

This table is a summary of proposed variations lodged for this award – up to 24 May 2017.

Aboriginal Community Controlled Health Services Award 2010

Some of the items contained in this summary may be determined by the Group 4 Award Stage—Technical and Drafting Full Bench while others may be referred to a separately constituted Full Bench (to be discussed at a conference before an individual Member of the Commission).

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
S1.	NATSIHWA	Sub-03Mar15		Terminology The words ‘and Torres Strait Islander’ should be added after the word ‘Aboriginal’ throughout the award (including titles and classifications).	Page 2	NATSIHWA proposes ‘and/or Torres Strait Islander’ is added, no objection being pressed. AFEI does not have a position. UV not pressing objection. ABI & NSWBC proposed definition of ‘Aboriginal’ be changed to include ‘a Torres Strait Islander person’ but not pressing objection to NATSIHWA’s proposal, see draft report , 19 April 2017.
S2.	NATSIHWA	Sub-06Mar15		Education and training Award should incentivise ongoing participation in further education.	Para 21	NATSIHWA pressing its claim to the extent of the changes it proposed in its draft determination. See draft report , 19 April 2017.

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S2A.	NATSIHWA	Sub-1Jul16	1	Title Amended to “Aboriginal and Torres Strait Islander Community Controlled Health Services Award [Year]”	Para 14	Moved from technical and drafting. See Transcript 8/02/17 [PN99-100]. AFEI reserved position and seek to make comments at a later date. See Transcript 8/02/17 [PN112]. Confirmed in report . NATWSIHWHA noted the name of the award is currently under consultation. Other issues may impact on this, therefore it is too early to determine this issue, no contrary views. See draft report , 19 April 2017.
	UV	Sub-6Oct16		Supports submission	Pg 2	
	NATISHWA	Sub-09Mar17		Updated claim: Amended to “Aboriginal and/or Torres Strait Islander Health Services Award”	Pg 1	
S2B.	HSU	Sub-30Jun16	2	Definitions ‘Aboriginal person’ and definition to be changed to ATSI	Para 44-45	Moved from technical and drafting. See Transcript 8/02/17 [PN158]. See NATSIHWA position in amended draft determination in clause 1. AFEI reserve position and right to comment at a later date. See Transcript 8/02/17 [PN160]. NATSIHWA’s proposed changes to the definitions
	NATSIHWA	Sub-25Jul16		Supports HSU proposal. Proposes to insert ‘ATSI’ into definitions to distinguish Torres Strait Islanders. Proposes changes to definition section by: <ul style="list-style-type: none"> replacing ‘aboriginal health worker’ with ‘Aboriginal and/or Torres Strait Islander Health Worker’ 	Para 5	

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				<ul style="list-style-type: none"> Inserting new definitions for Advanced Health Worker – Care, Advanced Health Worker – Practice, Community Controlled Health Services Employees, Coordinator Care, Generalist Health Worker, Health Practitioner, Health Worker Trainee, Senior Health Care Worker – Care, Senior Health Practitioner and Senior Health Worker – Care. 		section are supported by the HSU and UV. AFEI reserves its rights to make further comments. See draft report , 19 April 2017.
S2C.	HSU	Sub-30Jun16	2	Change ‘Aboriginal health worker’ to ATSI community health worker’ also seeks additional definition of ATSI health practitioner	Para 46-48	Proposed a new definition of Aboriginal Health Worker in draft determination dated 1/12/2016, see Transcript-06Dec16 [PN481-498]
	UV	Sub-30Jun16		Propose new definition to ‘ATSI Community Health Care Practitioner’	Para 4-10	
	NATSIHWA	Sub-25Jul16		<i>In response to question raised by Commission</i> Supports amendment to incorporate Torres Strait Islander health workers Does not support HSU sub, proposes to alter ‘ATSI community health worker’ definition, but supports wording of ‘ATSI health practitioner’ revised definition	Pg 2-3	Moved from technical and drafting summary. See Transcript 8/02/17 [PN158].
	ABI & NSWBC	Sub-01Jul16		Proposes alternate wording	Pg 5	Subset of item 1. No objection to NATSIHWA’s proposal. See draft report , 19 April 2017.

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	UV	Sub-25Jul16		Does not support proposal	Para 8	
S2D.	UV	Sub-30Jun16	2	<i>In response to question raised by Commission</i> Seeks removal of 'Note' under Aboriginal health worker	Pg 3	Moved from technical and drafting summary. See Transcript 8/02/17 [PN183]. See NATSIHWA position in amended draft determination in clause 1. No opposition to proposal. See draft report , 19 April 2017.
	NATSIHWA	Sub-25Jul16	2	Supports proposal	Para 3	
S2E.	UV	Sub-30Jun16		Seeks addition of 'ATSI Primary Healthcare Practitioner' into definitions	Para 10	Moved from technical and drafting summary. See Transcript 8/02/17 [PN184]. See NATSIHWA position in amended draft determination in clause 1. Resolved per item 2B. See Draft Report 9/05/17 .
	NATSIHWA	Sub-1July16		Does not support proposal	Para 8	
S2F.	NATSIHWA	Sub-01Jul16	2	Seeks definitions for Aboriginal and Torres Strait Islander Health Practitioner and Aboriginal and Torres Strait Islander Health Assistant	Para 9-14	Moved from technical and drafting summary. See Transcript 8/02/17 [PN184]. See NATSIHWA position in amended draft determination in clause 1. UV withdrew opposition to NATSIHWA proposal. AFEI
	UV	Sub-30Jun16		Seeks definitions for ATSI Community Health Worker and ATSI Primary Health Care Practitioner	Para 4-7	

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						and ABI & NSWBC reserved their position. See Draft Report 9/05/17 .
S3.	NATSIHWA	Sub-06Mar15	4	Coverage Scope of award coverage should be extended to all Aboriginal and Torres Strait Islander health workers (beyond Aboriginal community controlled health services).	Paras 7–10	UV and the HSU do not object to NATSIHWA's proposal. AFEI and ABI & NSWBC reserve their positions. See draft report , 19 April 2017.
S4.	HSU	Sub-02Mar15	10	Minimum engagement Minimum engagement for all employees should be increased to four hours.	Para 3, 8	Referred to Part-time and Casuals Full Bench in AM2014/196 and AM2014/197 . See draft report , 19 April 2017.
S5.	HSU	Sub-02Mar15	10.4	Casual employees Casual loading should be paid in addition to other shift allowances and weekend and public holiday rates.	Para 5	HSU pressing its claim only in relation to the weekend and public holiday rates, not shift allowances. See draft report , 19 April 2017.
	UV	Sub-04Apr17		HSU's claim is consistent with the Commission's current stated preferred position in relation to the manner in which casual loading should be treated. Clause should be amended following penalty rates decision. Provides draft wording.	Pgs 1-4	
S5A.	HSU	Sub-30Jun16	12.2	Classifications Suggests redrafting of clause	Para 57	Moved from technical and drafting summary. See Transcript 8/02/17 [PN249]. Similar issue to item 2B,
	NATSIHWA	Sub-25Jul16		supports proposal	Para 3	

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						dealing with definitions. To be dealt with in same manner. See draft report , 19 April 2017.
S6.	NATSIHWA	Sub-06Mar15	14	Minimum wages Improvement to minimum wages is sought.	Para 11	UV and the HSU support the proposal. AFEI and ABI & NSWBC to provide a submission on their positions. See draft report , 19 April 2017.
	NATSIHWA	Sub-09Mar17		Following consultation a proposed minimum wages structure enclosed in submission	Pg 3	
S7.	NATSIHWA	Sub-06Mar15	15	Allowances Variation to allowances is sought, in order to bring them in line with allowances afforded to other health professionals.	Para 12	UV and the HSU support the proposal. AFEI and ABI & NSWBC reserve their positions and to provide submissions. See draft report , 19 April 2017.
	NATSIHWA	Sub-09Mar17		Inclusion of the following allowances are sought: <ul style="list-style-type: none"> - Occasional interpreting allowance - Damaged clothing allowance - Blood check allowance - Telephone allowance - Nauseous work allowance - Heat allowance - Medication administration allowance 	Pg 2	
S8.	NATSIHWA	Sub-06Mar15	15	Allowances An 'isolation allowance' sought.	Para 13	To be determined with item S7. See draft report , 19 April 2017.
S9.	HSU	Sub-02Mar15	15	Allowances 'Sole practitioner', 'climatic and isolation' and 'removal expenses'	Para 11	To be determined with item S7. See draft report , 19 April 2017.

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				allowances sought.		
S9A.	HSU	Sub-30Jun16	15.2	Meal breaks — <i>response to question raised by Commission</i> Proposes alteration to clause to reflect determination of unpaid meal break timing	Para 52-54	HSU does not press its claim, see Submission dated 12/4/17.
	NATSIHWA	Sub-01Jul16		Does not support any amendments	Para 15-19	
	AFEI	Sub-05Aug16		Agrees with NATSIHWA. Opposes HSU submission	Para 46	
S10.	HSU	Sub-02Mar15	15.3	Clothing allowance A new entitlement for replacement of damaged clothing is sought.	Para 11	To be determined with item S7. See draft report , 19 April 2017
S11.	HSU	Sub-02Mar15	15.4	On call and recall allowances Variations to on call and recall allowances sought.	Para 12	AFEI does not support any change. HSU pursuing claim. See draft report , 19 April 2017 and sub-12Apr17
	HSU	Sub-12Apr17		15.4(c) should be varied to provide for a ten hour break instead of six. Proposes insertion of an allowance for telephone or remote attendance, provides draft wording.	Pgs 1-2	
S11A.	HSU	Sub-30Jun16	16.1	Minimum Wages – classifications – <i>response to question raised by Commission</i> agrees with question, no stated provisions for progression through levels within a grade	Para 55	Moved from technical and drafting summary. See Transcript 8/02/17 [PN391]. NATSIHWA proposes provisions for progression to be time based and recognition or previous service. UV supports the proposal. See draft

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						report , 19 April 2017
S11B.	UV	Sub-30Jun16	16	Progression is time-based	Para 11	Moved from technical and drafting summary. See Transcript 8/02/17 [PN391]. NATSIHWA and UV submit progression should be time based. UV supports proposal. AFEI and ABI & NSWBC to provide positions. See draft report .
S11C.	HSU	Sub-30Jun16	17.3(b)(v)	Travelling, transport and fares allowance use of term minimum hourly rate - does not believe changes from [2014] FWCFB 9412 have been applied appropriately to this clause	Para 16	Moved from technical and drafting summary. See Transcript 8/02/17 [PN445]. Agreed per UV proposal, see draft report , 19 April 2017.
	UV	Sub-30Jun16		Insert words “and level” after “employee classification” to clarify meaning	Para 14	
	AFEI	Sub-05Aug16		Does not believe change is necessary but does not oppose UV proposal	Para 48	
S12.	HSU	Sub-02Mar15	18	Payment of wages Penalty for late payment of wages sought.	Para 10	Referred to Payment of Wages Full Bench in AM2016/8
S13.	HSU	Sub-02Mar15	22.1	Rostering An allowance for employees who are the subject of a unilateral employer-imposed roster change sought.	Para 7	Withdrawn. See Transcript 28/3/17 [PN1430] and draft report , 19 April 2017.
S14.	HSU	Sub-02Mar15	22.1	Rostering Increase from seven days to 14 days	Para 8	HSU pressing claim, UV supports. AFEI opposes and is

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				sought.		to provide further submissions. See draft report , 19 April 2017.
S15.	HSU	Sub-02Mar15	22	Rostering Minimum four hour engagement, including provisions for sleepovers and broken shifts sought.	Para 8	HSU pressing claim. UV supports claim. AFEI and ABI & NSWBC to provide their positions within 14 days. See draft report , 19 April 2017.
S16.	HSU	Sub-02Mar15	23	Breaks Inclusion of tea-break provisions sought.	Para 9	HSU pressing its claim. UV and NATSIHWA support the claim. AFEI and ABI & NSWBC to provide their positions within 14 days. See draft report , 19 April 2017.
S17.	HSU	Sub-02Mar15	25	Shiftwork Shift allowances be payable regardless of the day of the week and casual loading be paid in addition to other penalties (excluding overtime).	Para 14-15	Withdrawn. See Transcript 28/3/17 [PN1493] and draft report , 19 April 2017.
S17A.	NATSIHWA	Sub-01July16	26	Ceremonial leave Proposes amendment to clause	Para 28-30	Moved from technical and drafting summary. See Transcript 8/02/17 [PN517], confirmed in report . NATSIHWA submit items are the same and press claims. HSU and UV support claims. AFEI and ABI & NSWBC reserve their positions. See draft report dated 19 April 2017.
	UV	Sub-25Jul16		NATSIHWA proposal clarify entitlement	Para 10	
S18.	NATSIHWA	Sub-06Mar15	30	Ceremonial leave	Para 14	See notes for item S17A.

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				Variation is sought to take into account the broader Aboriginal and Torres Strait Islander concept of family and kinship, and to confirm that ceremonial leave may be used for bereavement related ceremonies and obligations.		
S18A.	UV	Sub-30June16	Sched A	Classifications Amendment to clause to reflect nomenclature	Para 15	Moved from technical and drafting summary. See Transcript 8/02/17 [PN520-526]. To be dealt with in the same manner as item 2B as they relate to classifications and definitions. See draft report , 19 April 2017.
S18B.	NATSIHWA	Sub-25Jul16	Sched A	Classifications – aboriginal health worker Proposes to keep common use of ‘Aboriginal health worker’	Para 7	Moved from technical and drafting summary. See Transcript 8/02/17 [PN528].
S19.	NATSIHWA	Sub-06Mar15	Schedule B	Classification definitions Classifications should be revisited with a view to providing a framework for long term career paths and promotion to senior roles.	Para 16	To be dealt with in the same manner as item 2B as they relate to classifications and definitions. See draft report , 19 April 2017.
	NATSIHWA	Sub-09Mar17		Classifications structure See NATSIHWA position in amended draft determination 1/12/16 pgs 9-21. Proposed to amalgamate claims:	Pg 2	

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				S18B, S19, S21, S22 and S23.		
S20.	HSU	Sub-02Mar15	Schedule B	Classification definitions Variation of classification nomenclature and terminology is sought.	Para 6	To be dealt with in the same manner as item 2B as they relate to classifications and definitions. See draft report , 19 April 2017.
S21.	NATSIHWA	Sub-06Mar15	Schedule B	Classification definitions Definitions for senior level roles should include a reference to mentoring and coaching of junior employees.	Para 16	
S22.	NATSIHWA	Sub-06Mar15	Schedule B	Classification definitions Aboriginal knowledge and cultural skills components should be strengthened, including through reference to training courses.	Para 20	
S23.	NATSIHWA	Sub-06Mar15	Schedule B.1	Classification definitions Definitions should be supplemented to provide greater guidance on when employees should progress between pay levels.	Para 17	

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S24.	NATSIHWA	Sub-09Mar17	New clause/Sched ule	Progression and recognition of previous service Inclusion of 'progression' clause. Further inclusion of 'recognition of previous service' clause to be modelled off cl. 13.3 <i>Social, Community, Home Care and Disability Services Award 2010</i> and 'evidence of qualifications' clause to be modelled off cl 13.2 <i>Education Services (Teachers) Award 2010</i> .	Pg 2	To be dealt with in the same manner as item 2B as they relate to classifications and definitions. See draft report , 19 April 2017.

List of abbreviations

HSU	Health Services Union
NATSIHWA	National Aboriginal and Torres Strait Islanders Health Worker Association
UV	United Voice