



SOCIAL, COMMUNITY, HOME CARE AND DISABILITY SERVICES INDUSTRY AWARD 2010

CEA ALERT IMPORTANT CLARIFICATION

Number: 6

Date: August 2012

Equal Remuneration Case – Order

Social, Community, Home Care and Disability Services Industry Award 2010.
– Clarification of Transitional Wage Rate.

Important Clarification

Summary

CEA HR and Consulting has had a number of consultations with the Federal Fair Work Ombudsman's Office regarding:

The calculation of the Transitional Wage Rate under the Social, Community, Home Care and Disability Services Industry Award (SCDS Award) effective from the first full pay period on or after 1 July 2012.

Please Note:

The Fair Work Ombudsman's Office has advised of the following:

- 1) Application of the July 2012 2.9% National Wage Increase to Relevant Transitional Minimum Wage Instruments.

The Fair Work Ombudsman's Office has advised that the July 2012 National Wage Increase of 2.9% must be applied to the Relevant Transitional Minimum Wage Instrument.

This means that the rates in the various Relevant Minimum Wage Instruments eg:

- SACS NAPSA
- Disability Services NAPSA
- Clerks NAPSA
- Crisis Accommodation Sheltered Housing (South Australia) Award

Must be increased by 2.9% from the first full pay period on or after 1 July 2012.

- 2) The rates in the Transitional Minimum Wage Instrument (eg SACS NAPSA) must be compared with the rates in the Social, Community, Home Care and Disability Services Industry Award and Employers must pay whichever is the HIGHER rate.

Transitional Minimum Wage

Equal Remuneration

Clause 5.3 of the Order outlines that:

“5.3 The employer must pay an employee no less than either:

- a) The minimum wage for the relevant classification in the Award, or
- b) The minimum wage in the relevant transitional minimum wage instrument and/or award based transitional instrument for the classification concerned whichever is higher.”

Assistance to Employers

To assist employers with the calculation of determining which is the greater of either:

- 1) the minimum wage for the relevant classification in the Award, or
- 2) the minimum wage in the relevant transitional wage instrument, CEA HR and Consulting has prepared a number of schedules, ie:

- 1) Social and Community Services Employees

- Rates of Pay for Transitioning from the SACS Award (NAPSA) Rates to the Modern SCDS Award, and

- 2) Crisis Accommodation Employees

- Rates of Pay for Transitioning from CASH (SA) Award to the Modern SCDS Award.

Note:

To access the Transitioning Rates of Pay, please access the Schedules on the CEA HR and Consulting website in the members only section.

Note:

For information on the following rates of pay for:

- 1) Disability Services Employees

- Rates of Pay for Transitioning from the Disabilities Services Award (NAPSA) to the Modern SCDS Award,

and

- 2) Clerical Employees

- Rates of pay for transitioning from the Clerks (SA) Award (NAPSA) to the Modern SCDS Award,

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