

Fair Work Commission
11 Exhibition Street
MELBOURNE VIC 3000

6 April 2020

By email: chambers.ross.j@fwc.gov.au

**VARIATION OF AWARDS ON THE INITIATIVE OF THE FAIR WORK COMMISSION
(AM2020/12)**

1. This submission is made in response to the Statement ([2020] FWCFB 1760) issued by the Fair Work Commission (the Commission) on 1 April 2020. The Statement sets out the Commission's provisional views regarding the variation of 103 modern awards to provide an entitlement to unpaid 'pandemic leave' and the flexibility to take annual leave at half pay. The variations proposed would operate until 30 June 2020.
2. CCSA has an interest in the following awards proposed to be varied:
 - a. Children's Services Award 2010 (both variations);
 - b. Clerks - Private Sector Award 2010 (unpaid pandemic leave only);
 - c. Educational Services (Teachers) Award 2010 (both variations); and
 - d. Social, Community, Home Care and Disability Services Industry Award 2010 (both variations).
3. CCSA supports the Commission's inclusion of the proposed provision for unpaid pandemic leave in each of the above awards.
4. CCSA supports the Commission's inclusion of the proposed provision for annual leave at half pay into each of the above awards for which it is proposed, subject to the following comment:
 - a. Educational Services (Teachers) Award 2010. CCSA supports the joint submission of the Associations of Independent Schools (AISs) and the Independent Education Union of Australia (IEU) that the annual leave at half pay clause should only be inserted into Schedule B of the *Educational Services (Teachers) Award 2010*. The arguments put forward by the AISs and IEU about the application of such a provision in the school sector apply equally in the preschool sector. We agree with the AISs and IEU that it is appropriate for the provision to be included in Schedule B of the Award, covering teachers employed in early childhood services operating for at least 48 weeks per year.



Megan Mendham
Chief Executive Officer