

IN THE FAIR WORK COMMISSION

Matter No: AM2020/99; AM 2021/65; AM2021/63

S 158 – APPLICATION TO VARY OR REVOKE A MODERN AWARD (AGED CARE AWARD 2020);

S 158 – APPLICATION TO VARY OR REVOKE A MODERN AWARD (NURSES AWRD 2010)

S 158 APPLICATION TO VARY OR REVOKE A MODERN AWARD (SOCIAL, COMMUNITY, HOME CARE AND DISABILITY SERVICES INDUSTRY AWARD 2010)

SUBMISSIONS OF THE UNITED WORKERS UNION ('UWU') IN RESPECT OF

STAGE 3: CLASSIFICATION AND ALLOWANCE ISSUES

Introduction

1. These submissions are made pursuant to directions issued by the Fair Work Commission (**FWC**) on 27 October 2023, seeking interested parties to file submissions in response to the classification and allowance issues by 5:00pm (AEST) on Thursday, 23 November 2023.

Aged Care Award classification structure

2. The UWU maintains its position in support of the classification structure proposed by the Health Services Union in their draft determination filed on 28 September 2023 in relation to the *Aged Care Award*.
3. The UWU notes that levels 1 through to 7 of the proposed classification structure does not make reference to certain skill sets of employees including but not limited to gardeners and maintenance staff. The UWU proposes that the classification structure be amended to clarify that those skills sets fall within those classifications under the *Aged Care Award*.

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4. The UWU would be open to discussions and/or a conference being held between the parties to narrow any issues that arise with the classification descriptors proposed.

SCHADS Award classification structure

5. The UWU supports the proposal to move home care classifications from the *Social, Community, Home Care and Disability Services Industry Award* into the *Aged Care Award* in accordance with the Health Services Union draft determination filed on 28 September 2023.
6. The UWU supports the proposal by the HSU to move other provisions specific to home care into the body of the *Aged Care Award 2010*, as specified in the draft determination.

Nurses Award classification structure

7. The UWU notes that the Australian Nursing and Midwifery Federation, in their submissions filed on 15 September 2023, propose that Assistant in Nursing ('AIN') classification descriptors and wage rates under the *Nurses Award* mirror the Personal Care Worker levels under the *Aged Care Award*.
8. For the reasons outlined in our submission filed on 7 March 2023 at paragraphs 26 to 29, the UWU supports the proposition that any classification for AINs contained in the *Nurses Award* mirror both the classification descriptors but also the wage rates for personal care workers in the *Aged Care Award*.

**Filed on behalf of the
United Workers Union
23 November 2023**