



EQUAL REMUNERATION CASE

THIS IS A LANDMARK CASE IN THE FEDERAL JURISDICTION, BROUGHT BY THE AUSTRALIAN SERVICES UNION (ASU) AND A NUMBER OF SUPPORTING UNIONS

Briefly, the ASU was seeking an Equal Remuneration Order that would provide a significant increase in wages across the SACS and Disability Services industry. Their case was largely argued on the basis of gender in that females are low-paid (still) and that the majority of workers in this industry are female, ergo the industry is low-paid.

In a very lengthy and complex Decision posted on 16 May 2011, the Full Bench of FWA has postponed its decision, stating that although the ASU has failed to make its case on the data and information provided, it does recognise that there is justification for an increase in wages in the SACS industry, but how much and how it should be implemented is still open for discussion. To this end, FWA has now requested the parties to provide more detailed data that, among other things, demonstrates to what extent wages are lower in the SACS industry because of gender; and estimated costs to the industry associated with any increase in wages.

Unions have been directed to file written submissions by 10 June, the federal government by 30 June, and other parties by 21 July 2011. These submissions will be heard before the Full Bench of FWA on 10 August 2011, after which a decision will be made.

There is little doubt that an increase of some description will be forthcoming from these proceedings, however it appears that this increase is likely to be more conservative than originally seemed the case.