

Dear Associate,

Please find attached a Submission and two attachments in this matter.

Also attached are copies of the following witness statements on behalf of the ASU:

1. Leon Wiegard
2. Susie Bady
3. Judith Boojkallil
4. Fran Howell
5. Heather Fairweather
6. Kevin Denny
7. Christine Campbell
8. Camille Furtado

The ASU requests that the witness statements for Boojakillil, Howell, Fairweather and Denny filed on the 22 February 2016 are replaced with the attached statements (addresses deleted). The statements are otherwise the same as those filed.

There are two further statements the ASU intends to file, due to logistical difficulties for the witnesses the ASU will file the statements next week and therefore requests an extension from the Commission to do so.

Where a statement has not yet been signed the ASU undertakes to file a signed statement.

Regards
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Fair Work Commission

AM2014/196 and AM2014/197

s. 156: 4 Yearly Review of Modern Awards

Fair Work Act 2009, ss.157–160

**SUBMISSIONS IN REPLY FROM THE AUSTRALIAN SERVICES' UNION IN
RESPONSE TO APPLICATIONS BY AUSTRALIAN BUSINESS INDUSTRIAL AND THE
NSW BUSINESS CHAMBER LTD , and ST IVES GROUP PTY LTD IN RESPECT OF
CLAUSE 10.3 OF THE SOCIAL, COMMUNITY, HOME CARE AND DISABILITY
SERVICES INDUSTRY AWARD 2010 SCHCDS AWARD**

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29 April 2016

Introduction

1. The ASU files these submissions in opposing the separate proposals by:
Australian Business Industrial and the NSW Business Chamber Ltd (ABI/NSWBC), and
St Ives Group Pty Ltd (St Ives)
to vary clause 10.3 of the Social, Community, Home Care And Disability Services Industry Award 2010 (the Award).

The Current Award

2. The Award as last varied on 1 August 2013 (PR539625) provides in regard to types of employment that:

10. Types of employment

10.1 Employment categories

(a) Employees under this award will be employed in one of the following categories:

(i) full-time employment;

(ii) part-time employment; or

(iii) casual employment.

(b) At the time of engagement, an employer will inform each employee the basis of their employment. An employer may direct an employee to carry out such duties as are within the limits of the employee's skill, competence and training, consistent with the respective classification.

10.2 Full-time employment

A full-time employee is one who is engaged to work 38 hours per week or an average of 38 hours per week.

10.3 Part-time employment

(a) A part-time employee is one who is engaged to work less than 38 hours per week or an average of less than 38 hours per week and who has reasonably predictable hours of work.

(b) The terms of this award will apply to part-time employees on a pro rata basis on the basis that the ordinary weekly hours of work for full-time employees are 38.

(c) Before commencing employment, the employer and the employee will agree in writing on a regular pattern of work including the number of hours to be worked each week, the days of the week the employee will work and the starting and finishing times each day. Any agreed variation to the regular pattern of work will be recorded in writing.

10.4 Casual employment

(a) A casual employee is one who is engaged and paid as such but will not include a part-time or full-time employee.

(b) A casual employee will be paid per hour calculated at the rate of 1/38th of the weekly rate appropriate to the employee's classification. In addition, a loading of 25% of that rate will be paid instead of the paid leave entitlements accrued by full-time employees.

(c) Casual employees will be paid the following minimum number of hours, at the appropriate rate, for each engagement:

(i) social and community services employees except when undertaking disability services work—3 hours;

(ii) home care employees—1 hour; or

(iii) all other employees—2 hours.

3. Clause 10 was varied in 2013 as result of an ASU proposal in the 2012 review of Modern Awards with the aim of providing a part-time employee with certainty as to the number of hours they are required to work each week, the days on which they will they work and the time the part-time employee is required to begin work and the time that work concludes. Clause 10 was varied as a result of a decision following the 2012 Modern Award two year review. [[2013] FWC 4141] In inserting a new clause 10.3(c) in the form set out as clause 10.3(d) in the ASU's amended application the Fair Work Commission (FWC) found that:

[20] That part of the application seeking a requirement that part-time arrangements be agreed in writing prior to commencing employment is a common award provision. It requires employees to be given clear information as

to the basis of their employment when they are engaged. I consider that the case for such a clause is strong, especially when there is no award minimum engagement period. In my view the concerns of the employers can be allayed by standard procedures that comply with the clause, such as those that have been developed for employers covered by similar provisions in other awards. I will make this change prospective to allow employers to prepare for the change. If significant practical problems emerge an appropriate variation can be sought. I will insert the clause sought by the ASU with effect from 1 August 2013.

The Legislative Framework

4. The ABI/NSWBC and St Ives' proposals are pursuant to the four yearly modern award review mandated by section 156 of the *Fair Work Act 2009* (Cth). In an earlier, jurisdictional decision of the Fair Work Commission ([2014] FWCFB 1788) the FWC determined that the modern awards objective applies in the four yearly review of modern awards.

[29] The modern awards objective applies to the performance or exercise of the Commission's 'modern award powers', which are defined to include the Commission's functions or powers under Part 2-3 of the FW Act. As we have mentioned the Review function in s.156 is in Part 2-3 of the FW Act and so will involve the performance or exercise of the Commission's 'modern award powers'. It follows that the modern awards objective applies to the Review ([2014] FWCFB 1788)

5. The Modern Award Objective includes that modern awards must provide a fair and relevant safety net of entitlements under s.134, taking into account the criteria set out at section 134 such as the need for a stable award system (s.134 (1)(g)).

[31] The modern awards objective is directed at ensuring that modern awards, together with the NES, provide a 'fair and relevant minimum safety net of terms and conditions' taking into account the particular considerations identified in paragraphs 134(1)(a) to (h) (the s.134 considerations). ([2014] FWCFB 1788)

6. The ASU submits that in a stable award system where a significant change is proposed, it must be supported by a submission that addresses the relevant legislative provisions and be accompanied by probative evidence properly directed to demonstrating the facts supporting the proposed variation.

7. The ASU submits that neither ABI/NSWBC nor St Ives' have provided sufficient probative evidence to justify making the proposed variation.
8. In applying the Modern Awards objective, the variations proposed to Modern Awards must result in the Award containing permitted terms only to the extent *necessary* to achieve the Modern Awards Objective.

[39] We are satisfied that s.138 is relevant to the Review. We also accept that the observations of Tracey J in SDA v NRA (No.2), as to the distinction between that which is "necessary" and that which is merely desirable, albeit in a different context, are apposite to any consideration of s.138. ([2014] FWCFB 1788).

9. The Commission is required to have regard to the historical context applicable to each modern Award and will take into account previous decisions relevant to any contested issue. The particular context in which those decisions were made will also need to be considered. Previous Full Bench decisions should generally be followed, in the absences of cogent reasons for not doing so.

[27] These policy considerations tell strongly against the proposition that the Review should proceed in isolation unencumbered by previous Commission decisions. In conducting the Review it is appropriate that the Commission take into account previous decisions relevant to any contested issue. The particular context in which those decisions were made will also need to be considered. Previous Full Bench decisions should generally be followed, in the absence of cogent reasons for not doing so. ([2014] FWCFB 1788)

Historical Context of the Part-Time Clause

10. During the 2012 Modern Award review the ASU filed submissions tracing the history of the part-time clause in the various state awards in the SACS sector. The following is a summary of the material filed and put to the Fair Work Commission.
11. In New South Wales employers previously worked under NAPSAs (Charitable, Aged Care and Disability Care Services (State) Award; the Charitable Sector, Aged and Disability Care Services (State) Award 2003; and the Miscellaneous Workers, Home Care Industry (State) Award) which all provided fixed minimum hours for part-time employees.
12. Relevant predecessor awards that applied in Queensland prior to award modernisation include:

- a) The Queensland Community Services and Crisis Assistance Award State – 2008 (“QCSCA Award 2008”).
 - b) Social and Community Services (Queensland) Award 2001 (“SACS Award 2001”).
 - c) The Crisis Assistance Supported Housing (Queensland) Award 1999 (“CASH Award 1999”).
 - d) The Family Day Care Services Award 1999 (“FDC Award 1999”).
13. The QCSCA Award 2008 became a Division 2B Award; and the SACS Award 2001, CASH Award 1999 and FDC Award 1999 became Division 2B State Reference Awards.
 14. Industrial instruments that cover employees working in social and community services in Western Australia include the Social, Community, Home Care and Disability Services Award (“the Modern Award”) and its predecessor Awards the Social and Community Services - Western Australia Award 2002 and the Crisis Assistance, Supported Housing Industry -Western Australia Award 2006.
 15. In Victoria predecessor awards included the Social and Community Services - Victoria Award 2000 (“VIC SACS Award”).
 16. Attachment A to this submission (SCHCADS Predecessor Awards – Critical Mass) shows that minimum terms for part-time employees under pre-existing awards were frequently constructed in such a way that regard had to be had to both the ‘contract of employment’ clauses and the part-time clauses themselves in order to determine what the arrangements were. When this exercise is performed a proper entitlement emerges in an overwhelming majority of cases.
 17. The ASU submission in matter AM2012-201 was that this entitlement constitutes the ‘fair and relevant’ safety net that part-time workers should receive under the modern awards objective, an entitlement that the Award at that point did not have for part-time employees in respect of hours of work.
 18. The entitlement that the ASU proposed was both a minimum payment of three hours for each engagement, and of a requirement to agree on part-time engagement details, and to record them in writing, before commencing employment.
 19. In the event the Commission did not vary the Award to insert a minimum number of hours, but did provide for part-time employees, on engagement, to agree to a

“regular pattern of hours” as applied previously to the critical mass of employees covered by pre modernisation SACS related awards.

20. In the event the Commission found that *“That part of the application seeking a requirement that part-time arrangements be agreed in writing prior to commencing employment is a common award provision”* [2013] FWC 4141 at ¶20, and, in the ASU’s view, is consistent with the predecessor state awards.

The Australian Business Industrial and the NSW Business Chamber Ltd Variation

21. The ABI/NSWBC seek to replace the existing clause 10.3(c) provision with the following part-time employment clause:

10.3 Part-time employment

- (a) *A part-time employee is one who is engaged to work less than 38 hours per week (or an average of less than 38 hours per week) in accordance with this clause.*
 - (b) *The terms of this award will apply to part-time employees on a pro rata basis on the basis that the ordinary weekly hours of work for full-time employees are 38.*
 - (c) *Before commencing employment, an employer:*
 - (i) *must agree in writing with the employee on the minimum number of hours to be worked each week; and*
 - (ii) *may agree in writing with the employee on the days of the week the employee will work and/or the starting and finishing times each day.*
 - (d) *Any agreed variation to (c)(i) must be recorded in writing.*
 - (e) *To avoid any doubt, where an employer and employee have only agreed on the minimum number of hours to be worked each week (in accordance with clause 10.3(c)(i), they may agree to work additional hours from time to time and such agreement is not required to be recorded in writing.*
22. The effect of this provision is that a part-time employee can no longer determine by agreement with the employer the days of the week on which the part-time employee will work and the start and finish times the part-time employee will work.
23. If the ABI/NSWBC amendment was to be successful the effect would be to remove the requirement that part-time employees are provided with reasonably predictable

hours of work. This would result in part-time employees being engaged on comparable terms as casual employees with respect to hours of work but without the casual loading, thus undermining the rationale for both part-time and casual employment.

24. The ABI/NSWBC proposed clause requires a minimum number of hours only. This enables an employer to set a very low minimum number of weekly hours (for example eight per week) which may not ever reflect the actual hours worked, resulting in uncertainty for the employee from week to week. It is important that the contract specifies the actual hours worked, noting that the employer already has provision under the Award and the NES to request that employees work additional hours/overtime.
25. Further the effect of the variation that where an employer and employee have only agreed on the minimum number of hours to be worked each week appears to be either:

that the employee may agree to work more than the minimum hours per week but is not required to if there is no agreement, or

the clause could be read to infer that the employee may agree to work more than the minimum hours per week but regardless if there is no agreement then the employer can direct the employee to work additional hours.

This ambiguity will lead to confusion. The requirement for this aspect to be recorded in writing is removed.

26. The reason why part-time work exists is because there is a large section of the workforce who because of a range of responsibilities such as caring or studying) cannot work full time. These workers often have commitments which prevent them from altering their part-time hours of work. For instance the majority of workers in the disability sector are women, as Matthew Bowden notes in his evidence¹:

Moreover, the changes will disproportionality affect women who make up the majority of the current disability support workforce. It will also create a further barrier to employment for people with disability themselves who could be using their skills and expertise to increase their economic participation and strengthen their economic security by working in the sector.

¹ Bowden ¶16

27. The ABI/NSWBC/NSW part-time clause discriminates against these workers and will make it unviable for them to continue to work in the industry, which will have devastating consequence for both the industry and the workers themselves
28. ABI/NSWBC in their written submission of 30 November 2015 at paragraph 4 claim that “*The proposed variation seeks to redefine the notion of part-time employment in the Award, to ensure that the Award is properly relevant to the nature of working arrangements that currently exist in the social, community, home care and disability services industry (the industry) and are relevant to the ongoing needs of the industry arising from the reforms driven by the National Disability Insurance Scheme (NDIS)*”.
29. ABI/NSWBC do not elaborate on how the notion of part-time employment is redefined to ensure, in ABI/NSWBC’s view, that the Award is properly relevant to the nature of working arrangements. However the ASU disagrees that the changes sought by ABI/NSWBC will lead to an Award that is properly relevant to the nature of working arrangements.
30. Part-time employees currently employed under the Award are able to achieve a work life balance with the predictable hours of work provided by the current Award. The witness statement of Fran Howell shows that the employee can plan babysitting for grandchildren in tandem with other relations who also babysit the same children².
31. ABI/NSWBC in their written submission of 30 November 2015 at paragraph 6 claim that “*The reality in the industry is that many employees who are engaged on a part-time basis do not work reasonably predictable hours of work.*”
32. ABI/NSWBC do not elaborate on what is meant by predictable hours of work, ie is it the same hours on the same day from week to week and/or is it that employees are able to anticipate their hours of work based on previous practice and provision of rosters. As the clause currently operates employees are able to reasonably predict their work hours³.
33. In many instances without such predictability many employees may be lost to the industry as every day events such as school drop offs and pick up, participating in school holiday activities, attending training courses, and participate in community activities. This loss in the employment pool will occur even without considering the

² Howell @ ¶¶ 7 – 13

³ Howell ¶ 7; Fairweather ¶ 11; Denny ¶ 10; Bookallil ¶5

loss of a stable and predictable income that employees would suffer, forcing many to look outside the industry for employment.⁴

34. ABI/NSWBC in their written submission of 30 November 2015 at paragraph 7 claim that *“The proposed variation also seeks to remove inflexible and onerous requirements which currently hinder the engagement of part-time employees in this industry”*.
35. The ASU rejects that there are *inflexible and onerous requirements which currently hinder the engagement of part-time employees in this industry*. The evidence of employees is that they are open to working varied hours when required and it suites them⁵.
36. ABI/NSWBC in their written submission of 30 November 2015 at paragraph 9 claim that *“The variation is sought to resolve the significant practical problems that have emerged following the introduction of clause 10.3(c) into the Award on 1 August 2013”*.
37. The ASU does not believe significant problems have emerged⁶ nor does ABI/NSWBC identify such problems.
38. ABI/NSWBC in their written submission of 30 November 2015 at paragraph 10 claim that *“The variation is also sought to address further exacerbating practical problems that have, and will continue to, emerge as a result of the staged introduction of the NDIS”*.
39. The ASU disagrees that there are *further exacerbating practical problems that have, and will continue to, emerge as a result of the staged introduction of the NDIS*. The evidence of Matthew Bowden at paragraph 10⁷ states:

It is also critical to note that for the majority of people requiring disability supports their needs will be regular and predictable. For example, a person requiring personal care every morning before work will be likely to require it at the same time, every working day, for every working week of the year. In our experience people with disability value continuity of support and are likely to seek to retain “good” staff on a regular basis. They frequently express immense frustration with having to repeatedly 'train' new support workers in how to

⁴ Howell ¶6; Fairweather ¶6; Denny ¶¶10 – 11; Bookallil ¶¶5 - 7

⁵ Howell ¶¶6 & 17; Fairweather ¶¶6 & 9; Denny ¶14; Bookallil ¶¶6 7 15

⁶ Bowden ¶¶8 - 10

⁷ Bowden ¶10

provide person-centred services to them as a result of a highly casualised and transient workforce. To our knowledge, the majority of NDIS participants want to employ staff regularly and over the long-term.

St Ives Group Pty Ltd Variation

40. St Ives seek to replace the existing clause 10.3 of the Award with:

Clause 10.3 Part-Time Employment

- (a) A part-time employee is one who is engaged to work less than 38 hours per week or an average of less than 38 hours per week and who has reasonably predictable hours of work.*
- (b) The terms of this award will apply to part-time employees on a pro rata basis on the basis that the ordinary weekly hours of work for full-time employees are 38.*
- (c) The employer and the employee will agree in writing on a minimum number of hours to be worked each fortnight and the employee's available days and hours of work.*
- (d) Any agreed variation to the minimum hours of work, or the employee's available days and hours of work will be recorded in writing.*
- (e) Nothing in clause 10.3(c) or (d) is intended to prevent the employee being offered, or accepting additional hours of work.*

41. The proposed subclauses 10(c)(d) and (e) firstly, remove the current requirements for a part-time agreement to be made before commencement of employment; also, change the parameters for agreement on the hours to be worked and days on which the work is performed, from an allocation on a weekly basis to a flexible fortnightly arrangement; and finally, replaces the requirement for the agreement to specify start and finish times with a narrower requirement for agreement on hours of work.

42. St Ives also seek to replace the existing clause 25.5 of the Award with:

Clause 25.5 Rosters

- (a) Employees will work in accordance with a weekly or fortnightly roster fixed by the employer.*
- (b) The roster will set out an employee's daily ordinary working hours of work and starting and finishing times and will be provided to each employee in*

accordance with 25.5(e), or displayed in a place conveniently accessible to employees at least seven days before the commencement of the roster period.

- (c) Seven days' notice will be given of a change in a roster. However, a roster may be altered at any time by agreement or to enable the service of the organisation to be carried on where another employee is absent from duty on account of illness or in an emergency.*
- (d) This clause will not apply where the only change to the roster of a part-time employee is the mutually agreed addition of extra hours to be worked such that the part-time employee still has two rostered days off in that week or four rostered days off in that fortnight, as the case may be.*
- (e) Rostering arrangements and changes to rosters may be communicated by telephone, direct contact, mail, email or facsimile.*
- (f) It is not obligatory for the employer to display any roster of the ordinary hours of work of casual or relieving staff.*

- 43. The proposed clause 25.5 changes the requirement to provide advance notice of rostered hours from two weeks to one; and, provides an employer with the discretion to publish a roster covering one week, as well as a fortnight. The proposed variations reduce an employer's obligation to roster employees with reasonable notice.
- 44. The effect of the proposed variations would be to reduce the current degree of certainty of rostered part-time hours for an employee. The actual number of hours the employee will be required to work is not addressed. The proposed clause would allow an employer to roster the employee's hours of work over the agreed days of work in a fortnight, within their spread of available hours. As a consequence, the employee would not be able to predict their actual hours of engagement from week to week.
- 45. The proposed variations also remove an employee's ability to plan around start and finish times on any agreed available day.
- 46. Removing a requirement for a written agreement on the pattern of hours for a part time employee would have serious consequences for part-time employees who would lose the current guarantee of minimum weekly hours of work. This has not been the intention of part-time arrangements and presents a significant change to the safety-net of minimum conditions of employment. For the reasons previously

stated at paragraph [26], part-time arrangements exist to retain a skilled workforce of employees who cannot otherwise work full-time due to balancing work with a range of responsibilities to their family and communities. For example, work-life commitments such as providing care to immediate and extended family members or commitments to further study. The witness evidence submitted by the ASU provides extensive detail of the work-life balance that predictable part-time hours of work provides.

47. It is also previously submitted at paragraph [26], that a disproportionate majority of part-time workers in the SCHCDS industry are women. Any consequences of St Ives' proposed variations would discriminate against a group of workers by making it unviable for them to continue to work in the industry without predictable hours. Removing requirements for predictable hours of work with reasonable notice of rostered hours would devastate the female dominated workforce and have significant consequences for the skilled capacity of the whole industry.
48. The 2012 decision of the Commission turned on whether employees should be given 'clear information as to the basis of their employment when they are engaged'⁸ In respect of a fair and relevant safety net for part-time workers in the industry, the Commission decided that part-time employees would have reasonably predictable hours, as well as a regular pattern of work, and if varied the change would be recorded in writing. In contrast with the variations to the Part-time and clause proposed by ABI/NSWBC, St Ives seek an additional change to their rostering obligations that do not appear to remove the requirement for minimum hours of engagement. However, on close consideration of the St Ives proposals it is conceivable that the new characterisation of how the employer and a part-time employee agree on the predictability of their hours could allow employers to reduce predictable hours to nil. The proposed variations actually provide an incentive for employers to engage part-time employees with no minimum hours and no guarantee of ongoing work, in order to avoid the loading payable to a casual employee.
49. As stated above at paragraph [7], St Ives' have not provided sufficient probative evidence to justify making either of the proposed variations. However, ASU witnesses attest that the industry has not been impacted sufficiently by major

⁸ Decision ¶20

changes to warrant change in the predictability of minimum hours of engagement of part-time employees.

Conclusion

50. The ASU submits that the Commission should not vary Award clause 10.3, Part-Time employment and clause 25.5 Rosters. The ABI/NSWBC and St Ives proposals to variation the obligations in the Award that assist employees to plan life around predictable hours of work, have no merit and the ASU submits the current clauses 10.3, Part-Time employment and clause 25.5, Rosters should remain to ensure a fair and relevant safety net for employees in the SCHCDS industry.

Australian Services Union

29 April 2016

SCHCADS PREDECESSOR AWARDS – CRITICAL MASS

Home care awards

Award: **Attendant Care - Victoria Award 2004 / AP832383 / AT832383 [Federal]**

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| <p>Part Time – minimum engagement</p> | <p>Clause 13.1 A part-time employee is a person who is employed and who is ready, willing and available to work on a regular basis any number of hours less than 38 in any one week (or less than 76 hours in a fortnight), provided that the number of hours worked may vary from week to week by mutual agreement between the employer and the employee.</p> <p>Clause 11 For the purposes of this award the minimum engagement shall be one hour for work performed within the hours of 6.00 a.m. and 10.00 p.m. and two hours for work performed outside these hours.</p> |
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Award: Community and Aged Care Services (ACT) Award 2002 / AP817098 / AT817098 [Federal]

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| <p>Part Time – minimum engagement</p> | <p>14.2 A regular part-time employee is an employee who:</p> <p>14.2.1 works less than full-time hours of 38 per week; and</p> <p>14.2.2 has reasonably predictable hours of work; and</p> <p>14.2.3 receives, on a pro-rata basis and the same conditions to those of a full-time employee who do the same kind of work.</p> <p>14.3 At the time of engagement the employer and the regular part-time employee will agree in writing on a regular pattern of work, specifying at least the hours worked each day, which days of the week the employee will work and the actual starting and finishing times each day as at the time of engagement. Provided that changes to the roster may be made in accordance with Clause 31 - Rosters.</p> <p>14.4 An employer is required to roster a regular part-time employee for a minimum of two consecutive hours on any shift.</p> <p>14.5 The hours of a part-time employee shall be so arranged that they may be balanced over a week or fortnight, provided that the average weekly hours worked shall be deemed to be the specified number of hours for the purposes of accrual of leave, and there shall be no interruption to the continuity of employment merely by reason of a part-time employee working on a “week on”, “week off” basis.</p> <p>14.6 All time worked by part-time employees in excess of the rostered daily ordinary hours of work prescribed for the majority of full-time employees employed on that shift in the facility concerned, or if there are no full-time employees engaged on that shift for all work performed in excess of ten hours, shall be regarded as overtime and paid in accordance with Clause 27 - Overtime, of this award.</p> |
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Award: Community Services (Home Care) (ACT) Award 2002 / AP816351 / AT816351 [Federal]

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| Part Time – minimum engagement | <p>12.2 A regular part time employee is an employee who:</p> <p>12.2.1 works less than full-time hours of 38 per week; and</p> <p>12.2.2 has reasonably predictable hours of work' and</p> <p>12.2.3 receives, on a pro rata basis, the same conditions to those of a full - time employees who do the same kind of work</p> <p>12.3 An employer is required to roster a regular part-time employee for a minimum of two consecutive hours on any shift, or by agreement a minimum start of one hour.</p> |
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Award: Miscellaneous Workers Home Care Industry (State) Award / AN120341 [NAPSA – NSW]

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| Part Time – minimum engagement | <p>7 (i) A part-time employee is one who is appointed to work a minimum number of contract hours which are less than 38 per week but which may vary from week to week above that minimum.</p> <p>A part-time employee shall be given a minimum number of contract hours per week by his/her employer as part of their contract of employment. A part-time employee shall not be paid less than his/her minimum contract hours per week, but may work up to 10 hours extra per week at his/her ordinary hourly rate without the payment of overtime, subject to clause 9, Shift Allowances, and clause 10, Saturday and Sunday work, and clause 15, Overtime.</p> <p>Provided that, where 7 days' notice is given, an employee may be requested to work up to 38 hours per week.</p> <p>(ii) (a) A part-time employee (other than a Live-In Houseworker) shall receive the appropriate hourly rate of pay as set out in Table 1 Wage Rates, of Part B Monetary Rates, for all work performed in ordinary time on any day, Monday to Friday, inclusive. This amount shall be the ordinary hourly rate of pay for part-time employees.</p> <p>(b) A part time Live-In Houseworker shall receive a daily rate as set out in clause 5(e)(i).</p> <p>(iii) The hourly rates of pay shall be calculated by dividing the appropriate weekly rate by 38, calculated to the nearest whole cent, any amount less than a half cent in the result to be disregarded.</p> <p>(iv) Part-time employees shall be entitled to annual leave, sick leave, public holidays and like conditions of this award on a pro-rata basis.</p> |
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| | <p>(v) Part-time employees (other than Live-In Houseworkers) shall be engaged on the following basis:</p> <p>(a) Employees shall have a minimum contract of hours of 10 per week or 20 per fortnight.</p> <p>(b) The minimum payment per engagement shall be one hour.</p> <p>(c) Notwithstanding the provisions in paragraph (a) above, where there is a genuine agreement in writing between the employer and employee the minimum contract hours may be reduced.</p> <p>(d) Savings: The provisions in paragraph (a) of this subclause shall not apply to existing employees of an employer where:</p> <p>(1) as at the operative date of this award the minimum contract hours worked by the employee are five and less than ten per week or are less than 20 per fortnight, and</p> <p>(2) the employer is unable to re-roster the minimum contract hours of the employee so as to comply with paragraph (a) of this subclause; provided that if additional hours of work become available such existing employees shall be offered those additional hours to the extent necessary to comply with paragraph (a) of this subclause.</p> <p>(vi) The average weekly hours worked shall be the specified minimum number of contract hours or the average number of ordinary hours actually worked, whichever is the greater, for the purposes of accrual of annual leave, sick leave, long service leave and bereavement leave.</p> <p>(vii) Part time Live-In Houseworkers shall receive a minimum payment of two days at the daily rate as set out in clause 5(e)(i).</p> |
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Award: Aged and Disabled Persons Hostels Award, 1987 / AN160007 [NAPSA – Western Australia]

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| <p>Part Time – minimum engagement</p> | <p>(1) A part-time employee shall mean an employee engaged on a weekly contract of service who works regularly from week to week for not less than three hours per day.</p> <p>(2) Part-time employees shall receive payment for wages, annual leave, long service leave, sick leave and bereavement leave on a pro rata basis according to the same proportion as the number of hours worked each week bears to 38. In the case of payment for any of the leave entitlements and in circumstances where the number of hours worked each week varies, such payment shall be calculated according to the arithmetical average, over the period from the last anniversary date, or date of commencement, as the</p> |
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| | <p>case may be.</p> <p>(3) The laundry and uniform allowances prescribed in this award shall be paid pro rata to part time employees in the proportion that the number of hours worked each week bears to 38.</p> <p>(4) A part-time employee may work shifts additional to the rostered shifts at ordinary rates, subject only to the normal rostering parameters of a full-time employee, where the employee has previously indicated a willingness to work extra shifts or where the extra shift was arranged prior to the completion of the employee's previous shift. Provided that a part-time employee shall not be required to work an extra shift.</p> |
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SACS/CASH

Award: Crisis Assistance Supported Housing (Queensland) Award 1999 / AP777903 / AT777903 [Federal]

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| Part Time – minimum engagement | <p>11.1 A part-time employee means an employee other than a casual, who is engaged to work regularly for less than an average of 38 ordinary hours per week.</p> <p>11.2 The ordinary hours for part-time employees shall be within the ordinary span of hours defined in clause 27 – Hours of work, of this award.</p> <p>11.3 A part-time employee shall work the hours prescribed in their contract of employment provided that by mutual agreement between the employer and employee, a part-time employee's hours of ordinary duty may be temporarily varied up to 38 hours per week provided that the hours worked fall within the definition of ordinary hours defined in clause 27 – Hours of work.</p> <p>11.4 Any additional hours temporarily worked by a part-time employee shall not affect their status as a part-time employee.</p> <p>11.5 Any permanent reduction in the number of hours may only be made in accordance with the provision of 17.2.</p> <p>11.6 For ordinary working hours, a part-time employee shall be paid at a rate equal to one-thirty-eighth of the appropriate weekly rate prescribed in clause 20 – Wages, with an entitlement to weekly employment entitlement on a proportional basis.</p> <p>11.7 Where a part-time employee's hours are temporarily increased to the hours of a full-time employee, such employee shall receive all benefits prescribed in this award for a full-time employee for the period so worked.</p> |
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Award: Crisis Assistance, Supported Housing (South Australia) Award 2000 / AP772768 / AP772768 [Federal]

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| Part Time – minimum engagement | <p>15.2.2 A regular part-time employee is an employee who:</p> <p>15.2.2(a) works less than the full-time average of 38 ordinary hours per week; and</p> <p>15.2.2(b) has reasonably predictable hours of work; and</p> <p>15.2.2(c) receives, on a pro rata basis, equivalent pay and conditions to those of full-time employees who do the same kind of work.</p> <p>15.2.3 At the time of engagement the employer and the employee will agree in writing on a regular pattern of work, specifying at least the hours worked each day and which days of the week the employee will work.</p> <p>15.2.4 Any agreed variation to the regular pattern of work will be recorded in writing.</p> <p>15.2.5 An employee who does not meet the definition of a regular part-time employee and who is not a full-time employee will be paid as a casual employee in accordance with 15.3.</p> <p>15.2.6 A part-time employee employed under the provisions of this clause will be paid for ordinary hours worked at the rate of 1/38th of the weekly rate prescribed for the class of work performed.</p> <p>14.3 An employee will be paid for a minimum of two hours for each occasion on which the employee is required to present for duties.</p> |
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Award: Crisis Assistance, Supported Housing Award 2002 / AP813963 / AT813963 [Federal]

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| Part Time – minimum engagement | No provision |
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Award: Crisis Assistance, Supported Housing Industry – Western Australian Award 2002 / AP816708 / AT816708 [Federal]

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| <p>Part Time – minimum engagement</p> | <p>10.5.1 A Part-time employee means an employee other than a casual employee who is engaged to work for less than an average of 38 ordinary hours per week.</p> <p>10.5.2 A part-time employee will work hours and days in accordance with clause 20 - Hours.</p> <p>10.5.3 For ordinary working hours, a part-time employee will be paid the hourly rate as defined for the work performed and will be entitled to all entitlements under this award on a pro rata basis.</p> <p>10.5.4 A part-time employee will be entitled to overtime or penalty payments at the prescribed rates in respect of work performed outside of the span of ordinary hours or in excess of their normal daily or weekly hours of work. Provided that the normal working hours of work of a part-time employee may be changed by genuine mutual agreement between the employee and the employer.</p> |
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Award: Social and Community Services Industry – Community Services Workers - Northern Territory Award 2002 / AP817216 / AT817216 [Federal]

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| <p>Part Time – minimum engagement</p> | <p>12.3 Part-time employee</p> <p>12.3.1 A part-time employee is an employee who:</p> <p style="padding-left: 40px;">12.3.1(a) works less than full-time hours of 38 per week; and</p> <p style="padding-left: 40px;">12.3.1(b) has reasonably predictable hours of work; and</p> <p style="padding-left: 40px;">12.3.1(c) receives, on a pro rata basis, equivalent pay and conditions to those of full-time employees who do the same work.</p> <p>12.3.2 A part-time employee will be rostered for a minimum of three hours for each shift.</p> <p>12.3.3 For the purposes of this definition, any hours temporarily worked by an employee to replace another employee absent from duty which are in addition to those for which the employee is normally rostered, will not effect the original contract of employment.</p> |
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Award: Social and Community Services - Victoria - Award 2000 / AP796561 / AT796561 [Federal]

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| <p>Part Time – minimum engagement</p> | <p>10.2 Part-time employment</p> <p>10.2.1 A part-time employee shall mean an employee who is engaged to work regular ordinary hours of less than 38 hours per week and shall be entitled to all the benefits of this award on a pro rata basis, except where the provisions specified in 15.1.2 apply. Any agreed variation to the regular pattern of work will be recorded in writing.</p> <p>10.2.2 All time worked in excess of the hours as mutually arranged will be overtime and paid for at the rates prescribed in clause 19 - Overtime, of this award.</p> |
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Award: Social and Community Services - Western Australia Award 2002 / AP815319 / AT815319 [Federal]

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| Part Time – minimum engagement | <p>10.5 Part-time employment</p> <p>10.5.1 A Part-time employee means an employee other than a casual employee who is engaged to work for less than an average of 38 ordinary hours per week.</p> <p>10.5.2 A part-time employee will work hours and days in accordance with Clause 20 - Hours.</p> <p>10.5.3 For ordinary working hours, a part-time employee will be paid the hourly rate as defined for the work performed and will be entitled to all entitlements under this Award on a pro rata basis.</p> <p>10.5.4 A part-time employee will be entitled to overtime or penalty payments at the prescribed rates in respect of work performed outside of the span of ordinary hours or in excess of their normal daily or weekly hours of work. Provided that the normal working hours of work of a part-time employee may be changed by genuine mutual agreement between the employee and the employer.</p> |
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Award: Social and Community Services (ACT) Award 2001 / AP808334 / AT808334 [Federal]

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| Part Time – minimum engagement | <p>6.5 Part-time employment</p> <p>6.5.1 A part-time employee means an employee other than a casual employee who is engaged to work on a set and regular basis less than 38 ordinary hours per week.</p> <p>6.5.2 A casual employee employed by the Conflict Resolution Services Incorporated as a sessional mediator shall be engaged for a minimum period of two hours for each engagement.</p> <p>6.5.3 Where an employee works additional hours to replace another employee who is temporarily absent from duty, those additional hours will not be taken to have changed the employee's ordinary hours.</p> <p>6.5.4 Part-time employees shall work regular hours and days in accordance with clause 7.</p> <p>6.5.5 For ordinary working hours, a part-time employee shall be paid the hourly rate as defined for the work performed and shall be entitled to all entitlements under this award.</p> <p>6.5.6 Unless specifically provided for, part-time employees shall be entitled to all conditions on a pro-rata basis.</p> |
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Award: Social and Community Services (Queensland) Award 2001 / AP808848 / AT808848 [Federal]

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| Part Time – minimum engagement | <p>11.1 A part-time employee means an employee other than a casual, who is engaged to work regularly for less than an average of 38 ordinary hours per week.</p> <p>11.2 The ordinary hours for part-time employees shall be within the ordinary span of hours defined in clause 27 of this award.</p> <p>11.3 Part-time employees shall generally work the hours prescribed in their contracts of employment.</p> <p>11.4 A part-time employee's hours of ordinary duty may be varied by mutual agreement between the employer and employee, up to a maximum of 38 hours per week, provided that the hours worked fall within the definition of ordinary hours defined in clause 27 of this award.</p> <p>11.5 Any additional hours temporarily worked by a part-time employee shall not affect his/her status as a part-time employee.</p> <p>11.6 For ordinary working hours, a part-time employee shall receive, on a pro rata basis, equivalent pay and conditions to those of full-time employees in the same classification.</p> |
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Award: Social and Community Services Employees (State) Award / AN120505 [NAPSA – NSW]

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| <p>Part Time – minimum engagement</p> | <p>5. PART-TIME EMPLOYEES</p> <p>5.1 A part-time employee shall mean a person who works a specified number of regular days and/or minimum number of hours being less than those worked by a full-time employee in a four-week period.</p> <p>5.2 Part-time employees shall be paid a minimum of two hours on each day they work.</p> <p>5.3 Part-time employees shall be paid an hourly rate calculated on the basis of one-thirty eighth of the appropriate weekly rate prescribed by Clause 21 - Rates of Pay.</p> <p>5.4 Part-time employees shall be entitled to all benefits under this Award on a pro rata basis.</p> |
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Award: Social & Community Services Award / AN150140 [NAPSA – South Australia]

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| <p>Part Time – minimum engagement</p> | <p>4.3.1 A part-time employee is a person (other than a casual employee) who is engaged to work regularly for an average of fifteen ordinary hours or more per week but less than an average of thirty eight ordinary hours per week.</p> <p>4.3.2 For the purposes of this definition any hours worked by an employee to replace temporarily another employee absent from duty which are in addition to those for which the employee is normally rostered will not affect the original contract of employment.</p> <p>4.3.3 A part-time employee will work regular hours and days in accordance with clause 6.1.3, provided that the minimum hours of duty for a part-time employee will be three hours for each shift.</p> <p>4.3.4 For ordinary working hours a part-time employee will be paid the hourly rate as prescribed in Schedule 1 for the work performed and will be entitled to payment on a pro-rata basis for annual leave, sick leave and public holidays.</p> |
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Award: Community Services Award / AN170020 [NAPSA – Tasmania]

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| Part Time – minimum engagement | <p>(b) Part-time Employees</p> <p>(i) The minimum period of each engagement shall be two hours.</p> <p>(ii) The provisions of this award shall apply to part-time employees on a pro rata basis.</p> <p>PROVIDED that by mutual agreement an employee may be paid an additional 20% loading in lieu of annual leave, sick leave and holidays with pay.</p> |
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Disability ServicesAward: **Disability Services (Northern Territory) Award 2002 / AP818985 / AT818985 [Federal]**

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| Part Time – minimum engagement | <p>12.1.1 For the purposes of this award a full-time employee shall be a weekly employee engaged for 38 ordinary hours per week. A part-time employee shall be a person who is engaged on a permanent basis for less than 38 hours per week. A casual employee shall be an employee who relieves a full-time or part-time employee, or who is engaged for a specific period of time on a temporary basis continuously for not more than two months.</p> <p>22.4 Part-time and casuals minimum start</p> <p>All workers shall receive a minimum payment of two hours for each full or partshift provided that a one hour minimum engagement shall apply by mutual agreement between part time/casual employees and their employer where such work is carried out in the clients own home. A clients own home shall mean where there is no supported accommodation being provided by the employer.</p> |
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Award: Disability Services Award (Victoria) 1999 / AP778738 / AT778738 [Federal]

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| <p>Part Time – minimum engagement</p> | <p>6.1 A part-time employee means an employee who works a constant number of hours per week but less than the full-time hours of work.</p> <p>29.2 Part-time employees</p> <p>Employees engaged regularly on a part-time basis as defined in 6.1 of this award shall be paid pro rata the wages appropriate to the classification prescribed herein for the full-time hours of work. Such an employee shall be entitled to all other benefits of this award applicable to weekly employees. Leave entitlements shall be granted on a pro rata basis.</p> |
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Award: Disability Support Workers Award - State 2003 / AN140093 [NAPSA – Qld]

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| Part Time – minimum engagement | <p>4.1.6 <i>Part-time employee</i></p> <p>(a) A part-time employee is a person engaged to work on a regular basis.</p> <p>(b) The hours of a part-time employee shall be less than an average of 38 hours per week, and with a minimum daily engagement of 2 consecutive hours.</p> <p>(c) A part-time employee shall be paid for each hour worked during ordinary working hours 1/38th of the weekly rate prescribed by this award.</p> <p>(d) A part-time employee shall be entitled to the payment of the ordinary hours of work, in accordance with the Award, on a proportional basis. Such employees shall be entitled to <i>pro-rata</i> allowances where applicable under the Award.</p> <p>(e) The ordinary working hours of a part-time employee may be changed by mutual agreement between the employee and the employer or by the employer giving the employee 3 days' notice, or in the case of an emergency by the employer giving an employee one hour's notice. Clause 4.1.6(e) applies to meet the short-term requirements of either party.</p> <p>(f) Overtime shall be paid when the ordinary hours worked by a part-time employee exceeds 38 hours in any week or 76 hours in any fortnight or 10 hours on any one day. A part-time employee shall be entitled to <i>pro-rata</i> annual leave, sick leave, long service leave, bereavement leave, jury service and public holidays.</p> |
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Award: Disabilities Services Award / AN150046 [NAPSA – South Australia]

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| Part Time – minimum engagement | <p>4.3.1.1 Part-time employee means a weekly-hired employee who is engaged to work either:</p> <p>(a) regularly for an average of fifteen ordinary hours or more per week but less than an average of thirty eight ordinary hours per week; OR</p> <p>(b) for no less than four hours on any one day for a minimum of 2 days during any period of seven consecutive days.</p> <p>4.3.1.2 For the purposes of this definition any hours worked by any employee to replace temporarily another employee absent from duty which are in addition to those for which the employee is normally rostered will not be taken into account in making any calculations in clause 4.3.1.1(a) or (b).</p> <p>4.3.1.3 For the purpose of determining the regularity or otherwise of employment, regard will be had to any 12 week period.</p> <p>4.3.2 The employer must specify in the contract of hiring the minimum regular ordinary hours for an employee.</p> <p>4.3.3 All existing part-time employees may be offered additional hours wherever practical or appropriate to do so before any new employees are engaged.</p> <p>Existing part-time employees may be offered additional hours by the employer after due consideration of at least the following:</p> <ul style="list-style-type: none"> • skill level of the employee; • needs of the client; • availability of the employee; and • other individual requirements of the client, <p>provided that an offer of additional hours to an existing part-time employee should occur unless the above criteria or any significant factor identified by the employer prohibits the making of such an offer.</p> <p>4.3.4 For ordinary working hours a part-time employee must be paid hourly the rate as defined for the work performed, and is entitled to payment on a pro-rata basis for annual leave, personal leave and public holidays.</p> <p>4.3.6 Overtime</p> <p>All authorised time worked by part-time employees, other than employees remunerated at a rate at or above Level 6 Year 1 as set out in Schedule 1, in excess of 8 hours on any one day or in excess of an average of 38 hours per week will, subject to clause 6.6 Overtime, attract payment at the appropriate overtime rate.</p> |
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Award: Disability Service Providers Award / AN170026 [NAPSA – Tasmania]

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| <p>Part Time – minimum engagement</p> | <p>(b) ‘Part-time employee’ is one engaged to regularly work for less hours per day or week than those of a full-time employee, but shall not include an employee defined as a casual employee in this award.</p> <p>(i) Part-time employees (as defined) engaged to work twenty or more hours per week shall be entitled to annual leave, holidays with pay and sick leave as prescribed in Part VI - Leave and Holidays with Pay provided that payment shall be made at the rate normally paid to such employees for a similar period of time worked.</p> <p>(ii) The wage rates payable per hour shall be one thirty-eighth of the relevant rate in Part III - Wage Rates and Related Matters, Clause 2 – Wage Rates.</p> <p>(iii) Part-time employees (as defined) engaged to work less than 20 hours per week shall be paid per hour one thirty-eighth of the weekly rates prescribed for the work the employee performs. In addition such employee shall receive 20 per cent of the ordinary hourly rate in respect of each hour for which the employee is paid; such additional amount to be payment in lieu of annual leave, sick leave and holidays with pay.</p> |
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Award: Residential and Support Services (Victoria) Award 1999 / AP795711 / AT795711 [Federal]

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| <p>Part Time – minimum engagement</p> | <p>1.3.1 A part-time employee under this section is a person who works less than 38 half days in any four week period, and receives, on a pro rata basis, equivalent pay and conditions to those of full-time employees who do the same work.</p> <p>1.3.2 Part-time employees shall be paid for each half day (12 hours) worked or part thereof, a half day rate based on the wage scale appropriate to the employee’s classification as set out in clause 15 - Classification structure and clause 16 - Minimum rates of pay. The half day rate is equal to the weekly rate multiplied by 4/38.</p> <p>1.3.3 Subject to the foregoing provisions of this clause, all the provisions of Parts A and C of this award shall apply to part-time employees.</p> <p>1.1.1 Each employee shall be paid for a minimum half day engagement. A half day is any consecutive period of 12 hours.</p> |
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Part-time employment provisions in comparable Modern Awards

1. MA000002 – Clerks – Private Sector Award 2010

11. Part-time employment

11.1 A part-time employee is an employee who is engaged to perform less than the full-time hours at the workplace on a reasonably predictable basis.

11.2 Part-time employees are entitled on a pro rata basis to equivalent pay and conditions to those of full-time employees.

11.3 At the time of engagement the employer and the part-time employee will agree in writing on a regular pattern of work, specifying at least the numbers of hours worked each day, which days of the week the employee will work and the actual starting and finishing times each day.

11.4 Changes in hours may only be made by agreement in writing between the employer and employee. Changes in days can be made by the employer giving one week's notice in advance of the changed hours.

11.5 An employer is required to roster a part-time employee for a minimum of three consecutive hours on any shift.

11.6 All time worked in excess of the hours as agreed under clause 11.3 or varied under clause 11.4 will be overtime and paid for at the rates prescribed in clause 27—[Overtime rates and penalties \(other than shiftworkers\)](#).

11.7 A part-time employee employed under the provisions of this clause must be paid for ordinary hours worked at the rate of 1/38th of the weekly rate prescribed for the class of work performed.

2. MA000018 - Aged Care Award 2010

10.3 Part-time employees

(a) A part-time employee is an employee who is engaged to work less than full-time hours of an average of 38 hours per week and has reasonably predictable hours of work.

(b) Before commencing employment, the employer and employee will agree in writing on a regular pattern of work including the number of hours to be worked each week, the days of the week the employee will work and the starting and finishing times each day.

(c) Any agreed variation to the hours of work will be in writing.

(d) The terms of this award will apply on a pro rata basis to part-time employees on the basis that the ordinary weekly hours for full-time employees are 38.

(e) Payment in respect of personal/carer's leave (where an employee has accumulated an entitlement) for a part-time employee will be on a pro rata basis made according to the number of ordinary hours the employee would have worked on the day or days on which the leave was taken.

22.7 Minimum engagements

(a) Full-time employees will receive a minimum payment of four hours for each engagement in respect of ordinary hours of work

(b) Permanent part-time and casual employees will receive a minimum payment of two hours for each engagement.

3. MA000120 - Children's Services Award 2010

10.4 Part-time employment

(a) An employer may employ a part-time employee in any classification in this award.

(b) A part-time employee is an employee who:

(i) works less than full-time hours of 38 per week;

(ii) has reasonably predictable hours of work; and

(iii) receives, on a pro rata basis, equivalent pay and conditions to those of full-time employees who do the same kind of work.

(c) At the time of engagement the employer and the part-time employee will agree in writing on a regular pattern of work, specifying at least the hours worked each day, which days of the week the employee will work and the actual starting and finishing times each day.

(d) Changes in hours of work may only be made by agreement in writing between the employer and employee. Changes in the days to be worked can be made by the employer giving seven days notice in advance of the change in accordance with clause [21—Ordinary hours of work and rostering](#).

(e) An employer is required to roster a part-time employee for a minimum of two consecutive hours on any shift.

(f) A part-time employee who agrees to work in excess of their normal hours will be paid at ordinary time for up to eight hours provided that the additional time worked is during the ordinary hours of operation of the early childhood service. No part-time employee may work in excess of eight hours in any day without the payment of overtime paid for at the rates prescribed in clause [23—Overtime and penalty rates](#).

(g) A part-time employee employed under the provisions of this clause must be paid for the ordinary hours worked at the rate of 1/38th of the weekly rate prescribed in clause [14—Minimum wages](#).

4. MA000027 - Health Professionals and Support Services Award 2010

10.3 Part-time employment

(a) A part-time employee is an employee who is engaged to work less than the full-time hours of an average of 38 hours per week and who has reasonably predictable hours of work.

(b) Before commencing employment, the employer and employee will agree in writing on a regular pattern of work including the number of hours to be worked each week, the days of the week the employee will work and the starting and finishing times each day.

(c) The terms of the agreement may be varied by agreement and recorded in writing.

(d) The terms of this award will apply on a pro rata basis to part-time employees on the basis that the ordinary weekly hours for full-time employees are 38

5. MA000034 - Nurses Award 2010

10.3 Part-time employment

(a) A part-time employee is an employee who is engaged to work less than an average of 38 ordinary hours per week and whose hours of work are reasonably predictable.

(b) Before commencing part-time employment, the employer and employee will agree in writing the guaranteed minimum number of hours to be worked and the rostering arrangements which will apply to those hours.

(c) The terms of the agreement may be varied by agreement and recorded in writing.

(d) The terms of this award will apply on a pro rata basis to part-time employees on the basis that the ordinary weekly hours for full-time employees are 38.

6. MA000115 - Aboriginal Community Controlled Health Services Award 2010

10.3 Part-time employment

(a) A part-time employee is an employee who:

- (i) is engaged to work less than the full-time hours of an average of 38 hours per week;
- (ii) has reasonably predictable hours of work; and
- (iii) receives, on a pro rata basis, equivalent pay and conditions to those of full-time employees who do the same kind of work.

(b) Before commencing employment, the employer and employee will agree in writing on a regular pattern of work including the number of hours to be worked each week, the days of the week the employee will work and the starting and finishing times each day.

(c) The terms of the agreement may be varied by agreement and recorded in writing.

(d) A part-time employee will be rostered for a minimum of four consecutive hours on any shift.

(e) All time worked in excess of the hours as mutually arranged or varied will be overtime and paid for at the rates prescribed in clause [24—Overtime and penalty rates](#) of this award.

7. MA000080 - Amusement, Events and Recreation Award 2010

10.3 Part-time employees

(a) An employer may employ part-time employees in any classification in this award.

(b) A part-time employee is an employee who:

- (i) works less than full-time hours of 38 per week;
- (ii) has reasonably predictable hours of work; and

(iii) receives, on a pro rata basis, equivalent pay and conditions to those of full-time employees who do the same kind of work.

(c) At the time of engagement, the employer and the part-time employee will agree in writing on a regular pattern of work, specifying at least the hours worked each day, which days of the week the employee will work and the actual starting and finishing times each day.

(d) Any agreed variation to the regular pattern of work will be recorded in writing.

(e) An employer is required to roster a part-time employee for a minimum of three consecutive hours on any shift

(f) An employee who does not meet the definition of a part-time employee and who is not a full-time employee will be paid as a casual employee in accordance with clause [10.4](#).

(g) All time worked in excess of the ordinary hours as prescribed in clause [21—Ordinary hours of work and rostering](#) will be overtime and paid for at the rates prescribed in clause [23—Overtime and penalty rates](#).

(h) A part-time employee employed under the provisions of this clause must be paid for ordinary hours worked at the rate of 1/38th of the weekly rate prescribed for the class of work performed

8. MA00022 - Cleaning Services Award 2010

12.4 Part-time employment

(a) An employer may employ a part-time employee in any classification in this award. At the time of engagement the employer and the part-time employee will agree in writing on a regular pattern of work, specifying at least the hours worked each day, which days of the week the employee will work and the actual starting and finishing times each day.

(b) A part-time employee is an employee who:

(i) is engaged to work less than the full-time hours of 38 per week;

(ii) has reasonably predictable hours of work; and

(iii) receives, in addition to the hourly rate for a full-time employee, an allowance of 15% of the hourly rate. This allowance allows the employer to roster a part-time employee to work up to 7.6 hours per day, five days per week or 38 ordinary hours per week without the payment of overtime.

(c) An employer is required to roster a part-time employee in accordance with the provisions of clause [25—Rostering](#), and for a minimum number of hours in accordance with clause [24.2](#).

(d) Where clause [25—Rostering](#) does not apply, any requirement by an employer that a part-time employee works hours in addition to those specified in accordance with clause [12.4\(a\)](#) will be subject to the provisions of clause [28—Overtime](#).

(e) Subject to clause [12.4\(b\)\(iii\)](#), a part-time employee receives, on a pro rata basis, equivalent pay and conditions to those of full-time employees who do the same kind of work.

24.2 Part-time and casual employees

(a) Subject to the clause [24.3](#), the ordinary hours of work will be worked in periods of not more than 7.6 hours per day, on not more than five days, Monday to Sunday inclusive.

(b) The employer will roster part-time and casual employees for the following minimum engagement periods, but in the event that the employer does not require employees to work for the

full period of the minimum engagement, the employer must pay employees as if they had worked the minimum period.

(c) Where only one employee is engaged at a small stand alone location with a total cleaning area (as defined) of 300 square metres or less, and where it is not practicable for a longer shift to be worked across two or more locations, the minimum engagement will be for one hour.

(d) Where employees are engaged at a location with a total cleaning area (as defined) of up to 2000 square metres the minimum engagement will be for two hours.

(e) Where employees are engaged at a location with a total cleaning area (as defined) of between 2000 and 5000 square metres the minimum engagement will be for three hours.

(f) Where employees are engaged at a location with a total cleaning area (as defined) of more than 5000 square metres the minimum engagement will be for four hours.

(g) The minimum engagements of three and four hours provided for in clauses [24.2\(e\)](#) and [\(f\)](#) will operate from the date when a contract changes at a site or building between 1 January 2010 and 31 December 2014.

9. MA000003 - Fast Food Industry Award 2010

12. Part-time employees

12.1 A part-time employee is an employee who:

- (a)** works less than 38 hours per week; and
- (b)** has reasonably predictable hours of work.

12.2 At the time of first being employed, the employer and the part-time employee will agree, in writing, on a regular pattern of work, specifying at least:

- the number of hours worked each day;
- which days of the week the employee will work;
- the actual starting and finishing times of each day;
- that any variation will be in writing;
- that the minimum daily engagement is three hours; and
- the times of taking and the duration of meal breaks.

12.3 Any agreement to vary the regular pattern of work will be made in writing before the variation occurs.

12.4 The agreement and any variation to it will be retained by the employer and a copy given by the employer to the employee.

12.5 An employer is required to roster a part-time employee for a minimum of three consecutive hours on any shift.

12.6 An employee who does not meet the definition of a part-time employee and who is not a full-time employee will be paid as a casual employee in accordance with clause [13](#)—Casual employment.

12.7 A part-time employee employed under the provisions of this clause will be paid for ordinary hours worked at the rate of 1/38th of the weekly rate prescribed for the class of work performed. All time worked in excess of the hours as agreed under clause [12.2](#) or varied under clause [12.3](#) will be overtime and paid for at the rates prescribed in clause [26.2](#)-Overtime and penalty rates.

10. MA000094 - Fitness Industry Award 2010

12. Part-time employment

12.1 A part-time employee is an employee who:

- (a) works less than the full-time hours of 38 hours per week;
- (b) has reasonably predictable hours of work; and
- (c) receives, on a pro rata basis, equivalent pay and conditions to those of full-time employees who do the same kind of work.

12.2 At the time of engagement the employer and the part-time employee will agree in writing on a regular pattern of work, specifying at least the hours worked each day, which days of the week the employee will work and the actual starting and finishing times each day.

12.3 Any agreed variation to the hours of work will be recorded in writing.

12.4 An employer is required to roster a part-time employee for a minimum of three consecutive hours on a shift or a minimum of three hours, exclusive of meal breaks, on a broken shift.

12.5 An employee who does not meet the definition of a part-time employee and who is not a full-time employee will be paid as a casual employee in accordance with clause [13—Casual employment](#).

12.6 All time worked in excess of the hours as agreed under clause [12.2](#) or varied under clause [12.3](#) will be overtime and paid for at the rates prescribed in clause [26—Overtime and penalty rates](#).

12.7 A part-time employee employed under the provisions of this clause must be paid for ordinary hours worked at the rate of 1/38th of the weekly rate prescribed in clause [17—Minimum wages](#) for the work performed.

11. MA000004 - General Retail Industry Award 2010

12. Part-time employees

12.1 A part-time employee is an employee who:

- (a) works less than 38 hours per week; and
- (b) has reasonably predictable hours of work.

12.2 At the time of first being employed, the employer and the part-time employee will agree, in writing, on a regular pattern of work, specifying at least:

- the hours worked each day;
- which days of the week the employee will work;
- the actual starting and finishing times of each day;
- that any variation will be in writing;
- minimum daily engagement is three hours; and
- the times of taking and the duration of meal breaks.

12.3 Any agreement to vary the regular pattern of work will be made in writing before the variation occurs.

12.4 The agreement and variation to it will be retained by the employer and a copy given by the employer to the employee.

12.5 An employer is required to roster a part-time employee for a minimum of three consecutive hours on any shift.

12.6 An employee who does not meet the definition of a part-time employee and who is not a full-time employee will be paid as a casual employee in accordance with clause [13](#).

12.7 A part-time employee employed under the provisions of this clause will be paid for ordinary hours worked at the rate of 1/38th of the weekly rate prescribed for the class of work performed. All time worked in excess of the hours as agreed under clause [12.2](#) or varied under clause [12.3](#) will be overtime and paid for at the rates prescribed in clause [29.2—Overtime](#).

12.8 Rosters

(a) A part-time employee's roster, but not the agreed number of hours, may be altered by the giving of notice in writing of seven days or in the case of an emergency, 48 hours, by the employer to the employee.

(b) The rostered hours of part-time employees may be altered at any time by mutual agreement between the employer and the employee.

(c) Rosters will not be changed except as provided in clause [12.8\(a\)](#) from week to week, or fortnight to fortnight, nor will they be changed to avoid any award entitlements.

12.9 Award entitlements

A part-time employee will be entitled to payments in respect of annual leave, public holidays, sick leave and bereavement leave arising under the NES or this award on a proportionate basis. Subject to the provisions contained in this clause all other provisions of the award relevant to full-time employees will apply to part-time employees.

12.10 Conversion of existing employees

No full-time or casual employee will be transferred by an employer to part-time employment without the written consent of the employee. Provided that where such transfer occurs all leave entitlements accrued will be deemed to be continuous. A full-time employee who requests part-time work and is given such work may revert to full-time employment on a specified future date by agreement with the employer and recorded in writing.

12. MA00009 - Hospitality Industry (General) Award 2010

12. Part-time employment

12.1 An employer may employ part-time employees in any classification in this award.

12.2 A part-time employee is an employee who:

- (a)** works less than full-time hours of 38 per week;
- (b)** has reasonably predictable hours of work; and
- (c)** receives, on a pro rata basis, equivalent pay and conditions to those of full-time employees who do the same kind of work.

12.3 At the time of engagement the employer and the part-time employee will agree in writing on a regular pattern of work, specifying at least the hours worked each day, which days of the week the employee will work and the actual starting and finishing times each day.

12.4 Any agreed variation to the hours of work will be recorded in writing.

12.5 An employer is required to roster a part-time employee for a minimum of three consecutive hours on any shift.

12.6 An employee who does not meet the definition of a part-time employee and who is not a full-time employee will be paid as a casual employee in accordance with clause [13](#)—Casual employment.

12.7 All time worked in excess of the hours as agreed under clause [12.3](#) or varied under clause [12.4](#) will be overtime and paid for at the rates prescribed in clause [33](#)—Overtime.

12.8 A part-time employee employed under the provisions of this clause must be paid for ordinary hours worked at the rate of 1/38th of the weekly rate prescribed in clause [20](#)—Minimum wages, for the work performed.

13. MA000010 - Manufacturing and Associated Industries and Occupations Award 2010

13. Part-time employment

13.1 An employee may be engaged to work on a part-time basis involving a regular pattern of hours which average less than 38 ordinary hours per week.

13.2 A part-time employee must be engaged for a minimum of three consecutive hours a shift. In order to meet their personal circumstances, a part-time employee may request and the employer may agree to an engagement for less than the minimum of three hours.

13.3 Before commencing part-time employment, the employee and employer must agree in writing:

(a) on the hours to be worked by the employee, the days on which they will be worked and the commencing and finishing times for the work; and

(b) on the classification applying to the work to be performed in accordance with [Schedule B](#).

13.4 The terms of the agreement in clause [13.3](#) may be varied by consent in writing.

13.5 The agreement under clause [13.3](#) or any variation to it under clause [13.4](#) must be retained by the employer and a copy of the agreement and any variation to it must be provided to the employee by the employer.

13.6 Except as otherwise provided in this award, a part-time employee must be paid for the hours agreed on in accordance with clauses [13.3](#) and [13.4](#).

13.7 The terms of this award will apply pro rata to part-time employees on the basis that ordinary weekly hours for full-time employees are 38.

13.8 A part-time employee who is required by the employer to work in excess of the hours agreed under clauses [13.3](#) and [13.4](#) must be paid overtime in accordance with clause [40](#)—Overtime.

14. MA000104 - Miscellaneous Award 2010

10.3 Part-time employment

(a) A part-time employee:

- (i) works less than full-time hours of 38 per week;
- (ii) has predictable hours of work; and
- (iii) receives, on a pro rata basis, equivalent pay and conditions to full-time employees in the same classification.

(b) At the time of engagement the employer and the part-time employee must agree in writing on a regular pattern of work including the hours to be worked and the starting and finishing times on each day. These hours once fixed can be varied at any time by agreement.

(c) Any agreed variation to the regular pattern of hours will be recorded in writing.

15. MA000119 - Restaurant Industry Award 2010

12. Part-time employment

12.1 An employer may employ part-time employees in any classification in this award.

12.2 A part-time employee is an employee who:

- (a) works less than full-time hours of 38 per week;
- (b) has reasonably predictable hours of work; and
- (c) receives, on a pro rata basis, equivalent pay and conditions to those of full-time employees who do the same kind of work.

12.3 At the time of engagement the employer and the part-time employee will agree in writing on a regular pattern of work, specifying at least the hours worked each day, which days of the week the employee will work and the actual starting and finishing times each day.

12.4 Any agreed variation to the hours of work will be recorded in writing.

12.5 An employer is required to roster a part-time employee for a minimum of three consecutive hours on any shift.

12.6 An employee who does not meet the definition of a part-time employee and who is not a full-time employee will be paid as a casual employee in accordance with clause [13—Casual employment](#).

12.7 All time worked in excess of the hours as agreed under clause [12.3](#) or varied under clause [12.4](#) will be overtime and paid for at the rates prescribed in clause [33—Overtime](#).

12.8 A part-time employee employed under the provisions of this clause must be paid for ordinary hours worked at the rate of 1/38th of the weekly rate prescribed in clause [20—Minimum wages](#), for the work performed.

16. MA000103 - Supported Employment Services Award 2010

10.4 Part-time employees

(a) A part-time employee is an employee who:

- (i) works less than full-time hours of 38 per week;
- (ii) has reasonably predictable hours of work; and
- (iii) receives, on a pro rata basis, equivalent pay and conditions to those of a full-time employee who does the same kind of work.

(b) When determining what is reasonably predictable for an employee with a disability, the nature of the employee's disability and other relevant personal circumstances are to be taken into account.

(c) An employer is required to roster a part-time employee for a minimum of three consecutive hours on any shift.

(d) Subject to clause [21.5](#), all time worked in excess of the hours as mutually arranged will be paid overtime at the rates as prescribed in clause [21](#)—[Overtime and penalty rates](#).

(e) A part-time employee employed under the provisions of this clause must be paid for ordinary hours worked at the rate of 1/38th of the weekly rate prescribed for the class of work performed.

(f) At the time of engagement the employer and the part-time employee will agree in writing on a regular pattern of work, specifying at least the hours worked each day, which days of the week the employee will work and the actual starting and finishing times each day. The employer and the employee may agree from time to time to vary this regular pattern of work, but any variation agreement must be recorded in writing.

17. MA00017 - Textile, Clothing, Footwear and Associated Industries Award 2010

13. Part-time employment

13.1 A part-time employee is an employee who is a day or shiftworker and:

- (a) works less than full-time hours of 38 hours per week;
- (b) has predictable hours of work; and
- (c) receives on a pro rata basis, equivalent pay and conditions of those full-time employees who do the same kind of work.

13.2 Incidents of part-time employment

(a) A part-time employee may be employed in any skill level of this award.

(b) At the time of engagement the employer and part-time employee will agree in writing on a regular pattern of work, specifying at least the hours worked each day, which days of the week the employee will work and the actual starting and finishing times each day.

13.3 Any variation to the regular pattern of work must be agreed and recorded in writing in accordance with clause [8.1](#).

13.4 An employer is required to roster a part-time employee for a minimum of three consecutive hours on any day or any shift.

13.5 An employee who does not meet the definition of part-time employee and who is not a full-time employee will be paid as a casual employee.

13.6 All time worked in excess of the hours mutually agreed will be overtime and paid for at the rates prescribed in clause [39](#)—[Overtime rates](#).

13.7 A part-time employee must be paid at least:

- (a) if time workers: at the rate of 1/38th of the weekly wage prescribed for the appropriate skill level for the work performed; or
- (b) if payment by results workers: at the appropriate payment by results system rate in accordance with clause [23](#)—[Payment by results \(PBR\)](#), provided that the payment is not less than the hourly rate for their skill level for the time worked.

13.8 An employer must not require a part-time employee to attend for duty more than once on any one day.

13.9 When calculating an employee's pro rata entitlement to annual leave and personal/carer's, they must be paid in proportion to the average number of hours worked in the previous 12 months. If there is not a 12 month period of employment then the calculation will be based on the average number of hours worked each week for the actual period of employment.

13.10 Where a part-time employee works on a public holiday payment will be calculated in accordance with clause [43—Public holidays](#).

13.11 Where an employee and their employer agree in writing, part-time employment may be converted to full-time, and vice-versa. If such an employee transfers from full-time to part-time (or vice-versa), all accrued award and legislative entitlements will be maintained. Following transfer to part-time employment accrual will occur in accordance with the provisions relevant to part-time employment

IN FAIR WORK COMMISSION

Matter No.: AM2014/196

Witness Statement of Leon Wiegard

Lodged by: Australian Municipal, Administrative, Clerical and Services Union

Address for Service: 116 Queensberry Street, Carlton South VIC 3053

Telephone: (03) 9342 3400

Fax: (03) 9342 3466

Witness Statement of Leon Wiegard

I, Leon Wiegard of 116 Queensberry Street, Carlton South in the State of Victoria, SAY AS FOLLOWS;

1. My full name is Leon Dale Wiegard. I am known as Leon Wiegard.
2. To the best of my knowledge this statement is true and accurate.
3. Since July 2014 I have been employed as a Branch Coordinator with the Australian Municipal, Administrative, Clerical and Services Union (**ASU**), Victorian and Tasmanian Authorities & Services Branch (**ASU Vic/Tas Branch**). I am responsible for the coordination and strategic direction for organising and servicing members of the ASU in the Social and Community Services (**SACS**) and Water industry sectors. Previously, I have also been the Lead Organiser for the SACS Industry sector from June 2013 and Organiser in the SACS sector from 2008 to Jun 2013.
4. The ASU arranged to coordinate a survey of members in the SACS sector.
5. I caused the survey to be distributed to members of the ASU Vic/Tas Branch working in the SACS sector that perform part time hours using an electronic service called Survey Monkey.
6. I understand other branches of the ASU have also distributed the survey.
7. Attached to this statement is a template of the survey (see **Attachment A**). The survey consisted of an outline of the employee's name, employment background, questions requiring a brief response and a section for comments.
8. A review of the survey completed on 22 February 2016 found that:
 - a. 322 responses in total have been provided to the Branch from members.
 - b. 205 members specified their position title. Responses were from a wide range of positions and services. Common roles included welfare workers, support workers, care workers and community lawyers.
 - c. 189 members specified their reason for working part-time or casual hours. The majority of responses indicated that family responsibilities and work/life balance are the most common reasons for working part time. Less frequently, responses showed that balancing study commitments was also a reason for working part-time. The responses included:

"Experienced trauma after death of husband and son in 2012 and have been unable to cope with f/t work load."

"Choice. Enables me to work two jobs and look after children."

"Returned from parental leave in July 2014. Currently work a 0.5EFT (5 day fortnight) to balance family responsibilities. Also undertaking a Cert IV in Breastfeeding Education (Counselling)."

"At the time of my employment my organisation only offered part time positions. Full time and casual roles have only been offered more recently. The type of work

we do which is emotionally demanding as well as delivering support 24/7. It is not possible for staff here to work a traditional 9-5 schedule.”

- d. 196 members stated whether they had set hours with their employer and a description of those set hours. The vast majority of employees have set hours with their employer. Responses show that the set hours vary greatly depending on the circumstances and the length of the roster cycle (eg one week, two weeks or four weeks).
- e. 182 members stated the minimum number of hours that would be required to support themselves and their families (if any). The majority of responses stated that a minimum of 30 plus hours per week is required to support themselves or their families.
- f. 172 members stated whether they had a written agreement recording their hours of work. The majority of employees confirmed that they do have a written agreement that records their working hours.
- g. 169 members stated whether their employer keeps a record of changes to their regular hours of work in writing. The majority of employees stated that their employer does not keep a written record of changes to regular hours of work.
- h. 114 members provided comments on how they manage their life if their hours of work vary from week to week. The responses included:

“Well it has been a constant juggle and worry when the next shifts were available and as a casual it was difficult to plan social events etc as work/income was the priority when it was available. So up until now it was very tricky to plan anything.”

“I am a single parent with 2 kids in high school, all my week day shifts are from approximately 4 pm until midnight so it is very difficult for me. I have asked management to vary my roster however I have been told that this is extremely unlikely to happen as HR have a strict policy of no roster changes.”

“Lurch from day to day sometimes, mainly because shiftwork (which covers all the work i do) is difficult to adjust to on a 4-weekly rotation basis.”

“With difficulty. There is no routine to my 4 week rotating roster, this makes having a good work life balance very challenging.”

“Up very early in the morning, juggling many roles, organised with several hours (2-3) per week scheduled for self care, physical activity and annual holidays. Consulting mental health professional when it all becomes overwhelming.”


.....
Leon Wiegard
29 April 2016

QUESTIONNAIRE FOR ASU MEMBERS WHO WORK PART-TIME

Personal Information

1. What is your name and address?
2. Outline qualifications, place(s) and period(s) of study and any other relevant background information.

Employment History

3. Outline employment history including any work outside the social and community services industry. Include numbers of years of experience working within the social and community services industry and the types of organisations you have previously worked for eg disability services, youth services, government organisations – identify specific agencies, community centres etc.

Current Employment

4. When did you commence employment with your current employer?
5. What is your current role?
6. Does your employer offer:
 - a. permanent full-time work? (yes or no)
 - b. permanent full-time work? (yes or no)
 - c. casual work? (yes or no)
7. What are your reasons for working part-time (eg family responsibilities, study, etc)?
8. Do you have set hours which were agreed with your employer when you commenced employment and if so, what are these hours?
9. Do your hours vary from week to week and if so, provide the number of hours that you have worked each week in the previous four weeks?
10. If your hours vary from week to week, describe how do you manage the other responsibilities in your life?
11. What is the minimum number of hours you need to work each week in order to support yourself (and perhaps your family) financially?
12. Do you have a written agreement with your employer or letter of appointment which records your working hours? If so, please provide us with a copy.
13. Does your employer ever ask you to work additional hours or overtime? If so, how often are you able to agree with this request?
14. Does your employer record any changes to your regular hours of work in writing? If so, please provide us with a copy.
15. Do you work on a regular basis with particular people with disabilities or other service users?
16. How does your employer ensure that people with disabilities or other service users receive consistent care (for example does your employer try to roster the same employees to support a particular service user?)

17. Does your employer use casual employees and in what circumstances?

IN FAIR WORK COMMISSION

Matter No.: AM2014/196

Witness Statement of Susie Bady

Lodged by: Australian Municipal, Administrative, Clerical and Services Union

Address for Service: 116 Queensberry Street, Carlton South VIC 3053

Telephone: (03) 9342 3400

Fax: (03) 9342 3466

Witness Statement of Susie Bady

I, Susie Bady of [REDACTED], SAY AS FOLLOWS;

1. My full name is Susanna Elizabeth Bady. I am known as Susie Bady. I am 41 years old.
2. To the best of my knowledge, this statement is true and correct.

Employment details

3. I am a Recovery Support Worker at SNAP Gippsland Incorporated (**SNAP**) I have been employed there since August 2014.
4. I am not certain of the precise date, but around 1 July 2016 the name of SNAP will change to Within Australia. SNAP provides mental health support services to members of the community, including Individual Client Support Packages (as well as Partners In Recovery, Mental Health Support for Secure Tenancies, and East Gippsland Mental Health Initiative). SNAP has between 30 and 40 employees in total across 4 offices, but I am not sure of the precise number. I work at the Orbost office and I am one of three employees based there. I am the only Orbost employee who delivers ICSP programming. My current case load is about 16 clients.

Industrial arrangements

5. At 29 April 2016 the *Social, Community, Home Care and Disability Services Award Industry Award 2010 (SCHCADS Award)* applies to my employment.

Working in the social and community services industry

6. I work in the social and community services industry because I have a passion for social justice and believe everybody should have equality of opportunity. I want to contribute meaningfully to my community and make sure everyone is included regardless of their educational background, physical and mental ability or economic background.
7. I enjoy working to make the community I want to live in. It is important to me to be engaged with your community in every part of your life.
8. I have a Masters of Community Development from Southern Cross University that I finished in 2004. I also have a Certificate IV in Community Service (Alcohol and Other Drug Work).
9. Before starting with SNAP I did the following work:
 - a. Youth Refuge Support Worker at Alice Springs Youth Accommodation Support Service; 2004–5
 - b. Youth Refuge Team Leader, Alice Springs Youth Accommodation Support Service, 2005-6
 - c. Support Worker, Youth Drop in Centre, Central Australian Aboriginal Congress in 2006

- d. Domestic Violence Educator for Yuendumu Community Council from 2006 to 2008
- e. I took time off to raise my two children from 2008 to 2014. During that time I completed some work for various organisations as a consultant, including community consultation for Orbst Regional Health and a community education program for Warlpiri Youth Development Aboriginal Corporation.

Hours of work

- 10. I am employed as a permanent part time employee for 30.8 hours a week. I work Monday to Thursday, 9 am to 5 pm.
- 11. My hours of work have not changed since I started with SNAP.

Operational needs of ISCHS

- 12. SNAP is open standard business hours of 9 am to 5 pm.
- 13. I sometimes take on additional hours to travel to and from Orbst and Bairnsdale or Sale for training or meetings with other staff. I get paid for the travel time, which is usually taken as time in lieu at time for time. The travel time is between two (2) and three (3) hours return. This happens about every two months.
- 14. I do not work additional hours because of client needs because the kind of support work I do is relatively consistent. When clients need urgent appointments or change their hours, I move appointments around.

Personal commitments

- 15. I have two children, one is five (5) years old and the other is eight (8) years old. Whilst they were at kindergarten I was on the board of management, which required about five (5) to ten (10) hours of work per month.
- 16. I also participate in the community garden and my partner has other commitments as well because he politically active in the community and is on the committee of management of the Cabbage Tree Creek community hall and the Orbst Exhibition Centre.
- 17. If my hours of work and the amount of hours I work were to be inconsistent and unpredictable then I would find it difficult to balance the work with my other responsibilities, plan hours of care for my children, and reliably support my family financially. I would need to consider whether I could continue doing this work.

.....
Susie Bady
29 April 2016

FAIR WORK COMMISSION

4 Yearly Review of Modern Awards

Applicants: Australian Business Industrial and the NSW Business Chamber Ltd

Matter: AM2014/196 (Part Time Employment)

Witness statement of Rosie (Judith) Bookallil

I, Rosie (Judith) Bookallil, of [REDACTED] in the state of New South Wales state as follows:

1. I am employed by Accnet21, a disability accommodation provider. I am employed as a Disability Support Worker.

Background

2. Previously I have trained and worked as a registered nurse and midwife (1974-1979) and intermittently as a childbirth educator/facilitator (1981-1990). I have also worked in family day care. In addition to my nursing qualifications I hold a Bachelor of Indigenous Studies majoring in trauma and healing together with a Diploma of Community Services Management. During my work with Accnet21 have attended courses concerning autism, dual diagnosis, Alzheimer's in Down Syndrome and other professional development of education. I have also received training as a work health and safety representative and currently perform an HSR role with Accnet21.

Working at Accnet21

3. I commenced employment with Accnet21 in 2004. Initially I was working as a casual employee across a number of services. And after a period of time I obtained part time work. My current employment involves supporting the participants with disabilities in relation to their medical, behavioural and social working from an annually developed Independent Living Program (IP). The IP is discussed and developed with the participant, family members and staff and is goals driven.
4. I am now working at the Sandalwood service in Burringbar. We have five adult participants across four houses. Our participants have a range of disabilities including neurological/brain damage, Down Syndrome, autism and mild intellectual disabilities.
5. I work 31.5 hours a week on the basis of a part-time work agreement. This is a written agreement in which my part-time hours of work are established with a mixture of day shifts together with a regular sleepover shift on a Sunday evening. I have rostered days off on a Wednesday and Thursday.
6. By agreement with my employer I have changed my part-time working hours on a couple of occasions. This involved discussion with my employer and the drafting of a new agreement.

My employer has been supportive in responding to issues and negotiating suitable amendments to my part-time employment agreement. This has assisted me in staying on with the service and continuing to support our participants.

Part time work and working with participants

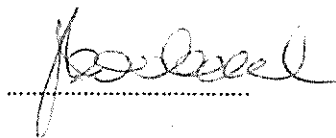
7. Having continuity of permanent part-time staff at the service is important in providing a satisfactory level of support for our participants. Because of the structure of my working hours I have been able to develop professional, familiar working relationships with my participants. We know each other as people and I am aware of the contextual triggers that can cause behavioural difficulties and resultant distress for the participants. Importantly I am also able to work closely with participants and families on achieving IP goals. We work together on these in a familiar yet structured environment. This is particularly the case in my key worker role where I have a close working relationship with one particular participant and the participant's family.
8. Having continuity of permanent relationships is important in that participants know that we know them and what their needs are. It creates and maintains a rhythm, routine and predictability in their daily lives. It also assists in terms of communication. Some participants are not verbal and have limited vocabulary. Developing communication and understanding does not happen overnight in such relationships. Having a permanent part-time employment arrangement provides necessary stability in the participant relationship.

Balancing my working life

9. The job security of having predictable and stable part-time hours is important to me in managing my working life. In addition to accruing sick leave and holiday hours I am able to pay my bills. I support myself and this employment arrangement has enabled me to buy a home, pay insurances and daily living expenses, continue to pay a HECS debt and continue to contribute to superannuation and savings for the future.
10. Predictability about my part-time work hours is also important in providing me with the opportunity to engage in community activities. From 2006 - 2012 I worked as a volunteer at Byron Youth House. From 2012-2015 I was a member of the board of management for the Mullumbimby District Neighbourhood Centre.
11. I am active in the reconciliation movement and am regularly involved in community activities through Reconciliation NSW including the organising of events around Naidoc and Australia/Survival Day. I am involved in a monthly roster for the Mullumbimby Soup Kitchen, picking up the vegetables, distributing them and cooking and serving. I am also an active member of our local Legacy branch. I am able to plan and do these community activities around my agreed rostered days off.

Impact of the proposed changes

12. I am aware of the nature of the award changes sought by a couple of employer organisations. I understand it is proposed to change part-time work so that it consists of core (predictable) hours and non-core hours. I understand that the changes may also mean employees have less of an opportunity to obtain a written agreement identifying the days of the week that our work.
13. I am concerned that this would affect the security of part-time work. I have a supportive employer, however if my work was broken down into core and non-core hours and became less predictable in terms of days of the week that ~~my~~ work I do not think that I would be able to sustain the balance that I now have with my paid work and voluntary community activities. I have an extensive history of work in the community sector and in nursing and other caring professions - I bring these skills and this experience to our service. While I am committed to making this contribution, the current structured approach to part-time work makes it possible for me to continue employment in the community sector.
14. Should the security of part-time work be degraded in the ways sought by the employer organisations this type of work would become less attractive and possibly unsustainable for me. Apart from the impact on myself this would undermine ~~the~~ the continuity of engagement that participants currently have in being supported through permanent part-time employees.
15. This can be an issue with casual employment where casuals have less opportunity to follow through in terms of supporting participants. Casual employment is still an important part of running a service like ours and is used for shifts and replacing employees who are on sick leave or holidays and cover for one-to-one work with participants.
16. While we have some flexibility in the use of casual employment and the working of additional hours for permanent part-time staff, I am concerned that should part-time employment become more intermittent and more like casual work participants would lose the benefit of follow through with key initiatives such as key worker roles and IP plans. Degrading the nature of part-time work would have an adverse impact on the ability for me and people such as myself to maintain and improve the quality of life and overall well-being of our participants.



Rosie (Judith) Bookallil

Date: 23/2/2016

FAIR WORK COMMISSION

4 Yearly Review of Modern Awards

Applicants: Australian Business Industrial and the NSW Business Chamber Ltd

Matter: AM2014/196 (Part Time Employment)

Witness statement of Fran Howell

I, Fran Howell, of [REDACTED] in the state of New South Wales state as follows:

Background

1. I am engaged as a part time Residential Support Worker with Samaritans Foundation Newcastle (Samaritans). My qualifications include a Certificate III in Community Services (Disability Work) and ongoing professional development.
2. My early employment history included work in the banking industry and work as a part-time clerical assistant in small business. From 1998 I worked for six years as a part-time activity officer at a day respite centre funded by what was then Home and Community Care (HACC)

My work with Samaritans

3. I have worked with Samaritans since 2003. On a day-to-day basis my work involves some personal care, preparation and administration of medicines, cleaning, some ironing and house work. I also support on community outings and complete progress notes, other documentation and perform administration work.
4. I am a key worker for one client. This involves organising social events and birthdays, planning client holidays and other activities. I also liaise with a range of other organisations such as the supported holidays service, doctors, pharmacists. These activities are all planned through liaison with the client's family.
5. I support our clients with community and church attendances. I am in regular contact with local church ministers.
6. I work 48 part time regular hours per fortnight which are rostered over four weeks and includes sleepovers. Initially I began working 15 hours per fortnight as I then held another part-time job. I later increased this to 64 hours per fortnight. I then reduced my hours to 56 hours per week and thereafter to my current hourly arrangement of 48 hours. Each time this has occurred I have had regular hours over a four-week roster and these arrangements have been made by agreement. This roster has changed from time to time over my 13 years in employment with Samaritans, however on each occasion this has occurred, it has occurred through consultation with myself and all staff on the roster.

Planning and balancing my work and family arrangements

7. The regularity in my working hours enables me to plan and balance my work and family arrangements and let others know when I am available for things such as weekends away, social events and babysitting grandchildren.
8. My partner works Monday to Friday days with a rostered day off each fortnight. My regular hours allow us to plan time that we need to have together to maintain a healthy relationship. We have four adult daughters between us, all of whom have either relationships, children, mortgages or rent payments of their own.
9. I babysit grandchildren three days per fortnight. The days I babysit are arranged around my regular hours. My daughter, Lauren, works full time and has arranged a mixture of day care and other sitters, including myself, for her sons Jack and William. On the days I have Jack and William I drop Lauren's daughter Charli off at school.
10. My other daughter, Alicia, is a single mother and works from home. Alicia's daughter Bonnie is enrolled in preschool for the days that I am unable to mind her. This allows Alicia to get her work done in a timely manner. On the days I mind Bonnie I also drop Alicia's eldest daughter, Mia, off at school.
11. The children's day care and preschool placements are permanent and occur on the same days each week. It would become an impossible arrangement if my hours became subject to substantial change from time to time. The security of my part-time work agreement is what enables me to balance these work and family arrangements.
12. Amongst our extended family those other grandparents and aunts who carry out babysitting duties also have other commitments. Should my agreed working hours be regularly altered it would become extremely difficult for these other members of the extended family to change the days they support the children. Should I become unavailable to provide this assistance my daughters would have real difficulty and have to take time off work themselves and would suffer financially. Alternatively paid caring arrangements would need to be made which would impact financially and also affect family relationships.
13. My parents-in-law, Marg and Ken, are now ageing and at times rely on me for transport to specialist appointments and other commitments. It is important for me to be able to reassure my parents-in-law that I am available to provide this support, the security of my part-time work arrangement enables me to do that.

Impact of the proposed changes to part-time work

14. I have read the part time employment clause sought by Australian Business Industrial and the NSW Business Chamber Ltd. I have serious concerns that, if successful, this application could see a reduction in the number of core employment hours made available to employees and erode the structured approach to part-time work that currently exists in my job.

15. If my position became split into core and less secure, or non-core hours this would impact significantly on my ability to balance my work and family commitments. While I have a strong commitment to my employment and value the contribution that I make each day to the people we support, should there be a significant shift towards the nature of my part-time employment becoming casualised I simply may not be able to commit to the hours that I am currently able to work.
16. Having well-structured predictable part-time work arrangements is also beneficial for the people I support. They do not all find it easy to have changes in staff, and like to know the people who will be supporting them in their living arrangements on a daily basis.
17. Usually Samaritans make use of casual staff to fill vacant shifts. Generally I prefer not to perform additional work, however occasionally if there is an urgent need I can make myself available by working some additional hours.



.....
Fran Howell

Date: 19/2/16

FAIR WORK COMMISSION

4 Yearly Review of Modern Awards

Applicants: Australian Business Industrial and the NSW Business Chamber Ltd

Matter:AM2014/196 (Part Time Employment)

Witness statement of Heather Fairweather.

I, Heather Fairweather of [REDACTED] in the state of New South Wales, state as follows:

Background

1. I have worked for Valmar Support Services Ltd (Valmar) as a disability support worker for nine years, ten years as of October 2016. Previously I have held a number of jobs in various industries including work in insurance for three and a half years. I have also worked in real estate and with a charter airline company in Canberra and have worked in clerical employment. Apart from Valmar I have worked with Home Care. I have a Certificate III in Disability.

About my work

2. I started working with Valmar in 2006 one-day a week and then progressed to two and then three days a week. I sought an expression of interest for full-time work and was advised that Valmar do not employ workers full-time hours on 38 per week. I accepted a permanent part-time job on 62 hours per fortnight. I would prefer to work full time if that was possible. Attached and marked "HF1" is a copy of my duty statement which identifies my permanent part-time arrangement of 61.5 hours per fortnight. The duty statement further attaches banding competencies and work health and safety responsibilities.
3. I have worked in day programs and group homes as a disability support worker. I currently work at Yeo Crescent in a group house supporting clients with high need disabilities. We have three clients in the house and another in an adjacent bachelor residence.

About my family and my work and family commitments

4. My partner, Ian, and I have two school-aged children, Joshua who is 18 years old and Nicholas who is 15 years old. Joshua is in year 12 and Nicholas currently in year 10.
5. Ian works full-time. We are buying our home and paying off a mortgage. We need two incomes to meet our financial commitments.
6. Yeo Crescent has a seven days a week roster worked over a fortnight. I work afternoon, morning and sleepover shifts, my roster is negotiated and scheduled in advance so that I have four days off which includes a Saturday and Sunday every second weekend. This means

that I am able to spend at least one day a week with Ian which is important for me in looking after our relationship. I am also able to spend at least one weekend a fortnight with the children -so I can spend time with them and the assist with homework, sporting and other activities. My structured, permanent part-time work arrangement also enables me to plan and engage in school holiday activities with my children.

7. My father, Brian, is 79 years old and lives about half an hour away from us on his own. My work arrangements enable me to plan time to spend with him. Dad has relatively good health, however he needs my company and I am concerned to keep that time available as I am the only family member in the area and the only one available to provide support.
8. Ian and I regularly visit Ian's family in Sydney and my current working arrangements enable me to plan and schedule these trips in advance, without being able to plan those trips it would be much harder for them to occur.

Additional work

9. I have not been asked to work overtime. I usually work with the same four clients. Casuals are sometimes used to cover shifts if a staff member is away ill or is unable to perform a shift. There are also a couple of casual employees who provide additional work at Yeo House to make up some vacancies in the shifts patterns. Casual employees are sometimes employed to do a night shift where a client is attending a dance or other function in the evening such as a dinner-dance or attending the movies.

Impact of the proposed changes to part-time work

10. I am aware that the employer application seeks to enable employers to arrange part-time work around core and non-core part-time work hours. I am aware that were the changes to occur part-time employees may not have the certainty of knowing what days of the week they will work or when their starting and finishing times might be. I am also aware that the proposed changes could structure part-time work so that non-core hours are worked from time to time rather than being regularly scheduled.
11. Should my part-time work arrangements be changed in this way, the extent of my income would be uncertain and I would have difficulty meeting our mortgage requirements. I cannot afford to split my work into core and non-core part time hours - particularly if the non-core hours might not be available. Also, if my part-time work arrangements became irregular such that I was not able to have a good understanding of which days of the week I would be working, I would not be able to manage a necessary balance in my work and family responsibilities. I need to know which days of the week I am working and when I will be starting and finishing so I can be available to look after the children and maintain decent family relationships.

12. Were the security of my part-time employment to deteriorate I would have to leave Valmar
I have worked in other industries and, may find other work, however this is not at all easy in
a regional area such as Yass

13. I love my work and I have stayed in this job for nearly 10 years developing knowledge about
disability support work and a set of skills and commitment enabling me to support the
residents at Yeo Crescent. These proposed changes to part-time work would have a
devastating impact on my clients. In my work I develop strong relationships with the clients
that I support. One particular man is elderly and I have a good rapport with him. He has
been in poor health for several years and relies on having people around him who he knows
and trusts. I have a good rapport with this client which has been developed over years of
stable part-time employment.

14. Should the degree of permanence and security in part-time work deteriorate it will be more
difficult to establish and maintain these types of working relationships with clients. This is a
space problem that we presently have with casual work where because people come and go
and clients constantly come across new faces. I am concerned about the changes that the
employers wish to make to part-time work as this will create the same types of problems for
part-time workers as we currently have with casual work.

15. I am concerned that the changes that the employers wish to make will result in disability
support work becoming less attractive to employees such as myself and will impact
negatively on our clients.

Dated: 19-2-16

H. Fairweather

Signed



" HF 1 "

DUTY STATEMENT FOR: EMPLOYEE NAME :Heather Fairweather

POSITION
Residential Support Worker

SERVICE
Residential program

SERVICE & LOCATION Yass

CATEGORY & AWARD
Valmar Draft Enterprise Agreement in accordance with the Social, Community, Home Care and Disability Services Award 2010

GRADE:

INDEPENDENT THEREAFTER (IT) has all the competencies of Grades 1 – 6 as detailed in Attachment A – Banding Competencies:

- Works independently and can make independent decisions in the absence of a more senior worker
- Undertakes complex problem resolution involving program delivery methods
- Holds a minimum Certificate 3 in Community Services or equivalent
- Has advanced Behaviour Management skills and training

This is the highest level within this banding that can be reached by natural progression. An employee will remain at this Band Level or until they apply for a vacancy as Senior Support Worker and are appointed as a Senior Support Worker.

Employee Signature H. Fairweather Date 15-4-15

HOURS OF WORK – Please circle employment status and provide hours where required.

CASUAL

PERMANENT – EMPLOYED FOR 61.5 Hours per fortnight

TEMPORARY VARIATION OF HOURS – EMPLOYED FOR _____ Hours per fortnight

Until _____ Insert date that Temporary employment arrangement expires and employee returns to original hours.

FIXED TERM ENGAGEMENT – Commencing _____ and finishing _____ working _____ Hours per fortnight.

- This position is funded by Department of Human Services – Ageing, Disability & Home Care
- This position may involve evening, weekend and sleepover shifts.
- As a Not-for-Profit non-government organization, all positions within the organization are subject to government funding and should this funding cease or be reduced, Valmar reserves the right to terminate or reduce the hours of this position after giving the employee 4 weeks notification of such change. In the event that an employee's position is to be made redundant, statutory redundancy payments will apply where applicable.
- A six month probationary period applies to all new employees.

RESPONSIBLE TO
The Service Coordinator

RESPONSIBLE FOR
Assist with the day to day operation of the community based residential program.

GENERAL DUTIES

1. Assist in the provision of 'in house' and community based support for consumers in areas such as nutrition, health and personal care, independent living skills, integration skills, social skills and recreation skills.
2. Attend to the physical needs of the resident
3. Keep accurate records of the resident's program and health needs.
4. Provide support residents dietary requirements and assist them to prepare and purchase a variety of nutritious meals
5. Promote and encourage all aspects of safety within the home and the community.

Employee Signature H. Fawcett Date 15-4-15

6. Encourage independent living skills, while maintaining appropriate support and follow Restrictive Practices policy.
7. Attend to emotional needs by promoting self esteem, confidence and skill enhancement.
8. Attend to the social needs by maximizing participation of residents to attend a variety of social outings that are stimulating, constructive and age appropriate.
9. Actively promote the participation of each resident in making choices and decisions appropriate to their lifestyle.
10. Promote residents active involvement in the community. i.e. Banking, shopping, social, cultural, spiritual needs, and sporting events.
11. Assist service staff and the Coordinator in delivering programs developed from consumer's PCP.
12. Assist residents with financial management, money handling and banking
13. Drive Valmar vehicles, where licensed and required
14. At all times, and in all locations, work with the consumers in a positive and age appropriate manner in line with the Valmar Code of Staff Conduct.
15. Participating in the Valmar Performance Appraisal process.
16. To work within WHS guidelines

KEY PERFORMANCE INDICATORS

Without limiting the scope and application of this duty statement, the following duties of the i5 support worker are.

1. Attend a minimum of 5 staff meetings per year
2. Attend a minimum of 5 training sessions per year
3. Participate in workplace inspections of house and vehicle
4. Maintain confidentiality at all times of residents and staff.
5. At all times, communicate with all levels of staff and service users in a positive and respectful manner.
6. Be on time for work and if unable to attend provide service Coordinator with appropriate notice
7. Follow workplace instructions
8. Follow household cleaning rosters to ensure the group home is maintained to a clean and tidy standard.
9. Provide guidance to more junior staff members as requested by the service Coordinator
10. Be fully conversant in the use of Valmar's document management system – *The Knowledge Tree*
11. Complete fortnightly timesheets online using forms from *The Knowledge Tree*
12. Where a Valmar email address has been allocated, check emails at least once a week

WHS KEY PERFORMANCE INDICATORS

1. Adhere to Valmar's WHS management system and follow safe work practices
2. Participate in WHS consultation meetings to discuss workplace safety
3. Attend a minimum of 5 WHS in-services or external training per year as instructed by the service Coordinator
4. Report any hazards as soon as you notice them
5. Assist in the identification of control measures to eliminate or minimise the risk of injury.
6. Wear PPE as required and report any worn out or defective equipment.
7. Operate equipment and machinery with guards and safety controls operating at all times.

Employee Signature

H. F. ...

Date

15-4-15

8. Report WHS issues on to timesheet safety report form, as per Valmar's reporting procedures.
9. Participate as required in WHS activities such as inspections, risk assessments and investigations

ADDITIONAL INFORMATION

- Employees must be capable of performing all physical requirements of the position, including lifting and transferring people with a physical disability as required or as a one-off emergency.

CONFLICT OF INTEREST STATEMENT FOR DUTY STATEMENTS

All persons employed by Valmar Support Services Ltd. are required to declare any conflicts of interest; real, perceived or potential, they may have in the course of their employment with Valmar Support Services Ltd. Staff are referred to the Conflict of Interest policy on the management system for definitions and examples of Conflict of interest. Any identified conflict of interest must be declared to the service Manager or CEO.

In signing this duty statement you acknowledge that you have read the Valmar Conflict of Interest policy and agree to declare any real, perceived or potential conflict of interest as soon as such conflict of interest is identified. This includes informing Valmar if you work elsewhere for one or more other employers.

CERTIFICATION

I, Heather Fairweather (full name) acknowledge the receipt of this Duty Statement and undertake to work within its' guidelines. I understand that Criminal Record checks will be repeated each 3 years of employment. I also agree to participate in Valmar's annual performance appraisal process and understand that I will be required to sign a new duty statement each year

I also certify that I have read the competencies in Attachment A and fully understand that these competencies form part of my position.

IS A DRIVERS LICENCE REQUIRED FOR THIS POSITION? YES NO

If yes, has current licence been sighted? YES NO

Employee Signature H. Fairweather Date 15-4-15

Valmar Representative Name JOY WHITTON Date 15.4.15

Signature [Signature]

(Please sign both copies, return one to Valmar Administration and retain the other for your records)

ATTACHMENT A – BANDING COMPETENCIES

SUPERVISED 1 – An employee who is completely new to disability support and has no personal care or other support experience within the human services or aged care field will commence employment under this category. This category will remain effective for a period not exceeding 6 months at which time the employee will be re-graded to a Supervised 2 or higher. Competencies of a Supervised 1 are:

- Has an introductory understanding of the mission and values of the organisation
- Has an introductory understanding of the Disability Service Standards (DSS).
- Has an introductory understanding of organisational policies and procedures
- Willingly complies with organisational policies
- Work is subject to immediate and direct supervision
- Participate in training as identified by the Service Coordinator
- Maintain contact with service staff to seek specialised help or notify progress of work.
- Assist clients of the service with needs including personal care under supervision
- Works in accordance with the organisations OHS Key competencies

SUPERVISED 2 – Possess all the above competencies as well as:

- Has a good understanding of the mission and values of the organisation
- Has a sound knowledge of the DSS
- Has a sound knowledge of organisational policies and procedures
- Has a sound knowledge of other services and work areas within the organisation
- Has a sound working knowledge of the relevant service or program delivery activities.
- Works collaboratively with and under supervision of team members
- Ensures work is performed to an appropriate standard
- Participates in formal learning as a part of ongoing education to enhance quality of work knowledge and service delivery
- Maintains a work diary and/or records client progress notes as required
- In accordance with relevant legislation and under direct supervision, administer medication as required.
- Has a basic understanding of medical terminology and conditions as relevant to the clients of the service.

SUPERVISED 3 – Possess all the above competencies of a Supervised 1 & 2 as well as:

- Has knowledge of work areas and services outside of the organisation
- Supports client's access to community services and/or assists in organising outings.
- Has developed a good understanding of the range of client requirements and an understanding of the clients unique needs
- Has the ability to assess situations and make proposals regarding practical service or program delivery solutions available
- Is able to resolve problems in line with organisational procedures
- Maintains one or more diaries and records relevant and succinct client progress notes.
- Attends service meetings
- Works collaboratively with and under supervision of team members
- Holds a senior first aid certificate
- Adheres to all relevant government legislation, for e.g. OHS and Disability Services Act
- Supports client access to community and assists in organised outings
- Facilitates client involvement in service activities

As this is the highest level within this banding, an employee will remain at this Band Level until they are capable of effectively performing through assessment or appropriate certification the tasks/qualifications required within the first level within the Independent Band, and a vacancy at this level becomes available, and they apply and are accepted through interview into this position.

INDEPENDENT 4 (i4) The I-4 worker is able to work without direct supervision and possesses all the above competencies of a supervised 1 – 3 worker as well as the following:

- Work is subject to the instruction and supervision of the service Coordinator
- Able to resolve conflicts related to relevant service activities and resolve problems in accordance with organisational policies
- Is an active participant in service meetings
- Liaises with other services, both within and external to the organisation
- Is able to handle complex inquiries appropriately
- Has a good understanding of medical terminology and medical conditions as relevant to the service.
- Adheres to detailed and precise service delivery procedures and standards
- Is able to provide support to clients with more complex needs
- Enters information into client communication books

- Holds, or is undertaking a Certificate 3 Community Services (Disabilities, Community Support, Aged Care or Personal Care).
- Has appropriate Behaviour Management Training

INDEPENDENT 5 (i5) The i5 worker has all the preceding competencies as well as:

- Is able to liaise with families and other departments on service delivery issues
- Understands and interprets complicated guidelines
- Make decisions or recommendations relating to direct service delivery in consultation with the service Coordinator
- Has a good understanding of the range of client requirements and unique needs
- Evaluates own work to ensure work standards are being met
- Works with clients independently

INDEPENDENT 6 (i6) The i6 worker has all the preceding competencies as well as:

- Works independently with clients under the direction of service Coordinator
- Makes client specific recommendations regarding the full range of practical service programs available to be delivered
- Liaises with families and significant persons in the clients life on a needs basis

Valmar Support Services Ltd.

Job Description - Duty of Care – WHS Responsibilities

Under the Workplace Health and Safety Legislation an employer must ensure the health, safety and welfare at work of all the employees of the employer.

Similarly, an employee also has a duty of care to take responsible care for the health and safety of people who are at the place of work and may be affected by an employee's acts or omissions.

Valmar has a strong commitment to the safety of its employees, clients and visitors at all its work sites. The workplace must be kept safe at all times, so that people are not exposed to risks to their health or safety while attending a Valmar site.

It is a requirement of employment with Valmar, that all employees have a clear understanding of WHS issues and know what they must do if a risk or hazard is identified in the work place. Further instruction on WHS can be obtained from the Valmar policy and practice manual and a summary of the WHS and a summary of the WHS legislation is available at each of the Valmar offices.

An employee must cooperate with their employer or other person to enable compliance with the Act and regulation. This legislation is the basis of the duty of care requirements. This and other provisions of the Act require employers to ensure that:

- Systems of work are safe
- Equipment is safe and properly maintained
- Employees receive health and safety information and training
- Employees are properly supervised

Implementing the duty of care principle requires all people in Valmar work places to pay constant attention to, and be aware of, the possible consequences of their actions. These people include Coordinators, employees, manufacturers, suppliers and other persons at a place of work.

Codes of practice are available in relation to health and safety issues at Valmar. They are practical documents that assist in implementing safe work place procedures. They may also be used by a court as evidence of an employers' failure to implement the duty of care responsibility.

The workplace must be kept a safe environment, and this includes ensuring that people, other than employees of Valmar, are not exposed to risks to their health or safety arising from the conduct of the employer, or employees, while they are at a work site of Valmar.

Employee Signature



Date 15-4-18

FAIR WORK COMMISSION

4 Yearly Review of Modern Awards

Applicants: Australian Business Industrial and the NSW Business Chamber Ltd

Matter: AM2014/196 (Part Time Employment)

Witness statement of Kevin Denny

I, Kevin Denny, of [REDACTED], New South Wales, state as follows:

Background

1. I am employed by Valmar Support Services Ltd (Valmar) as a Residential High Support Worker. I have been employed by Valmar since 2004. I hold a Certificate III in Disability and Aged Care.
2. Prior to working with Valmar I worked in a range of industries including work as a welder, a landscape gardener, work in sales and retail together with working as a machine operator for five years with Kimberly-Clark. Before taking up employment with Valmar I worked as a manager in the fresh food department at Franklins supermarket.

Growing up in Belfast I lived with my brother who had Down syndrome. In 2004, while working at Franklins a friend told me that Valmar was taking on workers and I thought this work would suit me as for some time I had an interest in obtaining employment that would mean that I could work with and support people with disabilities. Initially I was provided with some casual work. I then was provided some active night shift work at Perry House. I was then offered permanent part-time work of 35 hours a week at Perry House. I have remained in that employment since then. Attached and marked "KD1" is a copy of my duty statement dated 12 March 2013 which identifies my employment as permanent part-time at 70 hours per fortnight.

Working at Valmar

3. Perry house is a group home. We have five clients who have physical and mental disabilities and require high needs support.
4. I work a range of morning, afternoon and night shifts over a 24 hour seven day a week rotating roster. Attached and marked "KD2" is a copy of my roster arrangements for the fortnight ended 16 February 2016, 1 March 2016 and 15 March 2016. The work involves caring for clients, providing medication support, attending to daily meals and cleaning up. I also assist clients with appointments at doctors, chemists, podiatrists, optometrists, dentists together with shopping and paying bills. There are also physical activities including

swimming. I help clients arrange and attend at social events such as movies, bowling and twice a week attendances at dances.

5. I am a focus worker for one client which requires me to perform a range of other duties including organising and reporting on major medical reviews. I also work with the client on person context planning to support the client in identifying hopes and dreams and assisting the client in achieving key elements of the client's life plan.

Balancing my work and family lives

6. My work is extremely busy and I also find it personally rewarding. If I could I would choose to work a full-time workload of 38 hours, however 35 hour shifts are the maximum offered at Valmar. I live with my partner, who does not work, and an adult son. For the last six months we have been trying to buy a home and I am currently looking for a house.
7. Having security of employment as a permanent part-time 35 hour week employee is necessary for me to be able to obtain enough work and earn enough to buy a home and support a family and mortgage.
8. My partner and I also have an interest in showing dogs. As well being involved locally, there are a few times a year when we travel to either Sydney or Melbourne for shows. Having reasonable certainty about my working hours arrangements makes this possible.

Impact of the proposed changes to part-time work

9. I am aware of the nature of the changes to part-time employment proposed by Australian Business Industrial and the NSW Business Chamber Ltd. I am concerned that these changes would reduce the number of permanent, structured hours for part-time employees such as myself. Looking at the proposal put forward about the changes to part-time work I am concerned that this would make part-time work more like casual work.
10. Without a reasonable degree of predictability about my working hours I would not be assured of a stable enough income to be able to afford to remain in this type of employment and I may have to look for work elsewhere. Given my broad range of skills and experience I feel that over time I would find alternative employment. However I would not feel good about having to leave and the impact on Valmar and the industry of losing skilled workers such as myself.
11. As a permanent part-time employee I regularly attend ongoing professional development training. This has assisted me in acquiring additional skills to expand my work into new areas including the focus worker role. Should the structure of part-time work become less predictable - it would be more difficult to commit to ongoing training.
12. I am also concerned about the impact on clients should part-time work become less structured. My experience of working with clients with disabilities is that it can take clients quite a long time to get used to change. By working a structured part-time work

arrangement with predictable hours I get to know the clients - it can take quite some time to learn to understand each other and establish effective communication. These types of relationships take a lot of hard work and time to foster. Should part-time employment become less structured this would mean that these types of relationships would be less secure and would have a negative impact on the work.

13. I have read the statement of Hugh Packard, CEO at Valmar. From paragraph 37 Hugh identifies workforce challenges associated with the introduction of the National Disability Insurance Scheme and new level of control exerted by clients about who they will work with and when. My experience is that clients do not have a propensity to cancel work from time to time and are not casual in changing their choice of support worker. In my experience that the relatively stable and secure nature of permanent part-time work means that there is an ability to develop and maintain professional relationships with clients based on mutual respect - which means understanding each other's needs.
14. Where there is a need for additional work, we do have casual employees who are available to take up shifts that may become vacant because of leave or other requirements. However I do find our casual staff do not always take work up when it is available. If there is an urgent client need for me to do additional hours that can occur at which time I can work a few additional ordinary hours.

.....

Kevin Denny

Date:

(K D 1)



DUTY STATEMENT FOR: EMPLOYEE NAME KEVIN DENNY

POSITION
Residential Support Worker

SERVICE
Residential program

SERVICE & LOCATION Perry St, Yass

CATEGORY & AWARD
Valmar Draft Enterprise Agreement in accordance with the Social, Community, Home Care and Disability Services Award 2010

GRADE:

INDEPENDENT THEREAFTER (IT) has all the competencies of Grades 1 – 6 as detailed in Attachment A – Banding Competencies:

- Works independently and can make independent decisions in the absence of a more senior worker
- Undertakes complex problem resolution involving program delivery methods
- Holds a minimum Certificate 3 in Community Services or equivalent
- Has advanced Behaviour Management skills and training

This is the highest level within this banding that can be reached by natural progression. An employee will remain at this Band Level or until they apply for a vacancy as Senior Support Worker and are appointed as a Senior Support Worker.

Employee Signature [Handwritten Signature] Date 12-3-13

HOURS OF WORK – Please circle employment status and provide hours where required.

CASUAL

PERMANENT – EMPLOYED FOR 70 Hours per fortnight

TEMPORARY VARIATION OF HOURS – EMPLOYED FOR _____ Hours per fortnight

Until _____ Insert date that Temporary employment arrangement expires and employee returns to original hours.

FIXED TERM ENGAGEMENT – Commencing _____ and finishing _____ working _____ Hours per fortnight.

- This position is funded by Department of Human Services – Ageing, Disability & Home Care
- This position may involve evening, weekend and sleepover shifts.
- As a Not-for-Profit non-government organization, all positions within the organization are subject to government funding and should this funding cease or be reduced, Valmar reserves the right to terminate or reduce the hours of this position after giving the employee 4 weeks notification of such change. In the event that an employee's position is to be made redundant, statutory redundancy payments will apply where applicable.
- A six month probationary period applies to all new employees.

RESPONSIBLE TO

The Service Coordinator

RESPONSIBLE FOR

Assist with the day to day operation of the community based residential program.

GENERAL DUTIES

1. Assist in the provision of 'in house' and community based support for consumers in areas such as nutrition, health and personal care, independent living skills, integration skills, social skills and recreation skills.
2. Attend to the physical needs of the resident
3. Keep accurate records of the resident's program and health needs.
4. Provide support residents dietary requirements and assist them to prepare and purchase a variety of nutritious meals
5. Promote and encourage all aspects of safety within the home and the community.

Employee Signature _____

Date 12-3-13

6. Encourage independent living skills, while maintaining appropriate support and follow Restrictive Practices policy.
7. Attend to emotional needs by promoting self esteem, confidence and skill enhancement.
8. Attend to the social needs by maximizing participation of residents to attend a variety of social outings that are stimulating, constructive and age appropriate.
9. Actively promote the participation of each resident in making choices and decisions appropriate to their lifestyle.
10. Promote residents active involvement in the community. i.e. Banking, shopping, social, cultural, spiritual needs, and sporting events.
11. Assist service staff and the Coordinator in delivering programs developed from consumer's PCP.
12. Assist residents with financial management, money handling and banking
13. Drive Valmar vehicles, where licensed and required
14. At all times, and in all locations, work with the consumers in a positive and age appropriate manner in line with the Valmar Code of Staff Conduct.
15. Participating in the Valmar Performance Appraisal process.
16. To work within WHS guidelines

KEY PERFORMANCE INDICATORS

Without limiting the scope and application of this duty statement, the following duties of the i5 support worker are.

1. Attend a minimum of 5 staff meetings per year
2. Attend a minimum of 5 training sessions per year
3. Participate in workplace inspections of house and vehicle
4. Maintain confidentiality at all times of residents and staff.
5. At all times, communicate with all levels of staff and service users in a positive and respectful manner.
6. Be on time for work and if unable to attend provide service Coordinator with appropriate notice
7. Follow workplace instructions
8. Follow household cleaning rosters to ensure the group home is maintained to a clean and tidy standard.
9. Provide guidance to more junior staff members as requested by the service Coordinator
10. Be fully conversant in the use of Valmar's document management system – *The Knowledge Tree*
11. Complete fortnightly timesheets online using forms from *The Knowledge Tree*
12. Where a Valmar email address has been allocated, check emails at least once a week

WHS KEY PERFORMANCE INDICATORS

1. Adhere to Valmar's WHS management system and follow safe work practices
2. Participate in WHS consultation meetings to discuss workplace safety
3. Attend a minimum of 5 WHS in-services or external training per year as instructed by the service Coordinator
4. Report any hazards as soon as you notice them
5. Assist in the identification of control measures to eliminate or minimise the risk of injury.
6. Wear PPE as required and report any worn out or defective equipment.
7. Operate equipment and machinery with guards and safety controls operating at all times.

Employee Signature _____

Date 12-3-13

8. Report WHS issues on to timesheet safety report form as per Valmar's reporting procedures.
9. Participate as required in WHS activities such as inspections, risk assessments and investigations

ADDITIONAL INFORMATION

- Employees must be capable of performing all physical requirements of the position, including lifting and transferring people with a physical disability as required or as a one-off emergency.

CONFLICT OF INTEREST STATEMENT FOR DUTY STATEMENTS

All persons employed by Valmar Support Services Ltd. are required to declare any conflicts of interest; real, perceived or potential, they may have in the course of their employment with Valmar Support Services Ltd. Staff are referred to the Conflict of Interest policy on the management system for definitions and examples of Conflict of Interest. Any identified conflict of interest must be declared to the service Manager or CEO.

In signing this duty statement you acknowledge that you have read the Valmar Conflict of Interest policy and agree to declare any real, perceived or potential conflict of interest as soon as such conflict of interest is identified. This includes informing Valmar if you work elsewhere for one or more other employers.

CERTIFICATION

I, Kevin Gerard Denny (full name) acknowledge the receipt of this Duty Statement and undertake to work within its' guidelines. I understand that Criminal Record checks will be repeated each 3 years of employment. I also agree to participate in Valmar's annual performance appraisal process and understand that I will be required to sign a new duty statement each year

I also certify that I have read the competencies in Attachment A and fully understand that these competencies form part of my position.

IS A DRIVERS LICENCE REQUIRED FOR THIS POSITION? YES NO

If yes, has current licence been sighted? YES NO

Employee Signature [Signature] Date 12-3-13

Valmar Representative Name Debbie Smith Date 12/3/12

Signature [Signature]

(Please sign both copies, return one to Valmar Administration and retain the other for your records)

Office Use Only

Date for Progress Probationary Period Review (at 3 months).....

Date for Final Probationary Review (5.3 months).....

Date for Annual Review.....

Notes – Please ensure the employee’s signature is obtained for any notes made here

Valmar Support Services

PERRY Street

Team Meeting: 1pm-3pm on Wednesday 10 Feb

Fortnight Ended: 16-Feb-16
Timesheets

| Staff | Wed 3-Feb-16 | Thu 4-Feb-16 | Fri 5-Feb-16 | Sat 6-Feb-16 | Sun 7-Feb-16 | Mon 8-Feb-16 | Tue 9-Feb-16 | Wed 10-Feb-16 | Thu 11-Feb-16 | Fri 12-Feb-16 | Sat 13-Feb-16 | Sun 14-Feb-16 | Mon 15-Feb-16 | Tue 16-Feb-16 |
|--------------------|----------------------------|-------------------|-----------------------|-----------------|-----------------|-----------------------|-----------------------|--------------------------|-----------------------|------------------|-----------------------|------------------|-----------------------|-----------------------|
| James 76Hrs | 11pm All | 9am 11pm | 9am | | | | | 7am-9:30am 1pm-3pm TM | | | 3pm-11pm | 3pm-11pm | | |
| Ian 76Hrs | | | | | 3pm-11pm | 3pm-11pm | 3pm-11pm | 3pm-11pm 1pm-3pm TM | 3pm-11pm | | 11pm | 7am 11pm | 7am 11pm | 7am 11pm |
| Kevin D 70.5Hrs | | | 11pm | 7am 11pm | 7am 11pm | 7am 11pm | 7am 11pm | 7am 11pm | 7am 11pm | | 7am-3pm | 7am-3pm | | 7am-9:30am 3pm-7am |
| Emi S 37Hrs | | 7am-9:30am | | 10am-6pm | 10am-6pm | | | 1pm-3pm TM | 7am-9:30am | 3pm-11pm | | | | 3pm-11pm |
| Jane P 60.5Hrs | 7am-9:30am 3pm-7pm 3-11 | 3pm-11pm | 7am-9:30am 3pm-7pm | 3pm-11pm | | 7am-9:30am 3pm-7pm | 7am-9:30am 3pm-7pm | 7am-9:30am 3pm-7pm | 7am-9:30am 3pm-7pm | | | | 3pm-11pm | |
| Laura R | 11pm | 7am Dancing | 3pm-11pm | 7am-3pm | 7am-3pm | | | 1pm-3pm TM | Dancing | | | | | |
| Glaire | 3-11pm 3-7:30 | | | | | 7am-9am | 7am-9am | 1pm-3pm TM | | 11pm | | | 7am-9am | |
| Naomi | 7-9:30 | 3pm-7pm 7-9:30 | 7-9:30 | | | | | 1pm-3pm TM | | | 7am-9:30am 3pm-7pm | 10am-6pm | | |
| Karley | 7am-9:30am | 11 7 | | N/A | | | | 1pm-3pm TM | | | 10am-6pm | | 7am-9:30am 3pm-7pm | |
| Julie | 7am | | | | | | | 1pm-3pm TM | | 7am-9:30am | | | | 11pm |
| Vacant | | | | | | | | | | | | | | |
| Vacant | | | | | | | | | | | | | | |

12021

Valmer Support Services

PERRY Street

Fortnight Ended:
Timesheets

1-Mar-16

| Staff | Wed 17-Feb-16 | Thu 18-Feb-16 | Fri 19-Feb-16 | Sat 20-Feb-16 | Sun 21-Feb-16 | Mon 22-Feb-16 | Tue 23-Feb-16 | Wed 24-Feb-16 | Thu 25-Feb-16 | Fri 26-Feb-16 | Sat 27-Feb-16 | Sun 28-Feb-16 | Mon 29-Feb-16 | Tue 1-Mar-16 |
|----------------|-----------------------|-----------------------|-----------------------|------------------|------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|------------------|------------------|-----------------------|-----------------|
| James 78hrs | | 7am-9:30am | | | | 3pm-11pm | 3pm-11pm 10am-12pm | | 7am-9:30am | | 10am-6pm | 10am-6pm | | |
| | | AL | | | | AL | Training | | AL | | AL | AL | | |
| Jan C 78Hrs | 3pm-11pm | 3pm-11pm | | 7am | 7am | 7am | 9am | | | | 3pm-11pm | 3pm-11pm | 1pm-11pm | |
| | | | 11pm | 11pm | 11pm | 11pm | | | | | | | | |
| Kevin D | 7am-9:30am 3pm-7pm | 7am-9:30am 3pm-7pm | 7am-9:30am 3pm-7pm | 3pm-11pm | 3pm-11pm | | 10am-12pm Training | 3pm-11pm | 3pm-11pm | Requested Day Off | | 7am | 7am | 7am |
| | | | | | | | | | | RDO | | 11pm | 11pm | 11pm |
| Jane P | | 7am | 7am | | | 3PM-11pm | 3pm-11pm 1pm-3pm | 7am-9:30am 3pm-7pm | | 7am-9:30am 3pm-7pm | 7am-3pm | 7am-3pm | | 7am-9:30am |
| | 11pm | 11pm | | | | | Training | | | | | | | |
| Effi | | | | 10am-6pm | 10am-6pm | | 10am-12pm Training | | | | | | | 3pm-11pm |
| Lalita R | | Dancing | 3pm-11pm | 7am-3pm | 7am-3pm | | 10am-12pm Training | | Dancing | | | | | |
| Sev | 7am-9am | | 7am-9am | | | 7am-9am | | 7am-9am | | 7am-9am | | | 7am-9am | 7am-9am |
| Karley | | | | | | | 3pm-7pm 1pm-3pm | 11pm | 7am 11pm | 7am 11pm | 7am | | | 3pm-7pm |
| | | | | | | | Training | | | | | | | |
| Naomi | | | | | | 7am-9:30am 3pm-7pm | 7am-9:30am 11pm | 7am | 7am-9:30am 3pm-7pm | 3pm-11pm | | 10am-6pm | 7am-9:30am 3pm-7pm | |
| Claire | | 7am-9:30am | | | | | | | 7am-9:30am | | 10am-6pm | | | |
| Julie | 7am | | | | | | 10am-12pm | | | | | | | 11pm |
| | | | | | | | Training | | | | | | | |

FAIR WORK COMMISSION

4 Yearly Review of Modern Awards

Applicants: Australian Business Industrial and the NSW Business Chamber Ltd

Matter: AM2014/196 (Part Time Employment)

Witness statement of Christine Gamble

I, Christine Laura Gamble, of [REDACTED] state as follows:

Background

1. I am engaged as a part time Community Mental Health Support Worker with Uniting Care Wesley Port Adelaide (UCWPA). My qualifications include a Certificate IV in Mental Health and ongoing professional development.
2. My employment history included working in a range of roles at UCWPA, including administration and on an Afghan Youth Project, assisting young refugees who have suffered trauma and are adjusting to life in Australia. Prior to that, I worked as a Case Manager for asylum seekers at the Australian Refugee Association. I've also owned a catering business as well as undertaken promotional work while studying for Certificates III and IV in Tourism and Marketing.

My work at UCWPA

3. I have worked with UCWPA since 2007. Since 2008 in Community Mental Health, on a day to day basis my work involves working with clients who are seriously affected with mental illness, assisting them to manage their days, and working with them on strategies to help build their road to recovery and living the best life they can. I also work on a project at Ethnic Link Services.
4. There have been times where, due to funding cuts or shifts in funding, I have taken on a combination of roles within the organisation, for the last two years until recently, working in three roles simultaneously.
5. I have clients allocated to me who I work with consistently over a number of years. This involves visiting and meeting with them, reviewing their individualised plan, planning new or

different steps in the goal plan, discussing their lives, addressing issues, working with them to manage their daily tasks and responsibilities and assist clients to achieve their individual goals. It also involves assisting them to navigate processes to access services as well as advocating on their behalf with professional staff from these services.

6. I have regular hours each day usually from 9am until 5pm, 4 days a week. I can be requested to start or conclude work any time from 8am until 8 pm but this is unusual.
7. My hours do not vary from week to week which enables me to plan my time and manage my work effectively.
8. Casual work is not offered in UCWPA as staff are either employed as permanent full time or permanent part time. UCWPA has communicated to staff that they believe this is important for the work that we do with our clients and the reason for our successful model of service delivery in mental health. The model is built on developing strong and consistent relationships. My clients need to build trust with me as the nature of their disability often makes it difficult to do this. I have clients with agoraphobia who are highly anxious about new situations and new people. Working with regular and predictable hours enables UCWPA to ensure clients keep contact with me over years and my clients know when I am available.
9. I have an agreement with my employer that clearly states my hours and my employment status. My employer is extremely strict about working the hours as agreed, and not changing them and so I am rarely if ever asked to do overtime, work additional hours, or have my hours varied outside of the agreement we have.
10. I work as part of the small team which has a team leader. A large part of our success working with people with mental health issues is that we are able to review plans, debrief and get support from our team and our team leader in what is very difficult and challenging work. My regularity of hours enables this process to occur and for me to be part of the team, even though I work part time.

Work Life Balance

11. My work as a community mental health support worker is very demanding and challenging, requiring intense focus on the people I work alongside. I choose to work part time because I have decided I need the space and time to rest and recover each week and avoid burn out which is common in our work. This arrangement allows me to balance my work and life and keep healthy as well as remain in an effective frame of mind for my clients.

12. I could not afford to work less than the hours I do each week. If my hours were reduced, I would be in financial difficulty. The regularity of my hours allows me to plan my budget and ensure I am financially secure.

Impact of the proposed changes to part-time work

13. I have read the part time employment clause sought by Australian Business Industrial and the NSW Business Chamber Ltd. I have serious concerns that, if successful, this application could see a reduction in the number of core employment hours made available to employees and erode the structured approach to part-time work that currently exists in my job.
15. If my position became split into core but less secure, or non-core hours this would impact significantly on my ability to balance my work and life and would impact on my own mental wellbeing and ability to do my job well.

.....
Christine Gamble

Date:

FAIR WORK COMMISSION

Matter No. AM2014/196 and AM2014/197

4 Yearly Review of Modern Awards - Casual Employment and Part-time Employment

WITNESS STATEMENT OF CAMILLE FURTADO

On 11.03.2016

I, CAMILLE FURTADO of THE SERVICES UNION state the following:

1. My name is CAMILLE FURTADO. My address is 32 PEEL STREET, SOUTH BRISBANE. I am employed by the Australian Municipal Administrative Services Union Queensland Branch ("the Branch") trading as The Services Union as a LEAD ORGANISER.
2. In my position I have responsibility for the SOCIAL, COMMUNITY AND DISABILITY (SACS) SECTOR. I have worked in this area for ONE YEAR.
3. As a result of this responsibility I had carriage of a survey of members of The Services Union employed in the SACS sector as part-time or casual employees.
4. Attached to this statement is a template of the survey that was provided to members. The survey consisted of an outline of the respondents employment background, questions requiring a brief response related to their employment situation and a section for comments. I understand that other Branches of the Australian Services Union have also conducted this same survey of members.
5. Fifty surveys have been returned to the Branch which I analysed and collated, from these results I make the following conclusions.
6. 50% percent of respondents work part-time with the vast majority of those indicating that full-time employment was not available to them.
7. Of the other 50% most are employed on a casual basis.
8. Part- time worker respondents indicated through their comments that they had predictable hours.
9. Part-time worker respondents commented that if the predictability of their shifts and rosters were to be removed it would make managing their work life balance, particularly child care arrangements difficult.
10. Respondents who work casually commented that their hours can vary greatly from week to week and that this causes them stress.
11. In general respondents indicated through their comments that rosters and hours of work are decided on what works best for the employer with little to no consultation with employees.

