
Hyperbaric Welder	59.41	9819.78
Life Support Technician	55.80	9223.35
Senior Operator (OMB Operations)	55.80	9223.35
Systems Maintenance Technician	52.00	8595.60
Diver	48.42	8003.65
Operator (ADS Operations)	48.42	8003.65
Diver's Attendant	41.52	6862.91

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

	<b>Casual ordinary rate</b>
	<b>\$</b>
Diving Superintendent	38.11
Diving Supervisor	35.61
Supervisor (ADS Operations)	35.61
Hyperbaric Welder	34.38
Life Support Technician	32.59
Senior Operator (OMB Operations)	32.59
Systems Maintenance Technician	30.51
Diver	28.69
Operator (ADS Operations)	28.69
Diver's Attendant	24.95

19. By deleting the amount "\$1036.10" appearing in clause C.1.1 and inserting "\$1054.20".

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

<b>Allowance</b>	<b>Clause</b>	<b>% of standard rate</b>	<b>\$</b>	<b>Payable</b>
Diving allowance—Per metre; OR	29.2(a)(i)	0.43	4.53	per metre
Diving allowance—Per foot of water or equivalent pressure	29.2(a)(i)	0.13	1.37	per foot of water or equivalent pressure
Non-destructive testing allowance	29.2(b)	6.51	68.63	per day
Hyperbaric welding allowance	29.2(c)(ii)	0.49	5.17	per linear millimetre
Hyperbaric welding allowance—weld which requires repair	29.2(c)(iii)	0.33	3.48	per linear millimetre

21. By deleting the amount "\$857.00" appearing in clause C.3.1 and inserting "\$872.00".

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

<b>Allowance</b>	<b>Clause</b>	<b>% of standard rate</b>	<b>\$</b>	<b>Payable</b>
Disability allowance— Full-time/part-time employees	34.2(a)(i)	8.0	69.76	per on-duty day
Disability allowance— Casual employees	34.2(a)(ii)	9.49	82.75	per on-duty day
Diving allowance—other than ADS Operations— Per metre; OR	34.2(b)(i)	0.47	4.10	per metre
Diving allowance—other than ADS Operations— Per foot or equivalent pressure	34.2(b)(i)	0.14	1.22	per foot or equivalent pressure
Diving allowance—other than ADS Operations— Minimum payment—50 x Diving allowance per foot; OR	34.2(b)(i)		61.00	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)		305.00	per 12 hour period
Diving allowance—ADS Operations—Per metre; OR	34.2(b)(ii)	0.23	2.01	per metre
Diving allowance—ADS Operations—Per foot	34.2(b)(ii)	0.07	0.61	per foot
Diving allowance—ADS Operations—Minimum payment—250 x Diving allowance per foot	34.2(b)(ii)		152.50	per 12 hour period
Non-destructive testing allowance	34.2(c)	7.04	61.39	per day

<b>Allowance</b>	<b>Clause</b>	<b>% of standard rate</b>	<b>\$</b>	<b>Payable</b>
Hyperbaric welding allowance	34.2(d)(ii)	0.58	5.06	per linear millimetre
Hyperbaric welding allowance—weld which requires repair	34.2(d)(iii) )	0.39	3.40	per linear millimetre

B. This determination comes into operation on 1 November 2020. 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 November 2020.

PRESIDENT