

Children's Services Award 2010

This table is a summary of proposed variations lodged for this award. This summary has been revised on 19 April 2017 to incorporate previously omitted submissions of various parties (shown in red font)

Some of the items contained in this summary may be determined by the Group 4 Award Stage—Technical and Drafting Full Bench while others may be referred to a separately constituted Full Bench (to be discussed at a conference before an individual Member of the Commission).

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
S1	UV	Sub-13Nov15	15	Allowances Seek to include two allowances to reflect the change in legislation which have created new roles. A weekly allowance for an employee appointed as an educational leader and an hourly allowance for a responsible person physically present at a child care centre.	Page 1	Withdrawn see sub-6/10/16 para 9.
S2	G8E	Sub-12Nov15	14	Minimum wages Seeks to insert clause from <i>Educational Services (Teachers) Award 2010</i> at 14.2. Proposes wording for clause in Corro-2/09/16 .	Page 1	
S3	An individual	Sub-11Nov15	Schedule B	Classifications Seeks to insert new classifications of Educational Leader as a result of the Education and Care Services National Regulations. Seek to insert qualifications for approved anaphylaxis management training.	Para 1-2	
S4	An individual	Sub-11Nov15	15	Allowances Seeks to insert allowances so the Responsible Person can be appropriately remunerated for additional responsibilities and duties.	Para 3	

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
S5	OSHC	Sub-19Nov15	Schedule B	Classifications Education and Care Services National Regulations are not new and would impose a significant cost per year, if introduced as a new classification.	Page 1-2	
S6	UV	Sub-3Mar15	4.1(⊕)	Coverage Seeks to vary clause to include Clerk Private Sector Award 2010.	Page 2	Moved to substantive issue summary as discussed. See Transcript Transcript 7/02/17 [PN98].
S7	AFEI	Sub-5Mar15	10.4	Part-time employment Seeks to vary clause so part-time employees may work up to 10 hours per day before overtime applies. Variation will ensure award is coherent. Provides wording in sub-4/10/16.	Point 1	
S7A	AFEI	Sub-4Oct16	10.4(b) (ED)	Seeks variation to make it simpler to amend rosters of part-time employees. Provides wording in submission	Para 4-5	
S8	BSA	Sub-2Mar15	10.4(e) and 10.5(e)	Casual employment Seeks to clarify wording of clauses as they could cause confusion about the applicable pay requirements in relation to 23.4(e)	Page 9	Withdrawn see corro-3/04/17. Submitted this item would be better dealt with under the technical and drafting matter. See also sub-29/09/16 para 2.4.
S9	BSA	Sub-2Mar15	10.5(b)	Casual employment Clause currently only allows for casuals to be engaged if they are required for emergencies or relief purposes – party consulting further with members and may pursue a variation.	Page 8	Being dealt with by Part-time and Casuals Full Bench in AM2014/196 and AM2014/197

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S10	CCSA	Sub-2Mar15	10.5(d)	Casual employment Seeks to vary clause to reduce administrative complexity in the many small to medium enterprises — proposed wording in submission.	Page 3	Referred to Part-time and Casuals Full Bench in AM2014/196 and AM2014/197 Withdrawn – see sub-30/09/16
S11	CCSA	Sub-2Mar15	10.5(e) and 23.2(a)	Casual employment Seeks to remove casual loading when overtime rates are payable to casual employees.	Page 3	Referred to Part-time and Casuals Full Bench in AM2014/196 and AM2014/197 Withdrawn – see sub-30/09/16
S11A	AFEI	Sub-4Oct16	11.1 (ED)	Casual employment Proposes to remove the restriction on employing casuals for temporary and relief purposes. Provides wording.	Para 6-7	
S12	ACSAE	Sub-2Feb15	14	Minimum wages Party seeks the insertion of junior rates into award.	Para 3	
S13	CCSA	Sub-2Mar15	14.1	Minimum wages Seeks an additional pay level for the classification of Support Worker Level 3 as a Level 3.2 and Level 3.3.	Page 4	Withdrawn – see sub-30/09/16
S14	UV	Sub-3Mar15	15	Allowances Seeks to insert new clause/allowance for training as there is no provision currently in the award for training.	Page 5	

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
S15	CCSA	Sub-2Mar15	15	Allowances Seeks introduction of allowances for a Nominated Supervisor, Educational Leader and Certified Supervisor.	Page 4	Withdrawn – see sub-30/09/16
S16	UV	Sub-3Mar15	15	Allowances Seeks the inclusion of a ‘Programming and Administrative’ tasks allowance for Children Service Employees that are required to perform additional programming and administrative duties in addition to their rostered hours.	Page 2	
S17	CCSA	Sub-2Mar15	15.1	Allowances—broken shift allowance Seeks to clarify what constitutes a broken shift.	Page 4	Withdrawn – see sub-30/09/16
S18	BSA	Sub-2Mar15	15.2(b)	Allowances—clothing and equipment allowance Seeks to vary clause to include a maximum allowance per week—suggests similar wording to the General Retail Industry and Pharmacy Award 2010.	Page 9	Withdrawn see corro-3/04/17 . See also sub-29/09/16 para 2.2.
S19	UV	Sub-3Mar15	15.2(b)	Allowances—clothing and equipment allowance Seeks to insert a note below clause – suggested wording in submission.	Page 3	
S20	UV	Sub-3Mar15	15.2(c)(e)	Allowances—clothing and equipment allowance Seeks to add the words ‘hat, sun protection (including sunscreen lotions)’ before the word ‘goggles’.	Page 3	

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S20A	G8E	Sub-12/11/15	16.2	Minimum wages Seeks to insert clause from <i>Educational Services (Teachers) Award 2010</i> at 16.2 (clause 14.2 of current award).	Page 1	Raised at hearing, may be a substantive issue. To be discussed at conference. See Transcript-6/12/16 [PN570-PN571] Moved to substantive issues conference as discussed in Transcript 7/02/17 [PN154]. Confirmed in report .
S21	CCSA	Sub-2Mar15	18.1(e)	Higher duties Party proposes deleting this clause.	Page 5	Withdrawn – see sub-30/09/16
S22	CCSA	Sub-2Mar15	18.1(e)	Higher duties Party proposes deleting this clause.	Page 5	CCSA claim withdrawn – see sub-30/09/16
S23	UV	Sub-3Mar15	18.1(e)	Seeks to delete clause or delete the phrase ‘(including in-service training)’.	Page 3	
S24	CCSA	Sub-2Mar15	20.5(b)	Superannuation – absence from work Seeks to delete clause as it create administrative complexity which works against the modern awards objective. It also contradicts the Superannuation Guarantee provisions.		Withdrawn – see sub-30/09/16
S25	ABL	Sub-2Mar15	21 and 10	Ordinary hours of work and rostering Seeks to vary clause to provide employers with greater flexibility to change rosters other than with 7 days’ notice.	Pg 1	

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S26	ABL	Sub-2Mar15	21	Ordinary hours of work and rostering Seeks to vary clause to allow ordinary hours to be worked before 6.00 am or after 6.30 pm.	Pg 1	
S27	BSA	Sub-2Mar15	21.2	Ordinary hours of work and rostering Seeks to a variation of clause to remove ambiguity regarding broken shifts and ordinary hours.	Page 9	Withdrawn see corro-3/04/17 . See also sub-29/09/16 para 2.3.
S29	UV	Sub-3Mar15	21.5	Ordinary hours of work and rostering—non-contact time Seeks to vary clause by extending non-contact time to 8 hours per week.	Page 3	Withdrawn see corro-30/03/17 . See also sub-6/10/16 para 4.
S30	UV	Sub-3Mar15	24.4(e)	Annual leave—taking annual leave Seeks to reduce maximum amount of leave without pay for a Christmas close down of 4 weeks to 2 weeks.	Page 4-5	

List of abbreviations

ABL	Australian Business Lawyers
ACSAE	Australian Community Services Employers Association, Union of Employers
AFEI	Australian Federation of Employers and Industries
BSA	Business SA
CCSA	Community Connections Solutions Australia
G8E	G8 Education
OSHC	OSH Club
UV	United Voice