



Jobs Australia

Community Sector Industrial Relations

IN THE FAIR WORK COMMISSION

4 YEARLY REVIEW OF MODERN AWARDS

Submission in reply

AM2014/285

Social, Community, Home Care and Disability Services Industry Award 2010

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Introduction

1. Jobs Australia makes this submission in reply to the Decision of 7 August 2018 ([2018] FWCFB 4175) regarding the *Social, Community, Home Care and Disability Services Industry Award 2010*.

Proposed deletion of Schedule A

2. Jobs Australia does not oppose the deletion of Schedule A. It deals with transitional matters that have now been completed and is no longer necessary.

Proposed deletion of Clause F.1

3. Clause F.1 of the exposure draft provides a summary of pay rates for classifications set by Schedules B and C. The exposure draft does not include the additional payments that arise from the Equal Remuneration Order (ERO). We submit that this would be misleading and clause F.1 should be deleted.
4. It might be desirable to redraft clause F.1 to provide a summary of ordinary and penalty rates for employees in the classifications in Schedules B and C of the award. However, as a practical matter there are a wide range of transitional pay rates under the ERO that derive from award-based transitional instruments. A summary that attempted to present the rates across all possible award-based transitional instruments is likely to be too unwieldy to be of practical assistance.
5. We suggest that this matter could be reviewed in the second half of 2020 when the calculation of the final instalment of the ERO will result in an alignment of the varying transitional rates and reduce the current complexity.

Proposed deletion of Clause F.3

6. The ERO does not apply to Home Care employees. On that basis, Jobs Australia submits that there is no need to delete Clause F.3.

Other substantive matters

7. A draft consent determination was filed by parties in May 2017. We request that the matters contained in that draft determination be referred to the relevant Full Bench for determination.