

From: Michael Pegg [mailto:MPegg@ja.com.au]
Sent: Wednesday, 7 November 2018 4:52 PM
To: AMOD
Subject: AM2018/26 draft determination

In accordance with the Report from Justice Ross on 30 October 2018, attached please find a draft determination in relation to our substantive claim regarding clause 14 of the exposure draft for the Social, Community, Home Care and Disability Services Industry Award. This was previously also filed as part of our [submission](#) on 9 May 2017.

regards

Michael Pegg
Workplace Relations Manager

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MA000100

DRAFT DETERMINATION

Fair Work Act 2009

s.156 – 4 Yearly review of modern awards

4 yearly review of modern awards

(AM2014/285)

SOCIAL, COMMUNITY, HOME CARE AND DISABILITY SERVICES INDUSTRY AWARD 2010

[MA000100]

Social, community, home care and disability services

XXXX Commissioner

SYDNEY, {xx date}

4 yearly review of modern awards

[1] Further to the decision by the Fair work Commission on {xx date}[reference] the above award is varied as follows:

[2] By deleting sub-clause 14.6 and insert a new clause 14.6 as follows:

This clause only applies to employees undertaking disability services work in a private residence and Home Care employees.

(a) A 24 hour care shift requires an employee to be available for duty in a client's home for a 24 hour period. During this period, the employee is required to provide the client with the services specified in the care plan. The employee is required to provide a total of no more than eight hours of care during this period.

(b) The employee will normally have the opportunity to sleep during a 24 hour care shift and, where appropriate, a bed in a private room will be provided for the employee.

(c) The employee engaged will be paid eight hours work at 155% of their appropriate rate for each 24 hour period.

[3] This determination will operate on and from {xx date}