

Our Voice Australia



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16 July, 2018

IN THE MATTER OF THE REVIEW OF THE SUPPORTED EMPLOYMENT SERVICES AWARD 2010

AM2014/286

Further submission in response to submission from Other Parties to the Interim Decision Statement made by the Full Bench , dated 16 April {2018} FWCFB 2196 (the Statement).

1. We represented our family carers and supported employees during the conciliation and subsequent arbitration which resulted in the Interim Decision Statement referred to by the **Further Submission Parties** dated 16 July, 2018. We are aware that an internal working group of Australian Disability Enterprise (ADE) service providers has been doing some preliminary work around the proposed hybrid model of wage assessment foreshadowed by **the Statement** made on 16 April by the Full Bench.
2. As an un-resourced party to the Review of the Supported Employment Services Award 2010 (the **SESA**) we support further conciliation by all parties before DP Booth to advance the concepts and issues arising from a totally new system of wage calculations for our supported employees in the nation's ADE's. As family carers of our supported employees it was our expectation that the service providers would do exactly what they have done i.e. "flesh out" the concepts and collectively apply them to practical and every day examples with which they, as providers, deal on a daily basis. This would, in a practical sense, provide the basis of future conciliation for all parties to consider. The issue of "*job sizes*", *tasks* and *configuration of a "job"* are concepts which are better advanced, as our 2 days of ADE inspections confirmed, "*on the job*", and "*in the workplace*" This is why we support further conciliation around the concepts and their practical application – in a variety of workplaces and situations.
3. We endorse the comments at **9** page **3** of the Further Submission Parties that the Commission should proceed to make final findingsbased on its assessment of the evidence and submissions. Our family carers and supported employees have been subjected to great insecurity and anxiety over the wage issue. This has aligned with the roll out of the National Disability Insurance Scheme (NDIS) – at different times in different jurisdictions. Once we know the final findings of the Full Bench in this matter we can all move forward.

4. The Further Submission Parties sought the removal of all Wage Assessment Tools (WATs). They achieved that aim. The SWS – as confirmed by the evidence –was also deemed unsatisfactory – for all the reasons considered. After due deliberation of all the evidence the Commission’s Interim Decision proposed the new hybrid model of wage assessment. The Commission has signalled its intention to phase out cl14.4 of the SESA. We strongly object to the suggestion – at **26** page 8- of the Further Submission Parties that the Commission specify a short transitional period rather than a longer one for this to occur.

5. Australia’s network of ADE’s was established by families working with local community groups to provide supported employment options throughout the length and breadth of our nation. The duality of focus of this model of employment has, again, been endorsed within the Fair Work Commission – as it has been in other jurisdictions. Our members live in metropolitan, urban, regional, rural and remote Australia. Consultation with our membership is both timely and costly as we, unlike the Further Submission Parties, face the tyranny of distance, without resources. We have to make this new system work – and rushing it through, in a “*short transitional period*” could result in a lack of due process, consultation, analyses and trial – during difficult economic times. We contend that would be a recipe for disaster. We urge the Commission to opt for conciliation, reporting back, analysis and consultation by all parties with their members under the regular and watchful eye of the Fair Work Commission...for as long as it takes, within reason, to get it right.

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