



DRAFT DETERMINATION

Fair Work Act 2009
s.285—Annual wage review

Annual Wage Review 2020–21
(C2021/1)

LIVE PERFORMANCE AWARD 2020
[MA000081]

Live performance industry

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

MELBOURNE, XX JUNE 2021

Annual Wage Review 2020–21.

A. Further to the decision issued by the Expert Panel in the Annual Wage Review 2020–21 on 16 June 2021 [[2021] FWCFB 3500], the above award is varied as follows:

1. By deleting the table appearing in clause 11.1 and inserting the following:

Live Performance employee	Category	Minimum weekly rate (full-time employee)	Minimum hourly rate
		\$	\$
Level 1	Production and Support Staff Level 1 (Induction/Training)	772.60	20.33
Level 2	Production and Support Staff Level 2	840.10	22.11
Level 3	Production and Support Staff Level 3	882.50	23.22
Level 4	Production and Support Staff Level 4	899.50	23.67
Level 5	Production and Support Staff Level 5	927.60	24.41
Level 6	Production and Support Staff Level 6	955.90	25.16
Level 7	Company Dancer Level 1;	981.50	–

Live Performance employee	Category	Minimum weekly rate (full-time employee)	Minimum hourly rate
		\$	\$
	Performer Category 1 Grade 1		
Level 8	Company Dancer Level 2; Production and Support Staff Level 7	1017.20	26.77 ¹
Level 9	Musician; Performer Category 1 Grade 2; Performer Category 2	1031.30	–
Level 10	Company Dancer Level 3; Production and Support Staff Level 8	1052.30	27.69 ¹
Level 11	Company Dancer Level 4; Musician required to accompany artists; Opera Principal	1085.60	–
Level 12	Company Dancer Level 5	1122.00	–
Level 13	Company Dancer Level 6; Technical Manager	1162.80	–
Level 14	Company Dancer Level 7; Principal Musician; Vocalist	1211.10	–
Level 15	Conductor-Leader	1314.20	–

2. By deleting the words “1 February 2021” in clause 11.6(b) and inserting “1 November 2021”.
3. By deleting the amounts “\$28.03” and “\$532.60” appearing in clause 31.4(a) and inserting “\$28.73” and “\$545.90” respectively.
4. By deleting the amounts “\$42.12” and “\$21.06” appearing in clause 31.6(c)(i) and inserting “\$43.18” and “\$21.59” respectively.
5. By deleting the amount “\$21.06” appearing in clause 31.6(c)(ii) and inserting “\$21.59”.
6. By deleting the amount “\$29.84” appearing in clause 31.6(e) and inserting “\$30.58”.
7. By deleting the amounts “\$736.90” and “\$864.40” appearing in clause 31.8(a)(ii) and inserting “\$755.30” and “\$886.00” respectively.
8. By deleting the amount “\$24.13” appearing in clause 32.2(a) and inserting “\$24.74”.
9. By deleting the amount “\$47.39” appearing in clause 32.2(b) and inserting “\$48.57”.

- 10. By deleting the amount “\$61.43” appearing in clause 32.2(c) and inserting “\$62.97”.
- 11. By deleting the amount “\$43.00” appearing in clause 32.2(f) and inserting “\$44.08”.
- 12. By deleting the table appearing in clause 32.2(h)(i) and inserting the following:

Part understudied	\$ per week
Star role	60.99
Leading role	43.54
Supporting role	26.18
Minor supporting role	20.87

- 13. By deleting the table appearing in clause 32.2(h)(ii) and inserting the following:

Part performed	\$ per performance
Star role	130.79
Leading role	87.07
Supporting role	52.35
Minor supporting role	41.74

- 14. By deleting the amount “\$45.46” appearing in clause 32.2(h)(iv) and inserting “\$46.59”.
- 15. By deleting the amount “\$106.98” appearing in clause 32.2(i)(i) and inserting “\$109.65”.
- 16. By deleting the amount “\$53.45” appearing in clause 32.2(i)(ii) and inserting “\$54.78”.

- 17. By deleting the table appearing in clause 40.1 and inserting the following:

Classification	Level	Weekly Employees		Casual Employees	
		Per Hour	Per 3-Hour Call	Per Hour	Per 3-Hour Call
		\$	\$	\$	\$
Musician	9	42.97	128.91	53.71	161.13
Musician required to accompany artists	11	45.23	135.69	56.54	169.62
Principal Musician	14	50.46	151.38	63.08	189.24
Conductor-Leader	15	54.76	164.28	68.45	205.35

18. By deleting the amount “\$35.10” appearing in clause 41.2(b)(i) and inserting “\$35.98”.

19. By deleting the amount “\$11.41” appearing in clause 41.2(b)(ii) and inserting “\$11.69”.

20. By deleting the amount “\$6.14” appearing in clause 41.2(c) and inserting “\$6.30”.

21. By deleting the amount “\$123.04” appearing in clause 41.2(f)(i) and inserting “\$126.11”.

22. By deleting the amount “\$132.69” appearing in clause 41.2(f)(ii) and inserting “\$136.00”.

23. By deleting the amount “\$252.92” appearing in clause 41.2(f)(iii) and inserting “\$259.24”.

24. By deleting the amount “\$181.66” appearing in clause 41.2(f)(iv) and inserting “\$186.20”.

25. By deleting the amount “\$132.69” appearing in clause 41.2(f)(v) and inserting “\$136.00”.

26. By deleting the table appearing in clause 50 and inserting the following:

	Minimum weekly rate (full-time employee)	Minimum hourly rate
	\$	\$
Bar/waiting staff	825.20	21.72
Performer	840.10	22.11

27. By deleting the amount “\$28.96” appearing in clause 51.2(c) and inserting “\$29.68”.

28. By deleting the amount “\$139.54” appearing in clause 60.2(a) and inserting “\$143.02”.

29. By deleting the amount “\$877.60” appearing in clause B.1.1 and inserting “\$899.50”.

30. By deleting the table appearing in clause B.1.1 and inserting the following:

Allowance	Clause	% of standard rate	\$	Payable
Part 5—Performers and Company Dancers				

Allowance	Clause	% of standard rate	\$	Payable
Nude allowance	32.2(a)	2.75	24.74	per week
Assistant Stage Manager allowance	32.2(b)	5.4	48.57	per week
Driver or a person in charge whilst on tour	32.2(c)	7.0	62.97	per week
Making of an advertisement—television or radio (4 hour minimum payment)	32.2(f)	4.9	44.08	per hour
Understudy allowances (part understudied)—Star role	32.2(h)(i)	6.78	60.99	per week
Understudy allowances (part understudied)—Leading role	32.2(h)(i)	4.84	43.54	per week
Understudy allowances (part understudied)—Supporting role	32.2(h)(i)	2.91	26.18	per week
Understudy allowances (part understudied)—Minor supporting role	32.2(h)(i)	2.32	20.87	per week
Understudy allowances (additional amount per performance)—Star role	32.2(h)(ii)	14.54	130.79	per performance
Understudy allowances (additional amount per performance)—Leading role	32.2(h)(ii)	9.68	87.07	per performance
Understudy allowances (additional amount per performance)—Supporting role	32.2(h)(ii)	5.82	52.35	per performance
Understudy allowances (additional amount per performance)—Minor supporting role	32.2(h)(ii)	4.64	41.74	per performance
Dance Captain allowance	32.2(h)(iv)	5.18	46.59	per week
Deputy Ballet Master/Mistress	32.2(i)(i)	12.19	109.65	per week

Allowance	Clause	% of standard rate	\$	Payable
Company dancer supervising classes on irregular basis	32.2(i)(ii)	6.09	54.78	per class
Part 6—Musicians				
Instrument doubling allowances—instrument supplied by employee ¹	41.2(a)(i)			per instrument per call
Instrument doubling allowances—instrument supplied by employer ¹	41.2(a)(i)			per instrument per call
Supply of music—weekly employee	41.2(b)(i)	4.0	35.98	per week
Supply of music—casual employee	41.2(b)(ii)	1.3	11.69	per call
Soloist—performing solo in orchestra	41.2(c)	0.7	6.30	per instrument per call
Televised performance	41.2(f)(i)	14.02	126.11	per performance
Radio broadcast	41.2(f)(ii)	15.12	136.00	per broadcast
Simulcast broadcast	41.2(f)(iii)	28.82	259.24	per simulcast
Audio-visual or visual recording of performance	41.2(f)(iv)	20.7	186.20	per performance
Audio recording of performance—for which there can be 21 minutes of finished material	41.2(f)(v)	15.12	136.00	per performance
Part 7—Striptease Artists				
Parades involving exposure of parts of the body	51.2(c)	3.3	29.68	per parade
Part 8—Production and Support Staff				
Transmission or recording of performance allowance—one payment only	60.2(a)	15.9	143.02	single payment

31. By deleting the table appearing in clause B.2 and inserting the following:

Casual Rehearsal/ Performance Rates	Clause	% of standard rate	\$	Payable
Part 5—Performers and Company Dancers				
Rehearsal payment, minimum one hour	31.6(c)(i)	4.8	43.18	per hour
Rehearsal payment, for each subsequent half hour or part thereof	31.6(c)(i)	2.4	21.59	per half hour or part thereof
Rehearsal payment, if employee leaves prior to one hour	31.6(c)(ii)	2.4	21.59	per half hour or part thereof of actual time worked
Casual supernumeraries, minimum call payment	31.6(e)	3.4	30.58	per hour

B. This determination comes into operation from 1 November 2021. In accordance with s.286(5) of the *Fair Work Act 2009* this determination does not take effect until the start of the first full pay period that starts on or after 1 November 2021.

PRESIDENT