

**IN THE FAIR WORK COMMISSION**

**Matter No: 2018/26**

**Section 156 - Four Yearly Review of Modern Awards – *Social, Community, Home Care and Disability Services Industry Award 2010* – Substantive review**

**UNITED WORKERS' UNION**

**LIST OF EVIDENCE**

18 March 2020

1. In our submission on factual findings dated 18 November 2019, we provided a list of the evidence that we relied upon in respect of our claims, and in response to several ABI claims. We continue to rely upon that evidence, and we have restated it here for ease of reference.

**UWU CLAIMS**

***UWU - Travel time claim***

<b>Parts of the Court Book, exhibits, and transcripts relevant to this claim</b>	<b>EX. no</b>	<b>Reference</b>
Draft determination		CB 4416, [7]
NDIS Price Guide 2019-2020		CB 2796, pg.12
Statement of Trish Stewart dated 17 January 2019	UV1	[13]-[16], Annexure A, Annexure B
Supplementary statement of Trish Stewart dated 1 April 2019	UV2	[3]-[8]
Further statement of Trish Stewart dated 1 October 2019	UV3	[2]-[6], [13]-[17]
Oral evidence of Trish Stewart		PN459-468
Statement of Deon Fleming dated 16 January 2019	UV4	[9], [18]-[24], Annexure A, Annexure B
Supplementary statement of Deon Fleming dated 28 March 2019	UV5	[5]-[8]

Oral evidence of Deon Fleming		PN525-532
Statement of Belinda Sinclair dated 16 January 2019	UV6	[12] - [14], Annexure B
Statement of Jared Marks dated 3 October 2019	UV8	[1]-[23], [25], [27]-[35]
Bundle of Home Care Price Guide materials	UV9	Pg. 15, 34, 40, 42, 44, 45, 46
Statement of Robert James Steiner dated 24 June 2019	ASU2	[10]-[11], [15]
Statement of James Stanford dated 23 September 2019	ASU4	[26]-[30]
Oral evidence of James Stanford		PN2229-2279
Supplementary statement of Mark Farthing dated 16 September 2019	HSU2	[21]
Statement of Fiona Macdonald dated 15 February 2019	HSU25	Annexure FM2
Oral evidence of Jeffrey Sidney Wright		PN2612, 2580- 2583
Oral evidence of Deborah Gaye Ryan		PN3050-3059
Oral evidence of Graham Joseph Shanahan		PN2865-2866, 2887-2890
Oral evidence of Wendy Mason		PN3210-3213
Oral evidence of Joyce Wang		PN3505-3517, 3557-3558

*UWU - Broken shifts claim*

<b>Parts of the Court Book, exhibits, and transcripts relevant to this claim</b>	<b>EX. no</b>	<b>Reference</b>
Draft determination		CB 4416, [5], [6]
Statement of Trish Stewart dated 17 January 2019	UV1	[13]-[19], Annexure B
Supplementary statement of Trish Stewart dated 1 April 2019	UV2	[7]-[8]
Further statement of Trish Stewart dated 1 October 2019	UV3	[3]-[5], [7]-[17]
Statement of Deon Fleming dated 16 January 2019	UV4	[18]-[24], Annexure B
Supplementary statement of Deon Fleming dated 28 March 2019	UV5	[6]
Statement of Belinda Sinclair dated 16 January 2019	UV6	[12]-[14], Annexure B
Statement of Jared Marks dated 3 October 2019	UV8	[1]-[23], [25], [27]-[35]
Statement of Melissa Coad dated 12 October 2019	UV7	[28]-[30]
Statement of Jeffrey Wright dated 12 July 2019	ABI13	[41], [45]
Statement of Scott Harvey dated 2 July 2019	ABI17	[56]-[59]
Statement of Wendy Mason dated 17 July 2019	ABI8	[71]-[72]
Statement of Fiona MacDonald dated 15 February 2019	HSU25	Annexure FM2
Statement of Robert James Steiner dated 24 June 2019	ASU2	[15]-[20]
Oral evidence of James Stanford		PN2274
Oral evidence of Jeffrey Sidney Wright		PN2543-2570, 2619
Oral evidence of Deborah Gaye Ryan		PN3050, 3086- 3092
Oral evidence of Wendy Mason		PN3231-3236

*UWU - Variation to Rosters clause*

<b>Parts of the Court Book, exhibits, and transcripts relevant to this claim</b>	<b>EX. no</b>	<b>Reference</b>
Draft determination		CB 4416, [4]
Statement of Trish Stewart dated 17 January 2019	UV1	[9]-[12]
Statement of Deon Fleming dated 16 January 2019	UV4	[13]-[17]
Statement of Belinda Sinclair dated 16 January 2019	UV6	[22]-[26]
Oral evidence of Belinda Sinclair		PN599-616, 745

*UWU – Mobile phone allowance claim*

<b>Parts of the Court Book, exhibits, and transcripts relevant to this claim</b>	<b>EX. no</b>	<b>Reference</b>
Draft determination		CB 4416, [3]
Statement of Trish Stewart dated 17 January 2019	UV1	[20]-[22]
Oral evidence of Trish Stewart		PN440-457
Statement of Deon Fleming dated 16 January 2019	UV4	[25]-[30]
Oral evidence of Deon Fleming		PN533-549
Statement of Belinda Sinclair dated 16 January 2019	UV6	[15]-[17]
Statement of William Gordon Elrick dated 14 February 2019	HSU3	[30]-[33]
Oral evidence of William Gordon Elrick		PN1075-1080
Oral evidence of Jeffrey Sidney Wright		PN2584-2588
Oral evidence of Graham Joseph Shanahan		PN2865-2872
Oral evidence of Joyce Wang		PN3554-3568

*S2A –Variation to Clothing and equipment allowance (uniforms)*

<b>Parts of the Court Book, exhibits, and transcripts relevant to this claim</b>	<b>EX. no</b>	<b>Reference</b>
Draft determination		CB 4416, [1]
Statement of Belinda Sinclair dated 16 January 2019	UV6	[18]-[21]

**RESPONSE TO EMPLOYER CLAIMS**

***ABI and others claim: Change of roster***

<b>Parts of the Court Book, exhibits, and transcripts relevant to this claim</b>	<b>EX. no</b>	<b>Reference</b>
Statement of Trish Stewart dated 17 January 2019	UV1	[9]-[12]
Statement of Deon Fleming dated 16 January 2019	UV4	[13]-[17]
Statement of Belinda Sinclair dated 16 January 2019	UV6	[22]-[26]
Oral evidence of Belinda Sinclair		PN599-616, 745

***ABI claim: Client cancellation***

<b>Parts of the Court Book, exhibits, and transcripts relevant to this claim</b>	<b>EX. no</b>	<b>Reference</b>
NDIS Price Guide 2019-2020		CB 2796, pg.12-13
Statement of Trish Stewart dated 17 January 2019	UV1	[10]
Statement of Deon Fleming dated 16 January 2019	UV4	[13]-[16]
Further statement of Mark Farthing dated 16 September 2019	HSU2	[6]-[10], [23]-[32]
Oral evidence of Belinda Sinclair		PN745
Oral evidence of Darren John Mathewson		PN2421-2424
Oral evidence of Graham Joseph Shanahan		PN2891-2897
Oral evidence of Deborah Gaye Ryan		PN3020-3032, PN3075-3080
Cross examination of Deb Ryan: Same Day Cancellation Log – <b>subject to confidentiality order</b>	HSU15	
Community Care Options Home Care Agreement Template	HSU16	
Oral evidence of Scott Raymond Harvey		PN3117-3140
Oral evidence of Wendy Mason		PN3220-3249, PN3273-3280
Baptist Care Commonwealth Home Support Programme (CHSP) pro-forma Service Agreement	HSU19	
Baptist Care Home Care Agreement	HSU20	

