



# DRAFT DETERMINATION

*Fair Work Act 2009*

s 157—FWC may vary etc. modern awards if necessary to achieve modern awards objective

## Review of C14 and C13 rates in modern awards

(C2019/5259)

### SUGAR INDUSTRY AWARD 2020

[MA000087]

Sugar industry

JUSTICE HATCHER, PRESIDENT  
 VICE PRESIDENT ASBURY  
 DEPUTY PRESIDENT HAMPTON  
 COMMISSIONER DURHAM

SYDNEY, XX MONTH 2024

*Review of classification rates at the C14 and C13 level in modern awards – Sugar Industry Award 2020 – award varied.*

A. Further to the decision issued by the Expert Panel on XX Month 2024 [[2024] FWCFB XX], the above award is varied as follows:

1. By deleting the row for CT1 (Level 1) in the table appearing in clause 17.1 and inserting the following:

CT1 (Level 1)	915.90	24.10	27.72
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2. By inserting clause B.1.1(c) as follows:

(c) Within a period of 3 months, the employee will be reclassified to Production, transport and services operator—level 3 (C13).

3. By deleting clause B.1.2 and inserting the following:

#### **B.1.2 Production, transport and services operator—level 3 (C13)**

(a) An employee appointed to this level is an employee who has completed up to 3 months’ employment at level 2 so as to enable the employee to perform work within the scope of this level. The employee must perform work above and beyond the skills at level 2, and must have obtained proficiency and where required certification or qualification necessary to perform work at this level. An employee at this level is required to:

- (i)** work under supervision;
  - (ii)** exercise decision making/responsibility within their level of skill and training;
  - (iii)** demonstrate awareness of general quality control standards, in particular responsibility for their own work and advise of quality control problems where identified;
  - (iv)** provide on-the-job training as required;
  - (v)** service and adjust equipment according to their level of skill and training, and advise of any additional maintenance required;
  - (vi)** demonstrate general housekeeping skills; and
  - (vii)** demonstrate ability to use common language skills to engage in communication and to read and understand written and oral communications plus prepare records that convey information accurately and concisely.
- (b)** Indicative classifications would include, for example:
- (i)** Assistant bridge carpenter
  - (ii)** Bagasse loftperson
  - (iii)** Bagasse reclaimer operator
  - (iv)** Carrier hand
  - (v)** Diffuser attendant
  - (vi)** Dogperson and slingers
  - (vii)** Driver of tractors hauling full and empty cane trucks to and from the carrier
  - (viii)** Driver of tractors not otherwise specified herein
  - (ix)** Fireperson in mills
  - (x)** General mill worker
  - (xi)** Greaser
  - (xii)** Locomotive driver's assistant
  - (xiii)** Low grade fugal operator

- (xiv) Plasser KMX assistant
- (xv) Storekeeper
- (xvi) Sugar boiler's assistant
- (xvii) Tram construction and maintenance worker
- (xviii) Truck driver other than articulated
- (xix) Watchperson
- (xx) Bulk sugar loader
- (xxi) Malcolm Moore driver's assistant
- (xxii) Form setter's assistant

4. By deleting clause B.2.1 and inserting the following:

**B.2.1 Distilling and services operator—level 2 (C14)**

- (a) An employee at this level is required to:
  - (i) work under supervision;
  - (ii) exercise decision making/responsibility within their level of skill and training;
  - (iii) demonstrate awareness of general quality control standards in particular responsibility for their own work and advise of quality control problems where identified;
  - (iv) assist with on-the-job training;
  - (v) service and adjust equipment according to their level of skill and training and advise of any additional maintenance required;
  - (vi) demonstrate general housekeeping skills; and
  - (vii) demonstrate ability to use common language skills to engage in communication and to read and understand written and oral instructions plus prepare records that convey information accurately and concisely.
- (b) Within a period of 3 months, the employee will be reclassified to Distilling and services operator—level 3 (C13).

5. By deleting the paragraph appearing at clause B.2.2 and inserting the following:

An employee appointed to this level is an employee who has completed up to 3 months' employment at level 2 so as to enable the employee to perform work within the scope of this level. The employee must perform work above and beyond the skills at level 2, and must have obtained proficiency and where required certification or qualification necessary to perform work at this level. An employee at this level is required to:

6. By deleting clause B.3.1 and inserting the following:

**B.3.1 Refinery operator—level 2 (C14)**

(a) An employee at this level is required to:

- (i) work under supervision;
- (ii) exercise decision making/responsibility within their level of skill and training;
- (iii) demonstrate awareness of general quality control standards with particular responsibility for their own work and advise of quality control problems where identified;
- (iv) assist with on-the-job training;
- (v) service and adjust equipment according to their level of skill and training and advise of any additional maintenance required;
- (vi) demonstrate general housekeeping skills; and
- (vii) demonstrate ability to use common language skills to engage in communication and to read and understand written and oral instructions plus prepare records that convey information accurately and concisely.

(b) Within a period of 3 months, the employee will be reclassified to Refinery operator—level 3 (C13).

7. By deleting the paragraph appearing at clause B.3.2 and inserting the following:

An employee appointed to this level is an employee who has completed up to 3 months' employment at level 2 so as to enable the employee to perform work within the scope of this level. The employee must perform work above and beyond the skills at level 2, and must have obtained proficiency and where required certification or qualification necessary to perform work at this level. An employee at this level is required to:

8. By inserting clause B.4.2(a)(iii) as follows:

- (iii) Within a period of 3 months, the employee will be reclassified to engineering/production employee level II.

9. By deleting the words “3 months structured training” appearing in clause B.4.3(a)(i) and inserting “3 months’ employment at level I”.

10. By deleting the row for CT1 (Level 1) in the table appearing in clause D.1.1 and inserting the following:

CT1 (Level 1)	24.10	36.15	60.25
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11. By deleting the row for CT1 (Level 1) in the table appearing in clause D.1.2 and inserting the following:

CT1 (Level 1)	36.15	48.20	48.20	60.25
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12. By deleting the row for CT1 (Level 1) in the table appearing in clause D.1.3 and inserting the following:

CT1 (Level 1)	24.10	27.11	27.72	60.25	48.20
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13. By deleting the row for CT1 (Level 1) in the table appearing in clause D.1.4 and inserting the following:

CT1 (Level 1)	30.13	42.18	66.28
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14. By deleting the row for CT1 (Level 1) in the table appearing in clause D.1.5 and inserting the following:

CT1 (Level 1)	30.13	33.14	33.74	66.28
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15. By updating the cross-references accordingly.

B. This determination comes into operation on 1 January 2025. In accordance with ss 165(3) and 166(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 January 2025.

PRESIDENT