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Sent: Monday, 12 December 2022 3:27 PM

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Subject: RE: AM2014/286 SES Award - Word copy of document

Dear Associate

AM2014/286 - Supported Employment Services Award 2020

We refer to the above matter and email below.

Please see **attached** a word version of the document Mr Ward handed to the Bench during last Wednesday's hearing. This document contains our proposed drafting amendments to the existing 'Rights at work for supported employees' clause.

We also refer to the correspondence sent by Mr Kemppli on Friday, 9 December 2022 regarding the amendments sought by AEDLC, the ACTU and the UWU in respect of this clause. We note that our clients do not oppose the wording proposed in Mr Kemppli's proposal.

Please do not hesitate to contact us should you require any further information.

Yours sincerely,

Claudia Simmons

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32. Rights at work for supported employees

32.1 When dealing with employment matters affecting supported employees the employer shall take all reasonable steps to provide such employees with the information they require to exercise their employment rights.

32.2 Such reasonable steps will include, but are not limited to, the following:

(a) providing information to supported employees of their right to be a member of the union and be represented in the workplace by a union representative;

(b) providing information in relation to seeking information and or assistance from the Fair Work Ombudsman;

(c) providing information to a supported employee about their right to have their nominee, guardian, carer, parent or other family member, advocate or union assist them in making decisions about employment matters.

32.3 In addition to those matters listed in clause 32.2 the employer shall take reasonable steps to provide the opportunity to the supported employee to have their nominee, guardian, carer, parent or other family member, advocate or union involved in or consulted or act as the employee's representative in employment matters that affect or may affect the supported employee's interests.

32.4 Such matters shall include but not be limited to the following:

(a) consultation about significant workplace change under clause 29—Consultation about major workplace change;

(b) consultation about changes to rosters or hours of work under clause 30—Consultation about changes to rosters or hours of work;

(c) any dispute under clause 31—Dispute resolution or other grievance;

(d) the grade into which an employee is classified in Schedule A – Classifications;

(e) wage assessments under clause 18.1 and Schedule D—Supported Wage System;

(f) any disciplinary matter; and

(g) performance appraisals.

32.5 Employees have the right to request a review of the Grade into which they have been classified by their employer. Where such a request is made, the employer shall discuss the matter with the employee and provide a written response to the enquiry which includes reason for the grade. If the employee is not satisfied with the employer's response, the employee can pursue the matter further in accordance with the dispute resolution process in clause 30.