

This table is a summary of proposed variations lodged for this award – up to 18 July 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	<a href="#">Sub-03Mar15</a>		<b>Terminology</b> 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 <a href="#">draft report</a> , 19 April 2017.  Parties do not oppose NATSIHWA’s proposal. See <a href="#">Transcript 1/06/17</a> [PN1843-1852]].
S2.	NATSIHWA	<a href="#">Sub-06Mar15</a>		<b>Education and training</b> 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 <a href="#">draft report</a> , 19 April 2017.

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S2A.	NATSIHWA	<a href="#">Sub-1Jul16</a>	1	<b>Title</b> Amended to “Aboriginal and Torres Strait Islander Community Controlled Health Services Award [Year]”	Para 14	<p>Moved from technical and drafting. See <a href="#">Transcript 8/02/17</a> [PN99-100]. AFEI reserved position and seek to make comments at a later date. See <a href="#">Transcript 8/02/17</a> [PN112]. Confirmed in <a href="#">report</a>.</p> <p>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 <a href="#">draft report</a>, 19 April 2017.</p> <p>Parties indicated that there is to be further discussion between the parties. See <a href="#">Transcript 1/06/17</a> [PN1868-1887].</p>
	UV	<a href="#">Sub-6Oct16</a>		Supports submission	Pg 2	
	NATISHWA	<a href="#">Sub-09Mar17</a>		Updated claim: Amended to “Aboriginal and/or Torres Strait Islander Health Services Award”	Pg 1	
S2B.	HSU	<a href="#">Sub-30Jun16</a>	2	<b>Definitions</b> ‘Aboriginal person’ and definition to be changed to ATSI	Para 44-45	<p>Moved from technical and drafting. See <a href="#">Transcript 8/02/17</a> [PN158].</p> <p>See NATSIHWA position in amended <a href="#">draft determination</a> in clause 1.</p> <p>AFEI reserve position and right</p>
	NATSIHWA	<a href="#">Sub-25Jul16</a>		Supports HSU proposal. <del>Proposes to insert ‘ATSI’ into definitions to distinguish Torres Strait Islanders.</del>  Proposes changes to definition section	Para 5	

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				by: <ul style="list-style-type: none"> <li>replacing ‘aboriginal health worker’ with ‘Aboriginal and/or Torres Strait Islander Health Worker’</li> <li>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.</li> </ul>		to comment at a later date. See <a href="#">Transcript 8/02/17</a> [PN160].  NATSIHWA’s proposed changes to the definitions section are supported by the HSU and UV. AFEI reserves its rights to make further comments. See <a href="#">draft report</a> , 19 April 2017.  Parties have reached agreement. See <a href="#">Transcript 1/06/17</a> [PN1888-1896].
S2C.	HSU	<a href="#">Sub-30Jun16</a>	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 <a href="#">draft determination</a> dated 1/12/2016, see <a href="#">Transcript-06Dec16</a> [PN481-498]  Moved from technical and drafting summary. See <a href="#">Transcript 8/02/17</a> [PN158].  Subset of item 1. No objection to NATSIHWA’s proposal.
	UV	<a href="#">Sub-30Jun16</a>		Propose new definition to ‘ATSI Community Health Care Practitioner’	Para 4-10	
	NATSIHWA	<a href="#">Sub-25Jul16</a>		<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	Pg 2-3	

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				worker' definition, but supports wording of 'ATSI health practitioner' revised definition		See <a href="#">draft report</a> , 19 April 2017.
	ABI & NSWBC	<a href="#">Sub-01Jul16</a>		Proposes alternate wording	Pg 5	Parties have reached agreement. See <a href="#">Transcript 1/06/17</a> [PN1897-1902].
	UV	<a href="#">Sub-25Jul16</a>		Does not support proposal	Para 8	
<b>S2D.</b>	UV	<a href="#">Sub-30Jun16</a>	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 <a href="#">Transcript 8/02/17</a> [PN183]. See NATSIHWA position in amended <a href="#">draft determination</a> in clause 1.
	NATSIHWA	<a href="#">Sub-25Jul16</a>	2	Supports proposal	Para 3	No opposition to proposal. See <a href="#">draft report</a> , 19 April 2017.  Parties have reached agreement. See <a href="#">Transcript 1/06/17</a> [PN1903-1903].
<b>S2E.</b>	UV	<a href="#">Sub-30Jun16</a>		Seeks addition of 'ATSI Primary Healthcare Practitioner' into definitions	Para 10	Moved from technical and drafting summary. See <a href="#">Transcript 8/02/17</a> [PN184].
	NATSIHWA	<a href="#">Sub-1July16</a>		Does not support proposal	Para 8	See NATSIHWA position in amended <a href="#">draft determination</a> in clause 1. Resolved per item 2B. See <a href="#">Draft Report 9/05/17</a> .

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						NATSIHWA submitted that S2E is part of S2B and therefore falls away with the agreement to S2B. All parties agreed. Parties agreed with submission. See <a href="#">Transcript 1/06/17</a> [PN1913-1920].
S2F.	NATSIHWA	<a href="#">Sub-01Jul16</a>	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 <a href="#">Transcript 8/02/17</a> [PN184].
	UV	<a href="#">Sub-30Jun16</a>		Seeks definitions for ATSI Community Health Worker and ATSI Primary Health Care Practitioner	Para 4-7	See NATSIHWA position in amended <a href="#">draft determination</a> in clause 1.  UV withdrew opposition to NATSIHWA proposal. AFEI and ABI & NSWBC reserved their position. See <a href="#">Draft Report 9/05/17</a> .  NATSIHWA submitted that S2F is in a similar category to S2E and once parties have agreed on 2B, then by definition S2F is agreed. All parties agreed. Parties agreed

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						with submission. See <a href="#">Transcript 1/06/17</a> [1921-1928].
S3.	NATSIHWA	<a href="#">Sub-06Mar15</a>	4	<b>Coverage</b> 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 <a href="#">draft report</a> , 19 April 2017.  AFEI submitted that they are potentially moving towards agreement, but sought opportunity to obtain further instructions. Other parties agree to NATSIHWA's proposal. See <a href="#">Transcript 1/06/17</a> [PN1930-1937].
<b>S4.</b>	HSU	<a href="#">Sub-02Mar15</a>	10	<b>Minimum engagement</b> Minimum engagement for all employees should be increased to four hours.	Para 3, 8	Referred to Part-time and Casuals Full Bench in <a href="#">AM2014/196</a> and <a href="#">AM2014/197</a> . See <a href="#">draft report</a> , 19 April 2017.  Parties agreed that this item be removed for consideration. See <a href="#">Transcript 1/06/17</a> [PN1938-1948].
S5.	HSU	<a href="#">Sub-02Mar15</a>	10.4	<b>Casual employees</b> Casual loading should be paid in	Para 5	HSU pressing its claim only in

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	UV	<a href="#">Sub-04Apr17</a>  <a href="#">Sub-29June17</a>		<p>addition to other shift allowances and weekend and public holiday rates.</p> <p>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.</p> <p>UV submit that the Commission should ensure Award is consistent with current preferred practice in relation to the treatment of casual loading. A review of loading and penalties within the Award should take place. Draft determination attached.</p>	Pgs 1-4	<p>relation to the weekend and public holiday rates, not shift allowances. See <a href="#">draft report</a>, 19 April 2017.</p> <p>Has not been discussed between parties. NATSIHWA &amp; HSU support UV's proposal (see <a href="#">Sub-04Apr17</a>). Other parties sought time to obtain instructions. See <a href="#">Transcript 1/06/17</a> [PN1949-1983].</p>
S5A.	HSU	<a href="#">Sub-30Jun16</a>	12.2	<b>Classifications</b> Suggests redrafting of clause	Para 57	Moved from technical and drafting summary. See <a href="#">Transcript 8/02/17</a> [PN249].
	NATSIHWA	<a href="#">Sub-25Jul16</a>		supports proposal	Para 3	Similar issue to item 2B, dealing with definitions. To be dealt with in same manner. See

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						<p><a href="#">draft report</a>, 19 April 2017.</p> <p>NATSIHWA does not oppose new classification structure in form proposed, but discussions have not been finalised. Sought further instruction and conferencing. ABI do not press objection in relation to reclassification. HSU and UV agree to proposal. See <a href="#">Transcript 1/06/17</a> [PN1983-1996].</p>
S6.	NATSIHWA	<a href="#">Sub-06Mar15</a>	14	<b>Minimum wages</b> Improvement to minimum wages is sought.	Para 11	<p>UV and the HSU support the proposal. AFEI and ABI &amp; NSWBC to provide a submission on their positions. See <a href="#">draft report</a>, 19 April 2017.</p> <p>NATSIHWA does not agree to new grades 5 &amp; 6 as to the 'practice' strand. There is an agreement as to 'care'. Parties to have further discussions. See <a href="#">Transcript 1/06/17</a> [PN2016-2027].</p>
	NATSIHWA	<a href="#">Sub-09Mar17</a>		Following consultation a proposed minimum wages structure enclosed in submission	Pg 3	



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S7.	NATSIHWA	<a href="#">Sub-06Mar15</a>	15	<b>Allowances</b> 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 <a href="#">draft report</a> , 19 April 2017.
	NATSIHWA	<a href="#">Sub-09Mar17</a>		Inclusion of the following allowances are sought: <ul style="list-style-type: none"> <li>- Occasional interpreting allowance</li> <li>- Damaged clothing allowance</li> <li>- Blood check allowance</li> <li>- Telephone allowance</li> <li>- Nauseous work allowance</li> <li>- Heat allowance</li> <li>- Medication administration allowance</li> </ul>	Pg 2	NATSIHWA prepared amended draft determination in relation to allowances. It set out proposed changes to address concerns of parties. AFEI does not support introduction of new range of allowances. HSU & UV support allowances proposed by NATSIHWA. Further discussions to take place. See <a href="#">Transcript 1/06/17</a> [PN2029-2056].
S8.	NATSIHWA	<a href="#">Sub-06Mar15</a>	15	<b>Allowances</b> An 'isolation allowance' sought.	Para 13	To be determined with item S7. See <a href="#">draft report</a> , 19 April 2017.  Further discussions to take place. See <a href="#">Transcript 1/06/17</a> [PN2062-2067]
S9.	HSU	<a href="#">Sub-02Mar15</a>	15	<b>Allowances</b> 'Sole practitioner', 'climatic and isolation' and 'removal expenses' allowances sought.	Para 11	To be determined with item S7. See <a href="#">draft report</a> , 19 April 2017.  Further discussions to take

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						place. See <a href="#">Transcript 1/06/17</a> [PN2068-2075].
S9A.	HSU	<a href="#">Sub-30Jun16</a>	15.2	<del>Meal breaks</del> — <i>response to question raised by Commission</i> Proposes alteration to clause to reflect <del>determination of unpaid meal break timing</del>	Para 52-54	HSU does not press its claim, see <a href="#">Submission</a> dated 12/4/17.  Confirmed that claim no longer pressed. See <a href="#">Transcript 1/06/17</a> [PN2076-2077].
	NATSIHWA	<a href="#">Sub-01Jul16</a>		Does not support any amendments	Para 15-19	
	AFEI	<a href="#">Sub-05Aug16</a>		Agrees with NATSIHWA. Opposes HSU submission	Para 46	
S10.	HSU	<a href="#">Sub-02Mar15</a>	15.3	<b>Clothing allowance</b> A new entitlement for replacement of damaged clothing is sought.	Para 11	To be determined with item S7. See <a href="#">draft report</a> , 19 April 2017  Further discussions to take place between parties. See <a href="#">Transcript 1/06/17</a> [PN2079-2094].
S11.	HSU	<a href="#">Sub-02Mar15</a>	15.4	<b>On call and recall allowances</b> Variations to on call and recall allowances sought.	Para 12	AFEI does not support any change. HSU pursuing claim. See <a href="#">draft report</a> , 19 April 2017 and <a href="#">sub-12Apr17</a>  NATSIHWA supports HSU proposal. AFEI opposed to introduction of on-call/recall allowance. All parties agreed further discussion should take place. See <a href="#">Transcript 1/06/17</a> [PN2095-2102]
	HSU	<a href="#">Sub-12Apr17</a>		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	

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S11A.	HSU	<a href="#">Sub-30Jun16</a>	16.1	<b>Minimum Wages – classifications –</b> <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 <a href="#">Transcript 8/02/17</a> [PN391].  NATSIHWA proposes provisions for progression to be time based and recognition or previous service. UV supports the proposal. See <a href="#">draft report</a> , 19 April 2017  Parties have reached agreement re: progression clause. See <a href="#">Transcript 1/06/17</a> [PN2103-2106]
<del>S11B.</del>	<del>UV</del>	<del><a href="#">Sub-30Jun16</a></del>	<del>16</del>	<del>Progression is time based</del>	<del>Para 11</del>	<del>Moved from technical and drafting summary. See <a href="#">Transcript 8/02/17</a> [PN391].  NATSIHWA and UV submit progression should be time based. UV supports proposal. AFEI and ABI &amp; NSWBC to provide positions. See <a href="#">draft report</a>.  UV withdrew their claim. See <a href="#">Transcript 1/06/17</a> [PN2109-2115]</del>

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S11C.	HSU	<a href="#">Sub-30Jun16</a>	17.3(b)(v)	<b>Travelling, transport and fares allowance</b> 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 <a href="#">Transcript 8/02/17</a> [PN445].  Agreed per UV proposal, see <a href="#">draft report</a> , 19 April 2017.
	UV	<a href="#">Sub-30Jun16</a>		Insert words “and level” after “employee classification” to clarify meaning	Para 14	Parties have reached agreement. See <a href="#">Transcript 1/06/17</a> [PN2117-2126]
	AFEI	<a href="#">Sub-05Aug16</a>		Does not believe change is necessary but does not oppose UV proposal	Para 48	
S12.	HSU	<a href="#">Sub-02Mar15</a>	18	<b>Payment of wages</b> Penalty for late payment of wages sought.	Para 10	Referred to Payment of Wages Full Bench in <a href="#">AM2016/8</a>
S13.	HSU	<a href="#">Sub-02Mar15</a>	22.1	<b>Rostering</b> <del>An allowance for employees who are the subject of a unilateral employer-imposed roster change sought.</del>	Para 7	Withdrawn. See <a href="#">Transcript 28/3/17</a> [PN1430] and <a href="#">draft report</a> , 19 April 2017.
S14.	HSU	<a href="#">Sub-02Mar15</a>	22.1	<b>Rostering</b> Increase from seven days to 14 days sought.	Para 8	HSU pressing claim, UV supports. AFEI opposes and is to provide further submissions. See <a href="#">draft report</a> , 19 April 2017.  HSU opposes claim and do not anticipate changing their position. Parties to partake in further discussions. See <a href="#">Transcript 1/06/17</a> [PN2134-2153]

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S15.	HSU	<a href="#">Sub-02Mar15</a>	22	<b>Rostering</b> 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 <a href="#">draft report</a> , 19 April 2017.  AFEI oppose change. Parties to partake in further discussions. See <a href="#">Transcript 1/06/17</a> [PN2153-2160].
S16.	HSU	<a href="#">Sub-02Mar15</a>	23	<b>Breaks</b> Inclusion of tea-break provisions sought.	Para 9	HSU pressing its claim. UV and NATSIWHA support the claim. AFEI and ABI & NSWBC to provide their positions within 14 days. See <a href="#">draft report</a> , 19 April 2017.  AFEI opposed change. Parties to partake in further discussions. See <a href="#">Transcript 1/06/17</a> [PN2161-2164].
S17.	HSU	<a href="#">Sub-02Mar15</a>	25	<b>Shiftwork</b> 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 <a href="#">Transcript 28/3/17</a> [PN1493] and <a href="#">draft report</a> , 19 April 2017.  HSU confirm claim is

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						withdrawn. AFEI opposed change. See <a href="#">Transcript 1/06/17</a> [PN2165-2166].
S17A.	NATSIHWA	<a href="#">Sub-01July16</a>	26	<b>Ceremonial leave</b> Proposes amendment to clause	Para 28-30	Moved from technical and drafting summary. See <a href="#">Transcript 8/02/17</a> [PN517], confirmed in <a href="#">report</a> .  NATSIHWA submit items are the same and press claims. HSU and UV support claims. AFEI and ABI & NSWBC reserve their positions. See <a href="#">draft report</a> dated 19 April 2017.
	UV	<a href="#">Sub-25Jul16</a>		NATSIHWA proposal clarify entitlement	Para 10	AFEI not pressing opposition. ABI oppose claim. Parties to partake in further discussion. AFEI opposed change. Parties to partake in further discussions. See <a href="#">Transcript 1/06/17</a> [PN2167-2177].
S18.	NATSIHWA	<a href="#">Sub-06Mar15</a>	30	<b>Ceremonial leave</b> 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	Para 14	See notes for item S17A.

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				bereavement related ceremonies and obligations.		
S18A.	UV	<a href="#">Sub-30June16</a>	Sched A	<b>Classifications</b> Amendment to clause to reflect nomenclature	Para 15	Moved from technical and drafting summary. See <a href="#">Transcript 8/02/17</a> [PN520-526].  To be dealt with in the same manner as item 2B as they relate to classifications and definitions. See <a href="#">draft report</a> , 19 April 2017.  AFEI agrees to claim. AFEI opposed change. See <a href="#">Transcript 1/06/17</a> [PN2184-2196].
S18B.	NATSIHWA	<a href="#">Sub-25Jul16</a>	Sched A	<del><b>Classifications – aboriginal health worker</b></del> Proposes to keep common use of ‘Aboriginal health worker’	Para 7	<del>Moved from technical and drafting summary. See <a href="#">Transcript 8/02/17</a> [PN528].</del>  NATSIHWA confirmed item removed. See <a href="#">Transcript 1/06/17</a> [PN2196-2199].

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S19.	NATSIHWA	<a href="#">Sub-06Mar15</a>	Schedule B	<del>Classification definitions</del> 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 <a href="#">draft report</a> , 19 April 2017.  Parties have agreed. See <a href="#">Transcript 1/06/17</a> [PN2201- 2207]
	NATSIHWA	<a href="#">Sub-09Mar17</a>		<del>Classifications structure</del> See NATSIHWA position in amended draft determination 1/12/16 pgs 9-21. Proposed to amalgamate claims: S18B, S19, S21, S22 and S23.	Pg 2	
S20.	HSU	<a href="#">Sub-02Mar15</a>	Schedule B	<del>Classification definitions</del> 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 <a href="#">draft report</a> , 19 April 2017.  Parties have agreed. See <a href="#">Transcript 1/06/17</a> [PN2208- 2215]
S21.	NATSIHWA	<a href="#">Sub-06Mar15</a>	Schedule B	<del>Classification definitions</del> Definitions for senior level roles should include a reference to mentoring and coaching of junior employees.	Para 16	



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S22.	NATSIHWA	<a href="#">Sub-06Mar15</a>	Schedule B	<b>Classification definitions</b> Aboriginal knowledge and cultural skills components should be strengthened, including through reference to training courses.	Para 20	
S23.	NATSIHWA	<a href="#">Sub-06Mar15</a>	Schedule B.1	<b>Classification definitions</b> Definitions should be supplemented to provide greater guidance on when employees should progress between pay levels.	Para 17	
S24.	NATSIHWA	<a href="#">Sub-09Mar17</a>	New clause/Sched ule	<b>Progression and recognition of previous service</b> 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 <a href="#">draft report</a> , 19 April 2017.  Parties have agreed. See <a href="#">Transcript 1/06/17</a> [2218-2223]

### List of abbreviations

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