

# yumaro

Improving lives together

FAIR WORK COMMISSION  
Supported Employment Services Award 2010  
Matter No: AM2014/286

20/11/2017

Dear Associate

**We oppose the application by AED Legal to remove the Yumaro wage tool for the following reasons:**

1. The Yumaro tool assesses the competency level of employees (of which productivity is also taken into account) and determines their wage level based on what they can do from a wide range of tasks ranked at increasing levels of complexity.
2. The Yumaro tool's competency based approach encourages training and skills development because the learning of new skills and tasks lead to a higher wage outcome.
3. The competency based assessment in the Yumaro tool to determine wages is in line with the classification of work in accordance with skills, competency and responsibility that is used in the method of classification assessment used by almost every other award in Australia.
4. The wage assessment process in the Yumaro tool is annual, providing a far fairer outcome than the SWS that is mandated every 3 years.



*Supported employees at Yumaro's Ulladulla site showing off their nursery*



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5. Paul Cain's statement in point 73 and 74 of his submission states that:

*"73. For example, in Grade 2 of SESA, under 'specialist packaging', there is a list of job tasks including sorting; labelling; folding; stacking; use of hand trolleys; pallet trucks; taping; heating sealing; stapling; filing; filling; and/or check weighing.*

*74. An employee with disability should be able to expect that if they are doing one, some, or all of these specialist packaging job tasks within this classification, that a SESA wage assessment will be based on this classification and rate of pay."*

The statement above (74) is deeply flawed and indeed the application of these statements to jobs for people with disabilities within ADE's would see in many cases a gross inequitable distortion of wages and the resultant closure of many work ventures which are providing excellent employment opportunities. The best way to illustrate this is through an example of two work roles at Yumaro:

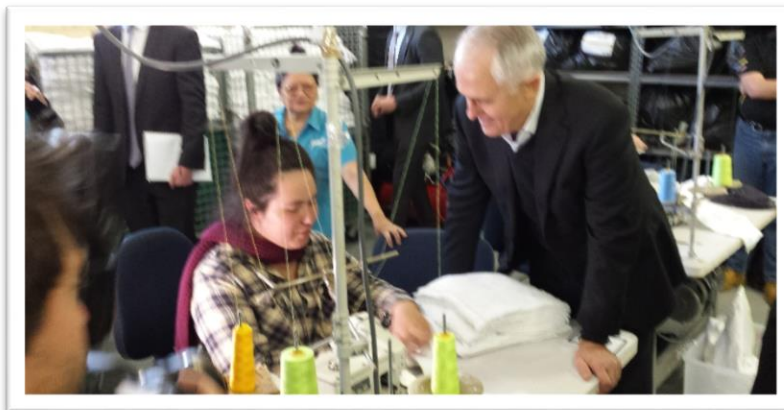
- Employees make cleaning cloths by overlocking the edges of cut recycled towels – this involves simple straight-line sewing with a large margin for error.
- Other employees with higher skills are involved in the more technically intensive work of setting up and embroidering garments.

If the SWS was used to assess the employees involved in these two areas of work the following gross distortion of wages could occur:

- The employees only able to sew the simple overlocked cleaning cloths would be found to have almost 80-100% productivity because this task is very simple and cannot be performed much faster even if ones skills increase.
- The employees who are able to work in the embroidery section, which is far more complex in nature, would be found to have very low productivity (10-50%).

In the above example the employees doing the more complex task would achieve lower wage outcomes than the employees doing the simple straight sewing.

Furthermore, these wage determinations would lead to the closure of the cleaning cloth manufacturing business due to inequitable and unsustainable wage levels that make the business unit uncompetitive.



*Prime Minister Malcolm Turnbull enjoying a demonstration of Pam's overlocking skills at Yumaro this year*

ADE's develop work contracts for the purpose of providing work that (in many cases) is of a low skilled nature specifically to provide engaging job opportunities that allow people with a disability to hold diverse roles that include leadership, team work, etc amidst their peers. Other businesses would not take on this type of work and without ADE's these job opportunities would not be available for people with a disability.

The SWS would make these many business ventures and their employment opportunities within ADE's unviable. Whereas the Yumaro wage tool and others like it with a competency assessment approach fully enable these excellent employment opportunities primarily because tasks are classified according to the skill and knowledge level required and then assessed relative to the skills and knowledge required to reach the award wage.

6. In our case, we are not arguing that the SWS or Modified SWS will put our wages up overall. The Yumaro wage tool as embedded in our Enterprise Agreement pays wages that commence at a temporary training wage of \$4.72 per hour (level 1) and our average wage is approximately \$7.50 per hour across our 110 employees with a disability (over 70% of which have intellectual disability). Yumaro's wage rates are already high compared to industry averages. Our concern is that if forced to use the SWS or Mod SWS it will unfairly distort wages and in the process make some of our best employment ventures unsustainable leading to less jobs and opportunities for people with a disability.
7. The inclusion of the Yumaro tool was following a proper process of the Industrial Relations Commission and we have seen no valid argument for its removal at this time.
8. The Yumaro tool was retained in the making of the Modern Award and we submit that it was considered at that time to meet the modern awards objective of the Fair Work Act.
9. The Yumaro tool forms part of the Yumaro Enterprise Agreement which has been approved from inception in 2001 by the then Industrial Relations Commission of NSW and every three years subsequent.

Regards



Mark Brantingham

CEO

Yumaro



*Oscar and Madison working in the woodshed on Survey Peg production*