



Australian Government

Fair Work

OMBUDSMAN

PAY AND CONDITIONS GUIDE


Maritime Offshore Oil and Gas Award 2010 [MA000086] ('modern award')

replacing terms and conditions in or derived from

Maritime Industry Offshore Oil and Gas Operations Award 2003 [AP826061] ('pre-modern award')

(VIC, WA)

Effective from 01 July 2013.

Published 27 March 2015 

Background

This guide was developed by the Fair Work Ombudsman to assist employers and employees covered by this modern award, pre-modern award and pay scales derived from this pre-modern award to identify minimum wages, penalties, loadings and allowances.

Transitional arrangements

Modern awards commenced operation on 01 January 2010. However, minimum wage, loading and penalty entitlements commence from 01 July 2010. Almost all modern awards include provisions to 'transition' employers and employees from their pre-modern award to the modern award system.

This modern award includes transitional provisions that provide for the 'phasing in' of increases or decreases in minimum wages, penalties and loadings in the modern award in 5 increments over 4 years from 01 July 2010. All other terms and conditions in this modern award apply in full from 01 January 2010.

The rates in this guide are current from the first pay period on or after 01 July 2013. The rates set out in this guide will change from the first full period on or after 01 July each year to take account of Fair Work Australia's annual wage review and transitional arrangements. The rates may also change as a result of a Fair Work Australia decision to vary the modern award or pay and condition entitlements of the modern award from time to time.

Transitional arrangements for Division 2B State awards

Division 2B State awards (other than Division 2B enterprise awards) terminate at the end of 31 December 2010 and, from 1 January 2011, employers and employees are covered by the relevant modern award. However, most modern awards provide that all the terms of Division 2B State awards continue to apply until the end of the full pay period which started before 1 February 2011.

The employers affected include sole traders, partnerships, other unincorporated entities and non-trading corporations in New South Wales, Queensland, South Australia and Tasmania who are covered by a Division 2B State award.

From the first full pay period starting on or after 1 February 2011, an employer who was covered by a Division 2B State award, must comply with all of the terms and conditions contained in their relevant modern award, and any transitional arrangements that apply. Transitional arrangements in most modern awards for Division 2B State award employers provide that from the first full pay period starting on or after 1 February 2011, they must pay at least the same minimum wage rates, penalties and loadings as national system employers who are transitioning from the equivalent NAPSA. There are some exceptions and special transitional arrangements that apply in certain situations. If you require help determining whether these exceptions or special transitional arrangements apply to you, please contact the Fair Work Infoline on 13 13 94.

Note: Modern awards are not intended to reduce an employee's take-home pay. An employee or his/her union can apply to Fair Work Australia for a take-home pay order to remedy any reduction in his/her overall take-home pay.

Who should use the guide?

Employees and employers who were entitled to terms and conditions in or derived from this pre-modern award and who are now covered by this modern award.

A guide that has an AP (Pre-reform award) code typically applies to employees employed by a constitutional corporation. Usually these are companies that engage in trading or financial activities. Private companies are often identified by the 'Pty Ltd' in their name. It applies to employers in those categories who were bound by the award immediately prior to 01 January 2010.

A guide that has an AN (Notional agreement preserving State awards) code also typically applies to employees employed by a constitutional corporation. However, unlike pre-reform awards these are notional federal agreements that were created on 27 March 2006. Generally, they preserved the terms and conditions of employment (not including wage rates) in state awards and/or state legislation that applied immediately before 27 March 2006 to employees of constitutional corporations in NSW, QLD, SA, WA and TAS where State award/laws applied to those employers prior to 27 March 2006.

A guide that has an AT code typically applies to employees employed by non-constitutional corporations immediately before 27 March 2007 where the employer was bound by a Federal award. These will be sole traders, partnerships, other unincorporated entities or non-trading/financial corporations.

The guide contains information from this modern award about:

- who the modern award covers;
- wage rates, including rates for casual employees, junior employees, trainees and apprentices;
- penalty rates for working at particular times or under particular arrangements;
- allowances; and
- other conditions of employment.

What if an agreement applies to employees covered by the modern award?

Minimum wage entitlements in a modern award override lesser wage entitlements in an agreement or contract of employment at all times, including agreements and contracts that were made before the commencement of the *Fair Work Act 2009*. All employees covered by the modern award must not be paid less than the rate of pay in the modern award.

However, the penalty rates and allowances in the modern award do not apply to agreement-covered employees, unless the agreement is read in conjunction with the modern award (e.g. a pre-reform certified agreement (a type of collective agreement made before 27 March 2006)).

If you require assistance with any provisions of this guide please contact the **Fair Work Infoline** on **13 13 94**.

Coverage

This industry award covers employers throughout Australia who are engaged in the maritime offshore oil and gas industry and their employees in the classifications listed in the award, to the exclusion of any other modern award.

Maritime offshore oil and gas industry means the operation, utilisation, control, maintenance, repair, and service of vessels (as defined) in or in connection with offshore oil and gas operations.

The award does not cover:

- employees who are covered by a modern enterprise award, or an enterprise instrument (within the meaning of the Fair Work (Transitional Provisions and Consequential Amendments) Act 2009 (Cth)), or employers in relation to those employees
- employees who are covered by a State reference public sector modern award, or a State reference public sector transitional award (within the meaning of the Fair Work (Transitional Provisions and Consequential Amendments) Act 2009 (Cth)), or employers in relation to those employees; or

This award covers any employer which supplies labour on an on-hire basis in the industry set out in this instrument in respect of on-hire employees in classifications covered by this award, and those on-hire employees, while engaged in the performance of work for a business in that industry. This subclause operates subject to the exclusions from coverage in this award.

This award covers employers which provide group training services for trainees engaged in the industry and/or parts of industry set out in this instrument and those trainees engaged by a group training service hosted by a company to perform work at a location where the activities described herein are being performed. This subclause operates subject to the exclusions from coverage in this award.

This award does not cover an employee excluded from award coverage by the Act;

- employers covered by the following awards:
 - Coal Export Terminals Award 2010
 - Dredging Industry Award 2010
 - Manufacturing and Associated Industries and Occupations Award 2010
 - Marine Towing Award 2010
 - Port Authorities Award 2010
 - Ports, Harbours and Enclosed Water Vessels Award 2010
 - Seagoing Industry Award 2010, or
 - Stevedoring Industry Award 2010.

Where an employer is covered by more than one award, an employee of that employer is covered by the award classification which is most appropriate to the work performed by the employee and to the environment in which the employee normally performs the work.

NOTE: Where there is no classification for a particular employee in this award it is possible that the employer and that employee are covered by an award with occupational coverage.

Wages

This modern award includes transitional arrangements that apply to minimum wage entitlements from the first pay period on or after 01 July 2010 until the first pay period on or after 01 July 2014 (when modern award wages commence in full).

The following wage tables set out base rates of pay for classifications under the modern award.

It also sets out how the modern award classification matches up with pre-modern award classification. If there is no classification match the employee may be covered by another pre-modern award, or another modern award, such as a modern award that covers the employee's occupation rather than the industry.

The base rates of pay in this guide include any applicable industry allowance. The base rates of pay also include any increase from Fair Work Australia's annual wage review. For more information about transitional arrangements for minimum wage entitlements, please visit www.fairwork.gov.au

Casual employees

The rates for casual employees set in the table below are minimum rates for **ordinary hours** only.

Please visit www.fairwork.gov.au for information about penalty entitlements for casual employees.

*Post 26 March 2006 employer

Wage rates for casual employees of employers that became part of the national system after 26 March 2006 do not include annual leave loading because those employees did not have a pre-modern award entitlement to annual leave loading.

Adult

The rates in this guide are current from the first pay period on or after 01 July 2013.

Full Time

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Support vessels		
Division 1 - 64 metres or less, Master	Support vessels, Division 1, Master	\$29.80
Division 1 - 64 metres or less, First mate	Support vessels, Division 1, 1st mate	\$26.86
Division 1 - 64 metres or less, Second mate	Support vessels, Division 1, 2nd Mate	\$24.46

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Division 1 - 64 metres or less, Chief engineer	Support vessels, Division 1, Chief engineer	\$29.27
Division 1 - 64 metres or less, Second engineer	Support vessels, Division 1, 2nd engineer	\$26.86
Division 1 - 64 metres or less, Third engineer	Support vessels, Division 1, 3rd engineer	\$24.46
Division 1 - 64 metres or less, Integrated rating	Support vessels, Division 1, Integrated ratings	\$21.06
Division 2 - more than 64 metres, Master	Support vessels, Division 2, Master	\$31.67
Division 2 - more than 64 metres, First mate	Support vessels, Division 2, 1st mate	\$28.53
Division 2 - more than 64 metres, Second mate	Support vessels, Division 2, 2nd Mate	\$25.96
Division 2 - more than 64 metres, Chief engineer	Support vessels, Division 2, Chief engineer	\$31.10
Division 2 - more than 64 metres, Second engineer	Support vessels, Division 2, 2nd engineer	\$28.53
Division 2 - more than 64 metres, Third engineer	Support vessels, Division 2, 3rd engineer	\$25.96
Division 2 - more than 64 metres, Integrated rating	Support vessels, Division 2, Integrated ratings	\$22.15
Supply vessels		
Master	Supply vessels, Master	\$27.93
Chief engineer	Supply vessels, Chief engineer	\$27.44
First mate/second engineer	Supply vessels, 1st mate/2nd engineer	\$25.20
Second mate/third engineer	Supply vessels, 2nd mate/3rd engineer	\$23.04
Integrated rating	Supply vessels, Integrated rating	\$21.06
Stand-by/utility vessels		
Master	Standby/utility vessels, Master	\$27.13
Chief engineer	Standby/utility vessels, Chief engineer	\$26.65
First mate/second engineer	Standby/utility vessels, 1st mate/2nd engineer	\$24.49
Integrated rating	Standby/utility vessels, Integrated rating	\$21.06
Self-propelled drilling/thruster assisted vessels		
Semi-submersible, Master	Self-propelled drilling vessels, Semi-submersible, Master	\$29.80
Semi-submersible, First mate	Self-propelled drilling vessels, Semi-submersible, 1st mate	\$26.86
Semi-submersible, Second mate	Self-propelled drilling vessels, Semi-submersible, 2nd mate	\$24.46

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Semi-submersible, Radio officer	Self-propelled drilling vessels, Semi-submersible, Radio officer	\$24.46
Semi-submersible, Chief engineer	Self-propelled drilling vessels, Semi-submersible, Chief engineer	\$29.27
Semi-submersible, Second engineer	Self-propelled drilling vessels, Semi-submersible, 2nd engineer	\$26.86
Semi-submersible, Third engineer	Self-propelled drilling vessels, Semi-submersible, 3rd engineer	\$24.46
Semi-submersible, Marine electrician	Self-propelled drilling vessels, Semi-submersible, Marine electrician	\$24.46
Semi-submersible, Bosun/ chief integrated rating	Self-propelled drilling vessels, Semi-submersible, Bosun chief integrated rating	\$23.18
Semi-submersible, Bosun's mate	Self-propelled drilling vessels, Semi-submersible, Bosuns mate	\$22.47
Semi-submersible, Integrated rating	Self-propelled drilling vessels, Semi-submersible, Integrated rating	\$22.00
Semi-submersible, Provisional IR - over 18 years of age	Self-propelled drilling vessels, Semi-submersible, Provisional integrated rating - over 18	\$17.98
Semi-submersible, Chief cook	Self-propelled drilling vessels, Semi-submersible, Chief cook	\$23.18
Semi-submersible, Second cook	Self-propelled drilling vessels, Semi-submersible, 2nd cook	\$22.00
Semi-submersible, Chief caterer	Self-propelled drilling vessels, Semi-submersible, Chief catering rating	\$23.18
Semi-submersible, Caterer	Self-propelled drilling vessels, Semi-submersible, Catering rating	\$22.00
Drill ships, Master	Self-propelled drilling vessels, Drillships, Master	\$31.40
Drill ships, First mate	Self-propelled drilling vessels, Drillships, 1st mate	\$28.29
Drill ships, Second mate	Self-propelled drilling vessels, Drillships, 2nd mate	\$25.74
Drill ships, Second mate	Self-propelled drilling vessels, Drillships, 2nd engineer	\$26.05

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Drill ships, Radio officer	Self-propelled drilling vessels, Drillships, Radio officer	\$25.74
Drill ships, Chief engineer	Self-propelled drilling vessels, Drillships, Chief engineer	\$30.84
Drill ships, Third engineer	Self-propelled drilling vessels, Drillships, 3rd engineer	\$25.74
Drill ships, Marine electrician	Self-propelled drilling vessels, Drillships, Marine electrician	\$25.74
Drill ships, Bosun/chief integrated rating	Self-propelled drilling vessels, Drillships, Bosun chief integrated rating	\$24.33
Drill ships, Bosun's mate	Self-propelled drilling vessels, Drillships, Bosuns mate	\$23.49
Drill ships, Integrated rating	Self-propelled drilling vessels, Drillships, Integrated rating	\$22.99
Drill ships, Provisional IR - over 18 years of age	Self-propelled drilling vessels, Drillships, Provisional integrated rating - over 18	\$17.98
Drill ships, Chief cook	Self-propelled drilling vessels, Drillships, Chief cook	\$24.33
Drill ships, Second cook	Self-propelled drilling vessels, Drillships, 2nd cook	\$22.99
Drill ships, Chief caterer	Self-propelled drilling vessels, Drillships, Chief catering rating	\$24.33
Drill ships, Caterer	Self-propelled drilling vessels, Drillships, Catering rating	\$22.99
Seismic survey vessels		
Master	Seismic survey vessels, Master	\$29.80
First mate/second engineer	Seismic survey vessels, 1st mate/2nd engineer	\$29.27
Second mate/Third engineer	Seismic survey vessels, 2nd Mate/3rd engineer	\$26.86
Integrated ratings	Seismic survey vessels, Integrated ratings	\$24.46
Chief cook/Chief caterer	Seismic survey vessels, Chief cook/chief catering rating	\$22.71
Caterer cook	Seismic survey vessels, Catering rating/2nd cook	\$21.06

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Provisional IR - over 18 years of age	Seismic survey vessels, Provisional integrated rating - over 18	\$18.02
Non-propelled mobile offshore drilling units under tow		
Master	Non-propelled modus under tow, Master	\$29.80
Mate	Non-propelled modus under tow, Mate	\$26.86
Integrated rating	Non-propelled modus under tow, Integrated rating	\$21.06
Operating vessels in N-W coastals		
Mary Anne tide or equivalent, Master	Vessels in the north-west shelf coastal areas, Mary Anne Tide, Master	\$27.93
Mary Anne tide or equivalent, Mate	Vessels in the north-west shelf coastal areas, Mary Anne Tide, Mate	\$25.20
Mary Anne tide or equivalent, Chief engineer	Vessels in the north-west shelf coastal areas, Mary Anne Tide, Chief engineer	\$27.44
Mary Anne tide or equivalent, Deckhand/ integrated rating	Vessels in the north-west shelf coastal areas, Mary Anne Tide, Deckhand/ integrated rating	\$21.06
Utility vessels, Master	Vessels in the north-west shelf coastal areas, Utility vessels including landing barges, Master	\$24.49
Utility vessels, Mate	Vessels in the north-west shelf coastal areas, Utility vessels including landing barges, Mate	\$26.65
Utility vessels, Chief engineer	Vessels in the north-west shelf coastal areas, Utility vessels including landing barges, Chief engineer	\$21.06
Utility vessels, Deckhand/ integrated rating	Vessels in the north-west shelf coastal areas, Utility vessels including landing barges, Deckhand/ integrated rating	\$27.13
Mooring assistant/utility vessels, Master	Vessels in the north-west shelf coastal areas, Mooring assist/utility, Master	\$25.34
Mooring assistant/utility vessels, Chief engineer	Vessels in the north-west shelf coastal areas, Mooring assist/utility, Chief engineer	\$23.33
Mooring assistant/utility vessels, Mate	Vessels in the north-west shelf coastal areas, Mooring assist/utility, Mate	\$21.06

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Mooring assistant/utility vessels, Deckhand/integr. rating	Vessels in the north-west shelf coastal areas, Mooring assist/utility, Deckhand/integrated rating	\$25.80

The salaries above have been fixed on an aggregate basis so they take into account all aspects and conditions of employment. The aggregate salaries are based on an even time roster of 12 hours per day over seven days of the week, travelling time and an allowance for miscellaneous functions. The aggregate salaries are based on:

- all hours worked in excess of 7.6 hours per day are calculated on the basis of time and a half for the first 2 hours and double time thereafter
- Saturday work at time and a half for the first 2 hours and double time thereafter
- Sunday work at double time
- public holidays at time and a half which is applied to 5 public holidays given the even time roster, and
- 63.38 equivalent ordinary hours pay per week.

Junior

The rates in this guide are current from the first pay period on or after 01 July 2013.

Full Time

Modern award classification	Pre-modern award classification	Base rate of pay (hourly)
Self-prop drilling/ thruster assisted vessels		
Semi-submersible, Provisional IR - under 18 years of age	Self-propelled drilling vessels - Semi-submersible, Provisional integrated rating, Under 18	\$13.55
Drill ships, Provisional IR - under 18 years of age	Self-propelled drilling vessels - drillships, Provisional integrated rating, Under 18	\$13.55
Seismic survey vessels		
Provisional IR under 18 years of age	Seismic survey vessels, Provisional integrated rating, Under 18	\$13.29

Apprentice

Apprentice employees are not covered by this guide for the modern award and pre-modern award.

Trainee

This modern award incorporates trainee rates derived from the National Training Wage Schedule (NTW Sch.), as adjusted from time to time.

Supported Wage

Supported Wage rates of pay are not covered by this summary.

Penalties and Loadings (other than casual or part-time loadings for ordinary hours)

Where an employee had an entitlement to a loading/penalty rate before 01 January 2010 that is exactly the same as the modern award loading/penalty entitlement the modern award loading/penalty applies in full from 01 January 2010.

Transitional arrangements

This modern award includes transitional arrangements that apply to loading/penalty entitlements where there is a difference in modern award and pre-modern award loading/penalty entitlements. Transitional arrangements apply from the first pay period on or after 01 July 2010 until the first pay period on or after 01 July 2014 (when modern award loadings/penalties apply in full).

Different arrangements apply depending on whether the entitlements are "equivalent" or not.

- A pre-modern award loading/penalty will be "equivalent" to a modern award entitlement where the loading/penalty applies:
 - for the same purpose (e.g. Saturday penalty);
 - for the same time periods; and
 - in the same way#.
 - #A pre-modern award and modern award loading/penalty applies in the same way if the entitlements are both:
 - paid at the same frequency, such as per hour or per shift; and
 - paid as a percentage of the same amount (e.g. both penalties are paid as a percentage of the employee's classification rate, rather than as a percentage of a different amount or paid as a flat dollar amount).

Casual loadings and penalties also need to interact with each other in the same way in the pre-modern award and modern award to be equivalent (e.g. the loading and penalty rate are calculated on the base hourly rate in both instruments).

Equivalent entitlements

If the pre-modern award loading/penalty rate is "equivalent" to the modern award loading/penalty rate the penalty rate is calculated as follows:

1. The difference between the two loading/penalty rates is referred to as a "transitional percentage". The transitional percentage stays the same every year.
2. A proportion of the transitional percentage is calculated each year as follows:

First full pay period on or after	Proportion of transitional percentage
01 July 2010	80%
01 July 2011	60%
01 July 2012	40%
01 July 2013	20%
01 July 2014	0%

3. Where the modern award loading/penalty is higher, the penalty rate is obtained by subtracting the proportion of the transitional percentage.

Example:

The table below shows the percentage penalty rates that apply from the first full pay period on or after 01 July 2010 until the last full pay period before 01 July 2011 for common penalty rates.

Please note the below table is a guide **only** and can only be used when the entitlements are equivalent and the modern award penalty is higher.

1/01/2010	1/07/2014	1/07/2010
Pre-modern award penalty	Modern award penalty	Penalty rate (phased)
25%	50%	30%
50%	75%	55%
50%	100%	60%
75%	100%	80%

4. Where the modern award loading/penalty is lower, the penalty rate is obtained by adding the proportion of the transitional percentage.

Example:

The table below shows the percentage penalty rates that apply from the first full pay period on or after 01 July 2010 until the last full pay period before 01 July 2011 for common penalty rates.

Please note the below table is a guide **only** and can only be used when the entitlements are equivalent and the modern award penalty is lower.

1/01/2010	1/07/2014	1/07/2010
Pre-modern award penalty	Modern award penalty	Penalty rate (phased)
50%	25%	45%
75%	50%	70%
100%	50%	90%
100%	75%	95%

Entitlements that are not equivalent

If pre-modern award and modern award penalty rates are not "equivalent", the following approach applies:

1. Loadings/penalty rates from a modern award are phased in from zero in five instalments of 20% by multiplying the penalty rate by the following percentage:

First full pay period on or after	Percent of modern award loading / penalty
01 July 2010	20%
01 July 2011	40%
01 July 2012	60%
01 July 2013	80%
01 July 2014	100%

2. Pre-modern award loadings/penalty rates are phased out to zero in five instalments of 20% by multiplying the penalty rate by the following percentage:

First full pay period on or after	Percent of pre-modern award loading/ penalty
01 July 2010	80%
01 July 2011	60%
01 July 2012	40%
01 July 2013	20%
01 July 2014	0%

Please note that a pre-modern award penalty rate can be 'phased out' at the same time that a modern award penalty is 'phasing in' (i.e. where different entitlements apply in the same time period). This means that two different rates may apply for the same time period.

Example:

The table below shows the percentage penalty rates that apply from the first full pay period on or after 01 July 2010 until the last full pay period before 01 July 2011 for common penalty rates.

Please note the below table is a guide **only** and can only be used when the entitlements are not equivalent.

1/01/2014	1/07/2010
Modern award penalty	Penalty rate (phased)
	(20.00%)
10.00%	2.00%
20.00%	4.00%
25.00%	5.00%
50.00%	10.00%
75.00%	15.00%
100.00%	20.00%
120.00%	24.00%
125.00%	25.00%
130.00%	26.00%
150.00%	30.00%

1/01/2010	1/07/2010
Pre-modern award penalty	Penalty rate (phased)
	(80.00%)
10.00%	8.00%
20.00%	16.00%
25.00%	20.00%
50.00%	40.00%
75.00%	60.00%
100.00%	80.00%
120.00%	96.00%
125.00%	100.00%
130.00%	104.00%
150.00%	120.00%

New entitlements

Where an employee did not have a particular loading/penalty entitlement before 01 January 2010, the modern award loading/penalty is phased in from zero as a new entitlement from the first pay period on or after 01 July 2010 by multiplying the penalty rate by the following percentage:

First full pay period on or after	Percent of modern award loading/ penalty
01 July 2010	20%
01 July 2011	40%
01 July 2012	60%
01 July 2013	80%
01 July 2014	100%

Example:

The table below shows the percentage penalty rates that apply from the first full pay period on or after 01 July 2010 until the last full pay period before 01 July 2011 for common penalty rates.

Please note the below table is a guide **only** and can only be used when the entitlements in the modern award are new.

1/07/2014	1/07/2010
Modern award penalty	Penalty rate (phased)
25%	5%
50%	10%
75%	15%
100%	20%

For more information about transitional arrangements for loading/penalty entitlements please visit www.fairwork.gov.au and/or contact the **Fair Work Infoline** on **13 13 94** for advice and assistance.

Allowances

Allowances in modern awards apply in full from 01 January 2010 (although the rates may change from time to time).

All states covered by this instrument Full-time, Part-time, Casual

Clause	Allowance Type	Description	Effective Date	Rate
14.4	Vessels wrecked or stranded	Where a vessel in the course of a voyage becomes wrecked or stranded and an employee is called upon for special assistance, for all time the employee so assists an allowance of 2.94% of the standard rate will be paid.	1/07/2013 - 30/06/2014	\$22.5040 per hour
14.9(a)	Shared accommodation allowance	A crew member required to share a cabin on a vessel other than a floating production facility who is not already in receipt of monetary consideration will get an additional allowance of 4.19% of the standard rate per day.	1/07/2013 - 30/06/2014	\$32.0720 per day
14.9(b)	Vessels temporarily engaged in carriage and handling of cargo allowance	An allowance of 5.57% of the standard rate per day is payable where a stand-by vessel is required to handle and carry cargo to or from an offshore installation.	1/07/2013 - 30/06/2014	\$42.6351 per day
14.9(c)	Hard-lying allowance	Crew members accommodated in a 2 berth cabin on a vessel other than a floating production facility will get an allowance of 5.24% of the standard rate per day.	1/07/2013 - 30/06/2014	\$40.1092 per day
14.9(c)	Hard-lying allowance	Crew members accommodated in a 4 berth cabin on a vessel other than a floating production facility will get 8.39% of the standard rate per day.	1/07/2013 - 30/06/2014	\$64.2206 per day
14.10(a)	Communication allowance	All employees on floating production facilities receive the allowance of 0.5% of the standard rate per fortnight to facilitate communication with the employer.	1/07/2013 - 30/06/2014	\$3.8272 per fortnight

Clause	Allowance Type	Description	Effective Date	Rate

Full-time

Clause	Allowance Type	Description	Effective Date	Rate
14.1(a)	Meal allowance	An employee required to take breakfast ashore. If the allowance does not cover the receipted cost of meals in the accommodation provided by the employer then the employer will meet the reasonable cost of the employee's meal. Alcohol will not be included.	1/07/2013 - 30/06/2014	\$17.2200 per occasion
14.1(a)	Meal allowance	An employee required to take lunch ashore. If the allowance does not cover the receipted cost of meals in the accommodation provided by the employer then the employer will meet the reasonable cost of the employee's meal. Alcohol will not be included.	1/07/2013 - 30/06/2014	\$20.6500 per occasion
14.1(a)	Meal allowance	An employee required to take dinner ashore. If the allowance does not cover the receipted cost of meals in the accommodation provided by the employer then the employer will meet the reasonable cost of the employee's meal. Alcohol will not be included.	1/07/2013 - 30/06/2014	\$34.4600 per occasion
14.1(b)	Accommodation allowance	An employee required to live ashore away from their home port may elect to provide their own accommodation, in which case they will be entitled to receive an accommodation allowance.	1/07/2013 - 30/06/2014	\$121.5700 per day

Clause	Allowance Type	Description	Effective Date	Rate
14.1(b)	Away from home/ usual place of employment	An employee required to live ashore away from their home port may elect to provide their own accommodation, in which case they will be entitled to receive a breakfast allowance.	1/07/2013 - 30/06/2014	\$17.2200 per day
14.1(b)	Away from home/ usual place of employment	An employee required to live ashore away from their home port may elect to provide their own accommodation, in which case they will be entitled to receive a lunch allowance.	1/07/2013 - 30/06/2014	\$20.6500 per day
14.1(b)	Away from home/ usual place of employment	An employee required to live ashore away from their home port may elect to provide their own accommodation, in which case they will be entitled to receive a dinner allowance.	1/07/2013 - 30/06/2014	\$34.4600 per day
14.1(c)	Victualling allowance	<p>Employees will be allowed 2 rest and recreation days at the foreign port of call where a vessel is delivered overseas, without it affecting their leave balances. An employee will receive a victualling allowance for each rest and recreation day, and also will be reimbursed any reasonable costs of accommodation, bed, breakfast and laundry.</p> <p>This will not apply where the employer provides meals and accommodation.</p>	1/07/2013 - 30/06/2014	\$134.3300 per rest and recreation day
14.7(e)	Away from home/ usual place of employment	Where an employee takes study leave under the award and it is necessary for them to take up temporary residence away from their home port for the study, they will be entitled to a living away from home allowance during the study period	1/07/2013 - 30/06/2014	\$110.0500 per week
14.7(e)	Away from home/ usual place of employment	Where an employee who has a spouse or de facto partner and/or dependent children takes study leave under the award and it is necessary for them to take up temporary residence away from their home port for the study, they will be entitled to a living away from home allowance during the study period	1/07/2013 - 30/06/2014	\$155.1700 per week

Other Conditions

The following conditions in the modern award apply in full from 1 January 2010. Please note that the below table is a summary of commonly applicable entitlements in the modern award, there may be other entitlements in the modern award that are relevant to particular employers or employees. Please refer to the modern award for full details.

Note: The National Employment Standards (**NES**) operate together with modern awards to provide minimum conditions of employment for employers and employees in the national system. The NES sets out ten minimum statutory entitlements that apply to all employees, including leave and termination of employment entitlements.

For more information about the NES, please visit www.fairwork.gov.au

All states covered by this instrument

Clause	Conditions Type	Description
7	Award flexibility (Instrument)	<p>An employer and an individual employee may agree to vary the following terms of this award to meet the genuine needs of the employer and the individual employee with respect to:</p> <ul style="list-style-type: none">- arrangements for when work is performed- overtime rates- penalty rates- allowances- leave loading. <p>Other conditions concerning award flexibility are contained within the Fair Work Act 2009.</p>
8	Consultation (Instrument)	<p>The award contains information on the employer's responsibility to consult regarding major workplace change including the:</p> <ul style="list-style-type: none">- duty to notify, and- duty to discuss change.
9	Dispute resolution (Instrument)	<p>The award sets out a dispute resolution procedure for dealing with disputes in relation to a matter under the award or the National Employment Standards (NES).</p>

Clause	Conditions Type	Description
10.3	Relief employment conditions (Instrument)	<p>A relief employee is an employee who:</p> <ul style="list-style-type: none"> - is engaged to cover one-off periods of relief - is engaged to work on a project with a finite life - receives, on a pro rata basis, equivalent pay and conditions to those of full-time employees.
11.2	Termination of employment - notice of termination by an employee (Instrument)	<p>The notice of termination required to be given by an employee is the same as an employer except there is no requirement to give additional notice based on age. If an employee fails to give the required notice the employer may withhold from any monies due on termination, the difference between the amount of notice required and the amount of notice actually given.</p>
12.2	Redundancy - transfer to lower paid duties (Instrument)	<p>Where an employee is transferred to lower paid duties by reason of redundancy, the same period of notice must be given as the employee would have been entitled to if the employment had been terminated. Alternatively, the employer may choose to pay the employee the difference between the former ordinary time rate of pay and the new ordinary time rate of pay for the number of weeks of notice still owing.</p>
12.3	Redundancy - employee leaving during notice period (Instrument)	<p>An employee given notice of termination in circumstances of redundancy may terminate their employment during the period of notice. The employee is entitled to receive the benefits and payments they would have received had they remained in employment until the expiry of the notice, but is not entitled to payment instead of notice.</p>
14.2(a)	Transport of employees (Instrument)	<p><u>Travel Expenses</u></p> <p>Unless provided by the employer, an employee will be reimbursed for the cost of repatriating to and from the employee's home port for the purpose of taking leave and to the employee's home port upon termination of their employment (except where an employee terminates their employment before completion of their first on duty cycle).</p> <p>Where an employee has to wait for four hours or more for a connecting flight whilst travelling between the vessel and their home port the employer will provide or reimburse the employee the cost of hotel accommodation where available.</p> <p>In the event that the employer does not provide air travel the employee will be reimbursed the cost of economy class airfares.</p>

Clause	Conditions Type	Description
		Any additional travelling expenses reasonably incurred will be reimbursed.
14.2(b)	Reimbursement of expenses (Instrument)	An employee must be reimbursed for one taxi fare to the airport from their home and vice versa for the purposes of travelling to or from the vessel, upon production of receipt, up to a maximum of \$47.99 per trip.
14.3	Clothing, footwear and/ or equipment (Instrument)	<p><u>Industrial and protective clothing</u></p> <p>An employee will be reimbursed for one third of the cost of designated protective and industrial clothing. Unless provided by the employer, the employee will be reimbursed the cost of two pairs of high visibility overalls per year, oil skins, sou'westers and sea boots.</p>
14.4	Clothing, footwear and/ or equipment (Instrument)	<p><u>Vessels wrecked or stranded</u></p> <p>An employee will be reimbursed if a vessel becomes wrecked or stranded in the course of a voyage, and they sustains damage to or loose equipment or personal effects as they are called upon for special efforts. The amount of reimbursement will not exceed \$3958.00.</p>
14.5	Clothing, footwear and/ or equipment (Instrument)	<p><u>Damage to personal effects</u></p> <p>An employee will be reimbursed for clothing and spectacles damaged or destroyed in the course of their work, where the claim is substantiated. This will not apply where the employee is entitled to workers compensation in respect of the damage.</p>
14.6	Expenses (Instrument)	<p>An employee will be reimbursed any expenses reasonably incurred in the performance of their duties and on behalf of the employer.</p> <p>The entitlement extends to:</p> <ul style="list-style-type: none"> - expenses associated with enquiries as to casualties or as to the conduct of employees and to proceedings for any alleged breach of any maritime or port or other regulations - reimbursement of reasonable legal costs incurred or fines imposed by a competent tribunal under any applicable environmental legislation. Provided that the expenses incurred were not due to, or arise from, the employee's personal default or misconduct.

Clause	Conditions Type	Description
		<p>In order to claim a reimbursement, an employee will produce evidence to the reasonable satisfaction of the employer that the expenditure claimed was properly incurred by the employee.</p>
14.7	Study leave (Instrument)	<p>This allowance will apply to:</p> <ul style="list-style-type: none"> - an employee Deck Officer who goes ashore to study and sit for an approved course of study qualifying such employee as a First Mate or Master of a ship - an employee Marine Engineer, Marine Electrician or Electrical Engineer, who goes ashore to study and sit for an approved course of study of Marine Engineering, and - an employee Integrated Rating, who goes ashore to study and sit for an approved course of study to qualify such an employee as a Deck Officer or Marine Engineer. <p>An approved course of study is a Certificate of Competency, including an Endorsement, as prescribed by the Navigation Act 1912 (Cth) or regulations made thereunder, conducted by the Australian Maritime College or an approved technical institution or academy.</p> <p><u>Conditions for accessing entitlement</u></p> <p>The entitlements provided below will only be payable if the following conditions are met:</p> <ul style="list-style-type: none"> - an application in writing has been made by the employee and has been approved in writing by the employer - the employee has been in the employment of the employer for the 12 months prior to commencing the period of study - if the employer desires, the employee will enter into a written undertaking that the employee will remain in its employment for a period of at least 12 months after sitting for the certificate in question - the entitlement will be confined to the first attempt to obtain the certificate in question, and - the employee provides the employer with reasonable proof of satisfactory attendance at the course of study and examination. <p><u>Entitlement</u></p> <p>For approved study outside period of accrued leave—75% of the eligible employee’s salary or aggregate wages for the authorised period of study.</p>

Clause	Conditions Type	Description
		<p>For approved study during a period of accrued leave—a period of additional leave (immediately following the sitting for each certificate), equal to three quarters of the authorised period of study. The employer and employee may agree to grant this additional leave as payment instead of leave.</p> <p>Where an application by an employee to undertake an approved course of study has been approved by the employer and the employee is subsequently retrenched, they will be entitled to payment the same as that prescribed for approved study outside a period of accrued leave above. For these purposes, the employee's salary rate will be that rate applicable at the date of termination.</p> <p><u>Authorised period of study</u></p> <p>The authorised period of study for eligible employees under this clause will consist of:</p> <ul style="list-style-type: none"> - the period of their attendance at the course of study for each such certificate - the prescribed examination times, and - vacation times or holidays of not more than seven consecutive days (including Saturdays, Sundays and public holidays).
14.8	Medical examination allowance (Instrument)	<p><u>Medicals and passport</u></p> <p>An employee who undergoes a medical examination by a medical inspector of seamen, at the requirement of the employer or pursuant to requirements under the Navigation Act 1912 (Cth) and relevant Marine Orders, will be reimbursed for the cost of the prescribed fees by the employer.</p> <p>An employee who is required by the employer to have and maintain a valid passport, any necessary visas and necessary vaccinations will be reimbursed by the employer for all reasonable charges, fees and expenses incurred by the employee in this respect.</p>
14.10	Away from home/usual place of employment (Instrument)	<p><u>Keep allowance</u></p> <p>The employer will accommodate and keep an employee working on a floating production facility at the employers cost, or reimburse the employee for all expenses incurred on the facility.</p>
14.10(c)	Insurance (Instrument)	The following provisions only apply to floating production facilities.

Clause	Conditions Type	Description
		<p><u>Personal and accident insurance allowance</u></p> <p>Except where it is provided, the employer must reimburse the employee for a death and personal accident insurance cover of \$122,086 for each employee's employment. Subject to the terms and exclusions of the policy or policies the cover provided will be based on the following:</p> <p>(1) the schedule of compensation will contain provision for the following payments:</p> <ul style="list-style-type: none"> - in the case of temporary total disablement—an amount equivalent to an employee's ordinary award salary, or - in the case of temporary partial disablement—an amount of payment equivalent to an employee's ordinary award salary or an amount equivalent to 0.25% of the cover, whichever is the lesser amount, provided that payments made pursuant to the schedule of compensation must not exceed 100 weeks. <p>(2) geographical limits - for accidents to be world wide</p> <p>(3) age coverage - 16 to 64 years</p> <p>(4) exemptions - charter aircraft, helicopters and motorcycles not to be exempt, and</p> <p>(5) maximum liability - policies to have a liability sufficient to cover all lives involved in any one accident.</p> <p><u>Personal illness insurance allowance</u></p> <p>Except where it is provided, the employer will reimburse the employee for insurance against loss of salary where an employee is unable to commence a duty period due to an illness, and where that illness does not attract any benefits pursuant to sections 123 to 134 of the Navigation Act 1912 (Cth). Subject to the policy or policies purchased, the insurance will be based on the following conditions:</p> <p>(1) the insurance will commence from the time that an employee is unable to commence a duty period because of illness</p> <p>(2) during a period covered by this insurance an employee will neither accrue nor use leave</p> <p>(3) over the period of the insurance the employee will receive 65% of their normal award salary and loading if applicable</p> <p>(4) the insurance will not apply unless the employee is unfit for duty for more than seven on duty days from the commencement of the duty period</p> <p>(5) in relation to any one illness the insurance will cease three calendar months from the commencement date or when the employee is certified as fit to resume duty by a qualified medical practitioner, whichever is the sooner, and</p> <p>(6) no medical expenses are payable under this insurance.</p>

Clause	Conditions Type	Description
17	Hours of work (Instrument)	<p>This section provides industry specific detail and supplements the NES which deals with maximum weekly hours.</p> <p>The ordinary hours of work will be eight hours per day Monday to Sunday, subject to the employer's right to extend the employee's ordinary hours of duty to 12 hours per day. For the purposes of the NES an employee's weekly hours may be averaged over a period of 52 weeks.</p> <p><u>Maximum working hours</u></p> <p>In the case of rig shift, major machinery breakdown or in the case of an emergency employees may be required to work beyond 12 hours provided:</p> <ul style="list-style-type: none"> - an employee must not be required to be continuously on active duty for more than 18 hours - where an employee has been continuously on active duty for 18 hours they must not be required for further duty until they have had for the purpose of rest, a period of 10 consecutive hours off duty inclusive of meal breaks, and - continuous duty for the purpose of this clause is not broken by meal times or breaks of not more than four hours which include a meal break. <p>Notwithstanding any other provision of this award, employees who go to sea may be engaged to work on a swing cycle.</p>
17.5	Breaks - meal (Instrument)	<p>An employee is entitled to an unpaid meal break of not less than 30 minutes for each meal. Employees may be required to curtail their meal breaks where operational requirements of the vessel dictate.</p> <p>Breaks will be scheduled by the Master based upon operational requirements so as to ensure continuity of operations. The employer will not require an employee to work more than six hours before the first meal is taken or between subsequent meal breaks, if any.</p>
18	Annual leave (Instrument)	<p><u>Leave factor</u></p> <p><u>Leave factor and entitlement to leave</u></p>

Clause	Conditions Type	Description
		<p>Subject to provisions below for each day of duty on a vessel or a day during which the employee is necessarily involved in travelling to or from a vessel or place of work as required by the employer, an employee will accrue an entitlement to 1.153 of a day's leave without loss of pay.</p> <p>The on duty period commences the day the employee joins the vessel, and the off duty period commences the day the employee leaves the vessel.</p> <p>The extent to which the leave granted is more or less than that actually due will be debited or credited to the employee as less or additional leave.</p> <p><u>Calculation of leave entitlement</u></p> <p>The leave entitlement listed above gives effect to, amongst other things:</p> <ul style="list-style-type: none"> - leave with pay for weekends and public holidays worked - annual leave with pay of five weeks per year - personal/carer's leave - compassionate leave, and - time spent travelling in off duty time. <p>Where in connection with a crew change an employee spends more than one off duty day travelling to or from the vessel, the employee will accrue a day off for each additional day or part thereof spent.</p> <p>In acknowledgement that the swing off day is an off duty day under the provisions of this clause and that an employee may be required to perform duties for all or part of the day, the employee will be entitled to an additional payment of one day's pay at the employee's normal rate of pay as full compensation for any work performed on each such crew change day.</p> <p>The maximum time off an employee may accrue under this section is 105 days. Unless agreement has been reached between the employee and employer, an employee will be required to take time off to ensure that the maximum of 105 days is not exceeded. Provided that where an employee who is scheduled on the basis of four weeks on, four weeks off, the maximum accrual will be 84 days.</p> <p><u>Taking leave</u></p>

Clause	Conditions Type	Description
		<p>Any extended period of time off (i.e. outside of the normal swing) is to be taken at a mutually agreed time, having regard to the operational necessity of ensuring that only part of the permanent crew members in each department on the vessel take such time off at any one time, to ensure the continued operational efficiency of the vessel.</p> <p>When proceeding on an extended period of time off, it will be the responsibility of the employee to ensure that they have sufficient entitlements due to enable them to draw continuous pay up to the day of the regular crew change when they are due to rejoin the vessel.</p> <p>The extent to which time off granted is more or less than that due will be debited or credited to the employee as less or additional time off to be granted; provided that the employee may not be required to take more than seven days of leave in advance.</p> <p><u>Payment of leave on termination of employment</u></p> <p>Upon termination of employment, an employee's leave entitlement under this clause will be paid at the salary rate for the last position in which the employee served.</p>
19	Personal/carer's leave (Instrument)	<p>The leave factor provisions listed under annual leave give full effect to the NES entitlements to personal/carers leave.</p> <p>Arrangements for taking of sick leave will be governed by the Navigation Act 1912 (Cth).</p>
19.3	Compassionate leave (Instrument)	<p>The leave factor provisions listed under annual leave give full effect to the NES entitlement to compassionate leave.</p> <p>Upon request, in the event of serious illness or death of a member of the employee's immediate family, the employer will repatriate the employee to the employee's home port as soon as reasonably practicable. The employer will endeavour to fill the resulting vacancy as promptly as possible.</p>
21	Public holidays (Instrument)	<p>The leave factor provisions listed under annual leave give full effect to the NES entitlements to public holidays.</p>

Frequency of Payment

The employer will pay the employee's wages, penalties and allowances at a frequency of not longer than monthly by electronic funds transfer into the employee's bank (or other recognised financial institution) nominated by the employee.

An employer may deduct from any wages, penalties or allowances the amount of any overpayment of wages or allowances.

IMPORTANT NOTE: Disclaimer

The Fair Work Ombudsman is committed to providing advice that you can rely on.

The information contained in this guide is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or workplace relations professional.