



# DRAFT DETERMINATION

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

**Annual Wage Review 2022–23**  
(C2023/1)

**FAST FOOD INDUSTRY AWARD 2020**  
[MA000003]

Fast food industry

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 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>
Fast food employee level 1	939.60	24.73
Fast food employee level 2	995.00	26.18
Fast food employee level 3— in charge of one or no person	1010.30	26.59
Fast food employee level 3— in charge of 2 or more people	1022.70	26.91

2. By deleting the year “2022” in clause 15.4(b) and inserting “2023”.
3. By deleting the amount “\$40.27” appearing in clause 17.2 and inserting “\$42.58”.

4. By deleting the amount “\$0.32” appearing in clause 17.3(a) and inserting “\$0.34”.
5. By deleting the amounts “\$0.50” and “\$0.82” appearing in clause 17.3(b) and inserting “\$0.52” and “\$0.86” respectively.
6. By deleting the table appearing in clause A.1.1 and inserting the following:

	<b>Ordinary hours</b>	<b>Evening work – Monday to Friday – between 10.00 pm and midnight</b>	<b>Evening work – Monday to Friday – after midnight and before 6.00 am</b>	<b>Saturday</b>	<b>Sunday – level 1</b>	<b>Sunday – levels 2 and 3</b>	<b>Public holiday</b>
	<b>% of minimum hourly rate</b>						
	<b>100%</b>	<b>110%</b>	<b>115%</b>	<b>125%</b>	<b>125%</b>	<b>150%</b>	<b>225%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Fast food employee level 1	24.73	27.20	28.44	30.91	30.91	–	55.64
Fast food employee level 2	26.18	28.80	30.11	32.73	–	39.27	58.91
Fast food employee level 3—in charge of one or no person	26.59	29.25	30.58	33.24	–	39.89	59.83
Fast food employee level 3—in charge of 2 or more people	26.91	29.60	30.95	33.64	–	40.37	60.55

7. By deleting the table appearing in clause A.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 hours</b>	<b>Public holiday – all hours</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>
Fast food employee level 1	37.10	49.46	49.46	61.83
Fast food employee level 2	39.27	52.36	52.36	65.45
Fast food employee level 3—in charge of one or no person	39.89	53.18	53.18	66.48
Fast food employee level 3—in charge of 2 or more people	40.37	53.82	53.82	67.28

8. By deleting the table appearing in clause A.2.1 and inserting the following:

	<b>Ordinary hours</b>	<b>Evening work – Monday to Friday – between 10.00 pm and midnight</b>	<b>Evening work – Monday to Friday – after midnight and before 6.00 am</b>	<b>Saturday</b>	<b>Sunday – level 1</b>	<b>Sunday – levels 2 and 3</b>	<b>Public holiday</b>
	<b>% of minimum hourly rate</b>						
	<b>125%</b>	<b>135%</b>	<b>140%</b>	<b>150%</b>	<b>150%</b>	<b>175%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Fast food employee level 1	30.91	33.39	34.62	37.10	37.10	–	61.83
Fast food employee level 2	32.73	35.34	36.65	39.27	–	45.82	65.45
Fast food employee level 3—in charge of one or no person	33.24	35.90	37.23	39.89	–	46.53	66.48
Fast food employee level 3—in charge of 2 or more people	33.64	36.33	37.67	40.37	–	47.09	67.28

9. 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 hours</b>	<b>Public holiday – all hours</b>
	<b>% of minimum hourly rate</b>			
	<b>175%</b>	<b>225%</b>	<b>225%</b>	<b>275%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Fast food employee level 1	43.28	55.64	55.64	68.01
Fast food employee level 2	45.82	58.91	58.91	72.00
Fast food employee level 3—in charge of one or no person	46.53	59.83	59.83	73.12
Fast food employee level 3—in charge of 2 or more people	47.09	60.55	60.55	74.00

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

Age	Ordinary hours	Evening work – Monday to Friday – between 10.00 pm and midnight	Evening work – Monday to Friday – after midnight and before 6.00 am	Saturday	Sunday – level 1	Sunday – levels 2 and 3	Public holiday
	<b>% of junior hourly rate</b>						
	<b>100%</b>	<b>110%</b>	<b>115%</b>	<b>125%</b>	<b>125%</b>	<b>150%</b>	<b>225%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
<b>Fast Food Level 1</b>							
Under 16 years	9.89	10.88	11.37	12.36	12.36	–	22.25
16 years	12.36	13.60	14.21	15.45	15.45	–	27.81
17 years	14.84	16.32	17.07	18.55	18.55	–	33.39
18 years	17.31	19.04	19.91	21.64	21.64	–	38.95
19 years	19.78	21.76	22.75	24.73	24.73	–	44.51
20 years	22.25	24.48	25.59	27.81	27.81	–	50.06
<b>Fast Food Level 2</b>							
Under 16 years	10.47	11.52	12.04	13.09	–	15.71	23.56
16 years	13.09	14.40	15.05	16.36	–	19.64	29.45
17 years	15.71	17.28	18.07	19.64	–	23.57	35.35
18 years	18.33	20.16	21.08	22.91	–	27.50	41.24
19 years	20.95	23.05	24.09	26.19	–	31.43	47.14
20 years	23.57	25.93	27.11	29.46	–	35.36	53.03
<b>Fast food level 3— in charge of one or no person</b>							
Under 16 years	10.63	11.69	12.22	13.29	–	15.95	23.92
16 years	13.29	14.62	15.28	16.61	–	19.94	29.90
17 years	15.95	17.55	18.34	19.94	–	23.93	35.89
18 years	18.61	20.47	21.40	23.26	–	27.92	41.87
19 years	21.27	23.40	24.46	26.59	–	31.91	47.86
20 years	23.93	26.32	27.52	29.91	–	35.90	53.84
<b>Fast food level 3— in charge of 2 or more people</b>							
Under 16 years	10.77	11.85	12.39	13.46	–	16.16	24.23
16 years	13.46	14.81	15.48	16.83	–	20.19	30.29
17 years	16.15	17.77	18.57	20.19	–	24.23	36.34
18 years	18.84	20.72	21.67	23.55	–	28.26	42.39
19 years	21.53	23.68	24.76	26.91	–	32.30	48.44

Age	Ordinary hours	Evening work – Monday to Friday – between 10.00 pm and midnight	Evening work – Monday to Friday – after midnight and before 6.00 am	Saturday	Sunday – level 1	Sunday – levels 2 and 3	Public holiday
	<b>% of junior hourly rate</b>						
	<b>100%</b>	<b>110%</b>	<b>115%</b>	<b>125%</b>	<b>125%</b>	<b>150%</b>	<b>225%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
20 years	24.22	26.64	27.85	30.28	–	36.33	54.50

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

Age	Monday to Saturday – first 2 hours	Monday to Saturday – after 2 hours	Sunday – all hours	Public holiday – all hours
	<b>% of junior hourly rate</b>			
	<b>150%</b>	<b>200%</b>	<b>200%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
<b>Fast Food Level 1</b>				
Under 16 years	14.84	19.78	19.78	24.73
16 years	18.54	24.72	24.72	30.90
17 years	22.26	29.68	29.68	37.10
18 years	25.97	34.62	34.62	43.28
19 years	29.67	39.56	39.56	49.45
20 years	33.38	44.50	44.50	55.63
<b>Fast Food Level 2</b>				
Under 16 years	15.71	20.94	20.94	26.18
16 years	19.64	26.18	26.18	32.73
17 years	23.57	31.42	31.42	39.28
18 years	27.50	36.66	36.66	45.83
19 years	31.43	41.90	41.90	52.38
20 years	35.36	47.14	47.14	58.93
<b>Fast food level 3—in charge of one or no person</b>				
Under 16 years	15.95	21.26	21.26	26.58
16 years	19.94	26.58	26.58	33.23
17 years	23.93	31.90	31.90	39.88
18 years	27.92	37.22	37.22	46.53

Age	Monday to Saturday – first 2 hours	Monday to Saturday – after 2 hours	Sunday – all hours	Public holiday – all hours
	<b>% of junior hourly rate</b>			
	<b>150%</b>	<b>200%</b>	<b>200%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
19 years	31.91	42.54	42.54	53.18
20 years	35.90	47.86	47.86	59.83
<b>Fast food level 3—in charge of 2 or more people</b>				
Under 16 years	16.16	21.54	21.54	26.93
16 years	20.19	26.92	26.92	33.65
17 years	24.23	32.30	32.30	40.38
18 years	28.26	37.68	37.68	47.10
19 years	32.30	43.06	43.06	53.83
20 years	36.33	48.44	48.44	60.55

12. By deleting the table appearing in clause A.3.4 and inserting the following:

Age	Ordinary hours	Evening work – Monday to Friday – between 10.00 pm and midnight	Evening work – Monday to Friday – after midnight and before 6.00 am	Saturday	Sunday – level 1	Sunday – levels 2 and 3	Public holiday
	<b>% of junior hourly rate</b>						
	<b>125%</b>	<b>135%</b>	<b>140%</b>	<b>150%</b>	<b>150%</b>	<b>175%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
<b>Fast Food Level 1</b>							
Under 16 years	12.36	13.35	13.85	14.84	14.84	–	24.73
16 years	15.45	16.69	17.30	18.54	18.54	–	30.90
17 years	18.55	20.03	20.78	22.26	22.26	–	37.10
18 years	21.64	23.37	24.23	25.97	25.97	–	43.28
19 years	24.73	26.70	27.69	29.67	29.67	–	49.45
20 years	27.81	30.04	31.15	33.38	33.38	–	55.63
<b>Fast Food Level 2</b>							
Under 16 years	13.09	14.13	14.66	15.71	–	18.32	26.18
16 years	16.36	17.67	18.33	19.64	–	22.91	32.73
17 years	19.64	21.21	21.99	23.57	–	27.49	39.28

Age	Ordinary hours	Evening work – Monday to Friday – between 10.00 pm and midnight	Evening work – Monday to Friday – after midnight and before 6.00 am	Saturday	Sunday – level 1	Sunday – levels 2 and 3	Public holiday
	<b>% of junior hourly rate</b>						
	<b>125%</b>	<b>135%</b>	<b>140%</b>	<b>150%</b>	<b>150%</b>	<b>175%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
18 years	22.91	24.75	25.66	27.50	–	32.08	45.83
19 years	26.19	28.28	29.33	31.43	–	36.66	52.38
20 years	29.46	31.82	33.00	35.36	–	41.25	58.93
<b>Fast food level 3—in charge of one or no person</b>							
Under 16 years	13.29	14.35	14.88	15.95	–	18.60	26.58
16 years	16.61	17.94	18.61	19.94	–	23.26	33.23
17 years	19.94	21.53	22.33	23.93	–	27.91	39.88
18 years	23.26	25.12	26.05	27.92	–	32.57	46.53
19 years	26.59	28.71	29.78	31.91	–	37.22	53.18
20 years	29.91	32.31	33.50	35.90	–	41.88	59.83
<b>Fast food level 3—in charge of 2 or more people</b>							
Under 16 years	13.46	14.54	15.08	16.16	–	18.85	26.93
16 years	16.83	18.17	18.84	20.19	–	23.56	33.65
17 years	20.19	21.80	22.61	24.23	–	28.26	40.38
18 years	23.55	25.43	26.38	28.26	–	32.97	47.10
19 years	26.91	29.07	30.14	32.30	–	37.68	53.83
20 years	30.28	32.70	33.91	36.33	–	42.39	60.55

13. By deleting the table appearing in clause A.3.5 and inserting the following:

Age	Monday to Saturday – first 2 hours	Monday to Saturday – after 2 hours	Sunday – all hours	Public holiday – all hours
	<b>% of junior hourly rate</b>			
	<b>175%</b>	<b>225%</b>	<b>225%</b>	<b>275%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
<b>Fast Food Level 1</b>				
Under 16 years	17.31	22.25	22.25	27.20

Age	Monday to Saturday – first 2 hours	Monday to Saturday – after 2 hours	Sunday – all hours	Public holiday – all hours
	<b>% of junior hourly rate</b>			
	<b>175%</b>	<b>225%</b>	<b>225%</b>	<b>275%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
16 years	21.63	27.81	27.81	33.99
17 years	25.97	33.39	33.39	40.81
18 years	30.29	38.95	38.95	47.60
19 years	34.62	44.51	44.51	54.40
20 years	38.94	50.06	50.06	61.19
<b>Fast Food Level 2</b>				
Under 16 years	18.32	23.56	23.56	28.79
16 years	22.91	29.45	29.45	36.00
17 years	27.49	35.35	35.35	43.20
18 years	32.08	41.24	41.24	50.41
19 years	36.66	47.14	47.14	57.61
20 years	41.25	53.03	53.03	64.82
<b>Fast food level 3—in charge of one or no person</b>				
Under 16 years	18.60	23.92	23.92	29.23
16 years	23.26	29.90	29.90	36.55
17 years	27.91	35.89	35.89	43.86
18 years	32.57	41.87	41.87	51.18
19 years	37.22	47.86	47.86	58.49
20 years	41.88	53.84	53.84	65.81
<b>Fast food level 3—in charge of 2 or more people</b>				
Under 16 years	18.85	24.23	24.23	29.62
16 years	23.56	30.29	30.29	37.02
17 years	28.26	36.34	36.34	44.41
18 years	32.97	42.39	42.39	51.81
19 years	37.68	48.44	48.44	59.21
20 years	42.39	54.50	54.50	66.61



14. By deleting the amount “\$24.76” appearing in clause B.1.1 and inserting “\$26.18”.
15. 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>
Broken Hill allowance	17.2	162.64	42.58	per week
Cold work allowance—cold chambers; stocking and refilling refrigerated storages	17.3(a)	1.3	0.34	per hour
Cold work allowance—cold chambers; below 0°C—additional to clause 17.3(a)	17.3(b)	2.0	0.52	per hour
Cold work allowance—cold chambers; below 0°C—total amount	17.3(b)	Sum of both cold work allowances	0.86	per hour

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