

Extract

This extract of Wage-Setting Decision 3/2007, which adjusts special Federal Minimum Wage No. 2, is sourced from: The Australian Fair Pay Commission, *Wage-Setting Decision and Reasons for Decision July 2007*, The Commonwealth of Australia 2007, pp. 28-29.

The text of the full decision can be accessed at:

<http://www.fairpay.gov.au/fairpay/WageSettingDecisions/General/2007/Documents/>

Wage-Setting Decision 3/2007

On 20 June 2007 we, Ian Harper (Chairman), and Hugh Armstrong, Patrick McClure, Mike O'Hagan, and Judith Sloan (Commissioners), collectively comprising the Australian Fair Pay Commission, acting pursuant to the powers conferred on the Australian Fair Pay Commission by sections 196, 197, 216, and 864 of the *Workplace Relations Act 1996* (the Act) make the following decision to be known as Australian Fair Pay Commission Wage-Setting Decision 3/2007.

Interpretation

In this decision:

“adult basic periodic rate of pay” means a basic periodic rate of pay that is not a basic periodic rate of pay expressly applying to:

- (a) all junior employees or a class of junior employee; or
- (b) all employees to whom training arrangements apply or a class of employee to whom training arrangements apply; or
- (c) all employees with a disability or a class of employee with a disability;

“basic periodic rate of pay” means a basic periodic rate of pay contained in a Pay Scale;

“basic piece rate of pay” means a basic piece rate of pay contained in a Pay Scale;

“exceptional circumstances employee” has the same meaning as in Wage-Setting Decision 2/2007;

“Pay Scale” means an Australian Pay and Classification Scale other than the Pay Scale that is derived from the Social and Community Services Employees (State) Award (NSW).

Commencement of decision

This wage-setting decision comes into operation in relation to an employee at the commencement of the employee's first pay period on or after 1 October 2007.

Note: The reference to 'pay period' in the commencement provision is a reference to the pay period according to which the employee was being paid immediately before 1 October 2007.

B Special Federal Minimum Wages

B2 Amendment to paragraph 4.1 of the special Federal Minimum Wage No. 2

New special Federal Minimum Wage No. 2 – Employees with a disability who are unable to perform the range of duties to the competence level required because of the effects of a disability on their productive capacity – and are not currently covered by a Pay Scale determined by Section G of Wage-Setting Decision 1/2006 (“special FMW No. 2”) is amended as follows:

(a) Paragraph 4.1 of special FMW No. 2 is deleted and is replaced by the following paragraph:

4.1 The minimum hourly rate payable to an employee in respect of whom an assessment has been made is the percentage of the standard FMW (as adjusted from time to time) that applies to the employee in accordance with the following table:

Assessed productive capacity	% of standard FMW
10%	10%
20%	20%
30%	30%
40%	40%
50%	50%
60%	60%
70%	70%
80%	80%
90%	90%