

From: Chambers - Hatcher VP <Chambers.Hatcher.VP@fwc.gov.au>

Sent: Thursday, 2 September 2021 12:48 PM

To: Daniel Crute <dcrute@anmf.org.au>

Cc: AMOD <AMOD@fwc.gov.au>

Subject: RE: Casual terms award review 2021 - AM2021/54

OFFICIAL

Dear Mr Crute,

I refer to email below and attached submission.

The draft determination for the *Nurses Award 2010* has now been replaced with a draft determination in terms reflecting the *Nurses Award 2020*.

The schedule of draft determinations for the Group 2 awards can be accessed [here](#).

Kind Regards,

Eirinn Hayes

Associate to Vice President Hatcher

Fair Work Commission

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1 September 2021

Vice President Hatcher
Fair Work Commission
11 Exhibition Street
Melbourne VIC 3000

Via email: amod@fwc.gov.au

Dear Vice President,

Casual terms award review 2021 – Nurses Award (AM2021/54)

The ANMF makes this submission in response to the Decision issued on 31 August 2021¹ (Decision) and the related draft determination with respect to the *Nurses Award*² (Draft Determination).

The new *Nurses Award 2020* comes into operation on 9 September 2021.³ Unfortunately, the Draft Determination issued by the FWC proposes to make changes to the *Nurses Award 2010*, which will no longer be operative by the time the final determination is made. This means that the Draft Determination proposes to change incorrect clause numbers.

To assist the Fair Work Commission, the ANMF has attached its proposed Determination to be issued after 9 September 2021 (ANMF Determination). In summary, the ANMF Determination mirrors the Draft Determination in principle but updates the clause numbers to reflect the *Nurses Award 2020*.

Yours faithfully,
Daniel Crute
Federal Industrial Officer

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ANMF Journals

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W www.anmj.org.au

Australian Journal of
Advanced Nursing (AJAN)
E ajan@anmf.org.au
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ABN 41 816 898 298

¹ [\[2021\] FWCFB 5366](#)

² [Draft determination](#) (MA000034)

³ [\[2021\] FWCFB 4504](#)



DRAFT DETERMINATION

Fair Work Act 2009

cl.48 of Schedule 1—Variations to modern awards

Casual terms award review 2021

(AM2021/54)

NURSES AWARD 2020

[MA000034]

Health and welfare services

VICE PRESIDENT HATCHER
DEPUTY PRESIDENT EASTON
COMMISSIONER BISSETT

SYDNEY, 27 SEPTEMBER 2021

Fair Work Amendment (Supporting Australia's Jobs and Economic Recovery) Act 2021 – casual amendments – review of modern awards – Nurses Award 2020 – award varied.

A. Pursuant to clause 48 of Schedule 1 to the *Fair Work Act 2009* and the decision issued by the Full Bench on XX September 2021 [[2021] FWCFB XXXX], the above award is varied as follows:

1. By inserting the following definition in clause 2 in alphabetical order:

casual employee has the meaning given by section 15A of the Act.

2. By deleting clause 11.1.

3. By renumbering clauses 11.2 to 11.5 as clauses 11.1 to 11.4.

4. By inserting the following:

11.5 Offers and requests for casual conversion

Offers and requests for conversion from casual employment to full-time or part-time employment are provided for in the NES.

NOTE: Disputes about offers and requests for casual conversion under the NES are to be dealt with under clause 9—Dispute resolution.

MA000034 PRXXXXX

5. By deleting clause 11.6
 6. By updating the cross references accordingly.
- B. This determination comes into operation on 27 September 2021.

VICE PRESIDENT

