

From: Noni Lord [<mailto:noni.lord@aed.org.au>]
Sent: Monday, 2 October 2017 3:56 PM
To: Chambers - Hatcher VP
Subject: AM2014/286 - Supported Employment Services Award

Dear Ingrid

We attach the above documents for filing in compliance with Vice President Hatcher's orders, order 2, of 10 July 2017 in relation to the above matter.

We will provide 'signed' statements in due course.

There will be additional materials provided tomorrow, we apologise for the delay.

Regards
Noni

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Fair Work Commission

4 yearly review of Modern Awards

Supported Employment Services Award

Matter No: AM2014/286

WITNESS STATEMENT OF PEGGY EAGLES

I, Peggy Eagles, C/- AED Legal Centre, Suite 4, Level 9, 276 Flinders Street, Melbourne in the State of Victoria, state as follows:

BACKGROUND

1. I am the mother and carer of Danielle Harris.
2. Danielle works in supported employment at Wallara Industries.
3. Danielle has multiple disabilities including intellectual, cerebral palsy, and uncontrolled epilepsy. Danielle is wheelchair-bound.

WORKING AT WALLARA INDUSTRIES

4. Danielle began working at Wallara Industries in or about August 2009.
5. At Wallara Industries Danielle does packaging tasks such as:
 - a. body shop products;
 - b. makes boxes; and
 - c. puts tags on clothing.
6. When Danielle started at Wallara Industries what she would be paid was worked out using a wages tool called the Business Services Wage Assessment Tool ("BSWAT"). When assessed, she was paid \$3.79 an hour.
7. As I understand it, BSWAT is no longer used. We were told in or around 2015/16 that Wallara Industries would replace BSWAT with a Tool called SkillsMaster. At Wallara Industries, it was replaced with a tool called SkillsMaster. I was told that the SkillsMaster software system was designed

to enable an organisation to efficiently record, manage and analyse all aspects of an employee's job competencies and training needs in order to determine a fair and non-discriminatory pro-rata wage.

8. Danielle was assessed under SkillsMaster in the 5% range. This results in a rate of pay of \$0.91 an hour. Attached and marked "Attachment A" is a copy of that assessment. Despite the assessment, Wallara Industries applies a minimum hourly rate of \$2.50 an hour, but I have been informed that Wallara intends to maintain Danielle on the old BSWAT rate of \$3.79 per hour for the next twelve months or until her next assessment.
9. Danielle's wage assessment outlines that there are 23 task units in the job however her wage assessment results appear to only involve two assessment tasks.
10. Danielle's assessment results under SkillsMaster consisted of assessment task units involving numeracy and literacy skills only. Under the SkillsMaster tool, Danielle's workplace literacy was rated as 'Fair' (3) and her numeracy was rated as 'very poor' (1). Danielle's final assessment score was 4. A final assessment score of '4' results in rate of pay that is 5% of the award under the SkillsMaster tool.

WAGE ASSESSMENT AT WALLARA INDUSTRIES

11. Wallara Industries, as an employer, stated that they will find jobs that supported employees could do and improve in and that supported employees will be trained so that they are better at their jobs.
12. SkillsMaster does not provide a clear indication of the process the assessor goes through to establish whether an employee is deemed 'competent' in a particular task unit. Only that it is done through a yes/no basis and in accordance with Assessor Competency Standard. Attached and marked "Attachment B" is a copy of what we were provided in relation to the SkillsMaster wage assessment process.

13. Skillsmaster stipulates that employees should receive a job model which is comprised of the required task skills the employee needs to fulfill its role. On the employee competency record Danielle received, the job model it outlined as 'Assembly Worker- Level 2'.
14. The outline of the tool states that those task units where the employee is deemed not to be competent; should be referred for training. I have been given no indication of how/when/ if that will occur and what the training will be based around as other assessable task units not expressed. I assume this means that Danielle did not even receive a "0" in the other 21 areas assessed as no notes were taken of these areas. It is also not clear what the areas are that were meant to be assessed.
15. There seems to be no explicit requirement that employees must be informed of the assessable task units of their role. Although, the tool claims high levels of transparency which would indicate that this should perhaps be expected. We were supplied with a copy of a Grievance Process. "Attachment C" is a copy of this process. Although we disagree with the result of the Assessment after discussion with Wallara we decided not to take the matter any further. We know that Wallara will continue using SkillsMaster and whilst the Assessment Tool is as it is we know that Danielle will not achieve any better results especially as no training package has been discussed with us and therefore we do not believe anything will change.

PEGGY EAGLES

DATE

ATTACHMENT A

Competency Recording Sheets Scoring

- 0 Competency not held by employee
- 1 Competency held and utilised by employee
- 2 Competency held and not utilised by employee
- 3 Employee requests/requires training

Assessment guide criteria

- 0 **Not Competent.** Employee has not been trained or is unable too, or cannot carry out the required task consistently without high levels of supervision and frequent training. The employee has no measurable levels of output and has difficult behavioural problems.
- 1 **Very Poor.** Employee can use required plant, equipment and hand tools with high level of supervision or can perform required task consistently with high level of supervision and regular frequency of training. The employee has very low levels of output and behavioural problems effecting performance.
- 2 **Poor.** Employee can use required plant, equipment and hand tools with supervision, or can perform the required task consistently with supervision and medium frequency of training. The employee achieves below average levels of output and behavioural problems.
- 3 **Fair.** Employee can use required plant equipment and hand tools with supervision or can perform the required task consistently with supervision and irregular frequency of training. The employee is achieving average levels of output and minor behavioural problems.
- 4 **Good.** Employee can set up a job or perform the task with minimum supervision to a high standard following training. The employee has well above average levels of output.
- 5 **Very Good.** Employee can set up a job or perform the task with minimum supervision to a very high standard following training. The employee has well above average levels of output.
- 6 **Excellent.** Employee can set up a job or perform the task with minimum supervision to a very high standard with output at the same or above the average level of a non-disabled employee. Generally an employee achieving this level would be performing at the same level as a non-disabled employee and able to work from simple specifications, carry out routine maintenance of plant and equipment and use all plant, equipment and hand tools necessary to complete the task.

Employee Competency Record

Employee Name: Harris Danielle
Date of Assessment: 23/5/2017

Printed 23/5/17

Job Model: Assembly Worker - Level 2
Work Stream: Assembly & Packaging

Assessable Task Units	Rating	Score
AP Basic Workplace Numeracy VP = Very Poor		
01 Basic counting to 10		1
1.1 Can count to 10 units and place them into the correct package or bundle		
02 Basic counting to 20		
2.1 Can count to 20 units and place them into the correct package or bundle		
03 Basic counting to 50		
3.1 Can count to 50 units and place them into the correct package or bundle		
04 Basic counting to 100		
4.1 Can count to 100 units and place them into the correct package or bundle		
AP Basic Workplace Literacy F = Fair		
01 Literacy related to safety		3
1.1 Recognise and understand safety signs and symbols.		
1.2 Follow simple signs and symbols.		
02 Literacy related to basic work practices		
2.1 Can write name and has a basic understanding of what they have written. 2.2 Fill out general work place documentation.		

Employee Wage Assessment

Employee Name: Harris Danielle
 Date of Assessment: 23/5/2017
 Job Model: Assembly Worker - Level 2
 Work Stream: Assembly & Packaging

Printed 23/5/2

Level 1	0 - 13	5%
Level 2	14 - 20	10%
Level 3	21 - 27	15%
Level 4	28 - 34	20%
Level 5	35 - 40	25%
Level 6	41 - 47	30%
Level 7	48 - 54	35%
Level 8	55 - 68	40%
Level 9	69 - 82	50%
Level 10	83 - 96	60%
Level 11	97 - 109	70%
Level 12	110 - 123	80%
Level 13	124 - 137	90%
Level 14	138	100%

No. of task units in Job 23
 No. of Assessable Task 2
 Employee Assessed 4
 % of Award Wage 5%
 Award Ord, hours of 38
 Award Wage 692.0
 Hourly Rate 0.91

Signature of Assessor

Date

Signature of Employee

Date

ATTACHMENT B



Proven business results . . . Real community dividends !

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SKILLSMASTER WAGE ASSESSMENT PROCESS

Step 1:

A list is made of all the different jobs you do at Wallara. This list is called a Job Model.

Step 2:

A list of all the different skills needed to complete the different jobs is developed (i.e. what you need to do to complete each job that you are doing).

Step 3:

Your wage assessment is conducted by the Manager – Support (Barbara Ingram) with help from other supervisors. All assessments will be checked for accuracy by the General Manager (Garry Baker).

Step 4:

All the information gathered is put into the Skillsmaster database. A total score will be calculated based on information gathered during step 3, and a wage will be determined.

Step 5:

A wage assessment review meeting will be held with you after your wage assessment has been completed. This meeting will be held at Wallara with the Manager – Support, the General Manager, you and your carer/family member if applicable.

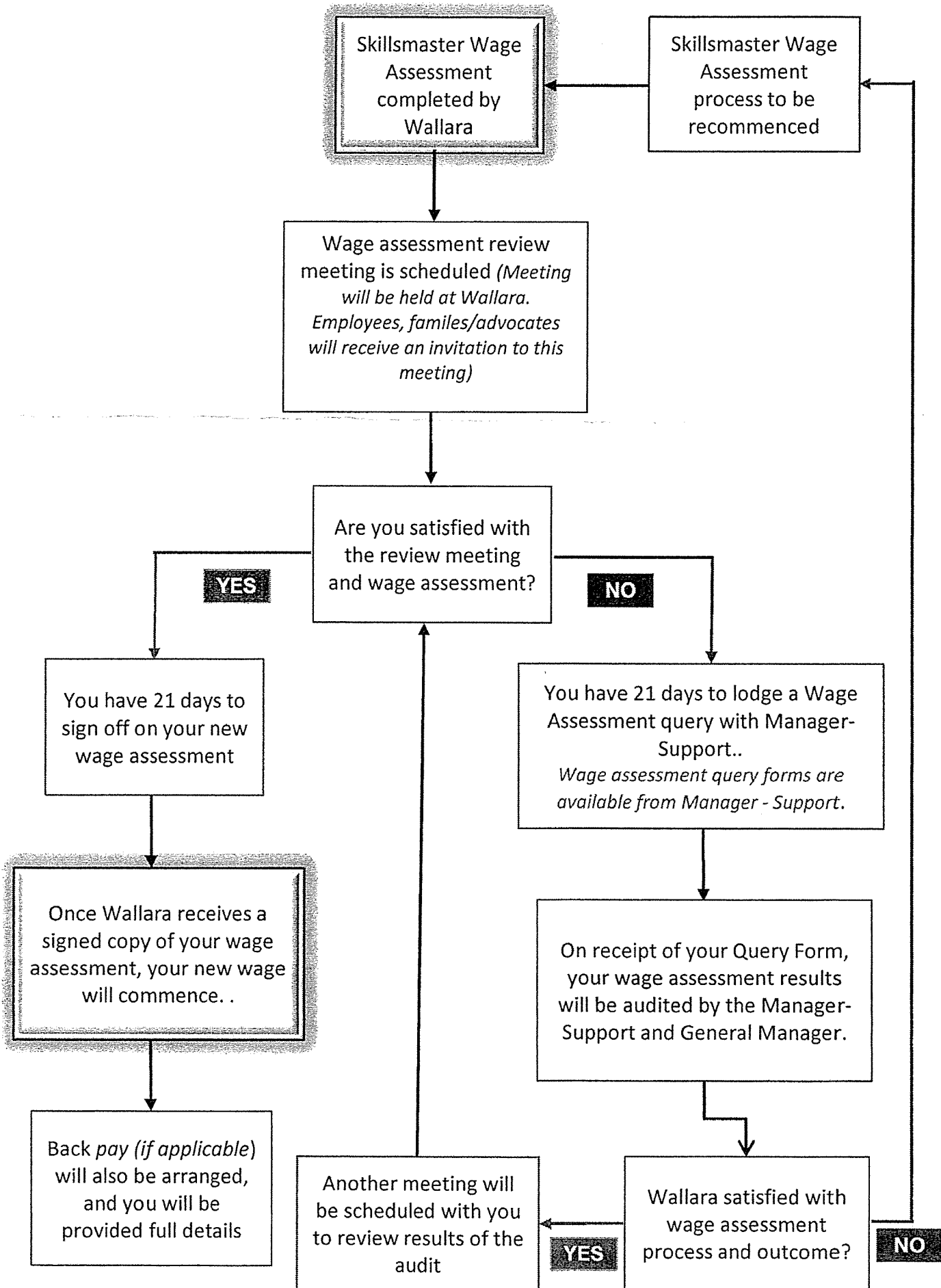
Please note: If you have a query regarding the jobs you were assessed on, you will have 21 days to lodge a Wage Assessment Query. A Wage Assessment Query form is available from the Manager – Support.



ATTACHMENT C



Wage Assessment Grievance Process



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Supported Employment Services Award

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WITNESS STATEMENT OF KATE LAST

I, Kate Last, C/- AED Legal Centre, Suite 4, Level 9, 276 Flinders Street, Melbourne in the State of Victoria, state as follows:

BACKGROUND

1. I am employed at Highpoint Industries which was formally owned by Scope and is now owned by the Endeavour Foundation.
2. I am a supported employee working at Highpoint Industries. I work two to three days per week.
3. I am a person with disabilities. I used to think I had only epilepsy and deafness, but I noticed that I could not do things which other people could do. I went to a special school because I could not go to a normal school due to the fact that I could not do normal school work. I also have post-traumatic stress disorder and short term memory loss. I have an intellectual disability.
4. I began working at Highpoint Industries on or about 26 July 2004. The job that I do at Highpoint has not changed from the time I commenced up to date.
5. At Highpoint Industries I do tasks such as:
 - a. cutting strings for sausages,
 - b. putting tins into boxes in a specific order;
 - c. Packing muesli bars into boxes; and
 - d. Making up boxes
6. When I was first working at Highpoint I was told that my wages would be worked out under something that was called BSWAT. I cannot remember what my hourly rate was but when I was re-assessed in 2008 I was paid

\$4.2271 per hour. At the end of 2012, I was assessed again under BSWAT at \$5.77 an hour. I cannot find a copy of my BSWAT Assessment. However, Highpoint agreed to pay me \$10.00 an hour.

7. I can't remember when Highpoint stopped using BSWAT but I think it was three or four years ago. My pay was worked out using another tool. I did not understand how they worked out what to pay me but it was called Skillsmaster. I was still doing the same job I have always done. However, after Skillsmaster came in I got paid for that work \$8.47 per hour, still do.
8. Highpoint no longer pay me the extra that I got paid when BSWAT was being used. I now get paid \$8.47 per hour.

KATE LAST

DATE