

CEA ALERT



DATE: January 2011

Social Community Homes Care and Disability Services Industry Award 2010 – Transitional Provisions

Fair Work Australia (FWA) in a decision dated 22 December 2011 advised of variations to the commencement dates of the transitional provisions relating to the phasing in of minimum wages, penalties, and loadings prescribed in the Social Community Home Care and Disability Services Industry Award 2010 (Award).

Background

The Australian Services Union lodged an application to vary the Award to alter the transitional provisions in Schedule A which deal with the phasing in of minimum wages, loadings and penalty rates prescribed in the Award. Their application sought to vary the operative date from 1 February 2012 to 1 July 2012.

Decision

The decision of FWA has resulted in differing Operative Dates for the commencement of transitional provisions to various Classification Streams in the Award.

Outcome of Decision

The various Operative Dates, depending on the Classification Stream in the Award will be as follows:

1. Family Day Care and Homes Care Classification streams.

The Operative Date for Transitional Provisions for Family Day Care and Home Care Classifications will be the first full pay period on or after 1 February 2012.

Aged Care Implications:

“Home Care” covers Carers working in an aged person’s private residence

2. Social and Community Services and Crisis Accommodation Streams (includes Social and Community Services including Disability Services and Crisis Assistance and Supported Housing Services).

The Operative Date for Transitional Provisions for Social and Community Services and Crisis Accommodation streams will be the first full pay period on or after 1 July 2012.

Implications of Decision

A chart is attached which outlines the impact of the FWA Decision to the various Classification streams.

Variations to the Award

Once FWA has varied the Award, variations will be made to the Electronic copy of the Award. Subscribers to the Award will be provided with updates.

Queries

Any queries relating to this decision can be directed to Ted Davis on (08) 82322820.

Ted Davis
Executive Director.

FAIR WORK AUSTRALIA
DECISION dated 22 December 2011
ASU AM2011/53)

Effective

Date Decision

1st Feb 2012 **FAMILY DAY CARE & HOME CARE Only** (“Home Care” covers Carers working in an aged person’s private residence

1. Transition Rates of Pay
2. Transition Loadings & Penalties percentages
E.g.: Casual Loading will increase to 22% from 1st February 2012

NOTE: for specific information on Transitional Rates and Loadings please contact
Ted Davis.

SOCIAL, COMMUNITY SERVICES & CRISIS ACCOMMODATED STEAMS MODERN AWARD (SACS, CASH & DISABILITY SERVICES SECTORS)

Do nothing

1st July 2012 **FAMILY DAY CARE & HOME CARE Only**
Continue transitioning

SOCIAL, COMMUNITY SERVICES & CRISIS ACCOMMODATED STEAMS MODERN AWARD (SACS, CASH & DISABILITY SERVICES PRE MODERN AWARD)

1. WAGES
 - 1.1 If current rate of pay being paid is LOWER than Modern Award rate-
Apply SCDS Award Minimum Wage Rate (no transitioning)
 - 1.2 If current rate of pay is HIGHER than Modern Award rate-
Higher rate of pay will continue (no transitioning) until the rate catches up to the Modern Award rate or 1st July 2014, whichever occurs first.

2. LOADINGS & PENALTIES
Transitional Loadings & Penalties percentages apply whether higher or lower from 1st July 2012.

E.g.: Casual Loading will increase to 23% from 1st July 2012

NOTE: A detailed listing of transitional Loadings & Penalties will be provided in June 2012 to Members who subscribe to our Award Service.