

Submission in response to the Fair Work Commission: Decision of the Full Bench 2 October 2020 - AM2014/286

NDS welcomes the opportunity to provide this submission to the Fair Work Commission (the Commission) on the Full Bench's provisional decision of 2 October 2020. The decision identifies a new operative date of 1 January 2021 for an increase in the superannuation contribution rate for employees with disability (supported employees) in the Supported Employment Services (SES) Award 2010.

NDS strongly supports the Commission's provisional decision that the increase in the supported employee superannuation contribution rate be deferred until 1 January 2021.

A significant proportion of NDS members operating Supported Employment Services have reported adverse impacts on their commercial operations as well as their ability to provide on site employment support during the COVID-19 restrictions. Lengthy supported employee absences from work have also resulted in significant reductions in government support funding.

NDS members operating Supported Employment Services in Victoria remain subject to the severe lockdown provisions that have been in place for nearly four months – a period corresponding with the lifting of the most severe COVID-19 restrictions in the remainder of the country. NDS suggests that the Commission consider a further deferral of the superannuation increase for Supported Employment Services in Victoria given the additional duration and extent of the lockdown provisions there.

Since the October 2 decision, NDS has been engaged in ongoing discussions with senior DSS staff regarding the provision of funding by the government supplementing the increase in superannuation contributions for 12 months. Unfortunately, we have not been able to obtain any commitment from DSS on the provision of supplementation funding for the superannuation increase.

The deferral of the supported employee superannuation increase until 1 January 2021 will allow NDS additional time to continue discussions with the Federal Government regarding supplementation of the increase. Therefore, as noted above, we support the provisional decision of 2 October and request that the Commission formally defer the superannuation increase until 1 January 2021.

National Disability Services

Submission in response to the Fair Work Commission – Decision of the Full Bench 2 October 2020:
AM2014/286

October 2020

Contact: David Moody
Chief Executive Officer
National Disability Services
Ph: 03 8341 4343
E: david.moody@nds.org.au

National Disability Services is the peak industry body for non-government disability services. It represents service providers across Australia in their work to deliver high-quality supports and life opportunities for people with disability. Its Australia-wide membership includes around 1,200 non-government organisations which support people with all forms of disability. Its members collectively provide the full range of disability services, from accommodation support, respite and therapy to community access and employment. NDS provides information and networking opportunities to its members and policy advice to State, Territory and Federal governments.