

BEFORE THE FAIR WORK COMMISSION

**Health Professionals and Support Services Award 2010  
(MA000027)**

*4 yearly review of modern awards – Health Professionals and Support Services Award  
2010*

*AM2014/204*

**RESPONSE TO HSU PROPOSAL BY  
AGED CARE EMPLOYERS**

3 May 2016

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This submission is made by Aged Care Employers<sup>1</sup> (ACE) in reply to the request from Commissioner Roe on 26 April 2016 for parties to advise their response to the HSU Alternate Proposal dated 25 April 2016.

## **ACE Comments on HSU Alternate Proposal**

### **Part 2 – Types of Employment and Classifications**

ACE supports the HSU proposal in respect to Part 2 – Types of Employment, however notes some anomalies to the lettering of clause 6.3.

As it stands in the HSU proposal, clause 6.3 is lettered (c), (d) and (e), however should be changed to reflect (a), (b) and (c).

A change to the lettering to this clause will maintain consistency with the lettering conventions throughout the Award.

### **18.3 – Shiftwork**

ACE supports the proposal of the HSU with reference to clause 18.3 – shiftwork, subject to acceptance of clarification that shiftwork penalties are not cumulative upon the casual loading.

ACE supports the proposal of clause 18.3 made by the Private Hospital Industry Employer Associations (PHIEA), which seeks to clarify the afternoon and night shift penalties for casual employees.

### **Overtime Rates**

In reference to clause 19.2 (d), ACE seek amendments to clarify that overtime penalty rates are in substitution of public holiday penalty rates, in addition to those penalties outlined in clause 19.2 (d) of the HSU proposal.

ACE supports the proposal of clause 19.2 (d) made by PHIEA, which seeks to clarify that overtime penalty rates are in substitution of public holiday penalty rates.

### **ACE Closing Comment**

ACE is supportive of the HSU Alternate Proposal, subject to clarification of the above clauses of the Award in line with the proposals of the PHIEA.

If adopted, ACE would not be pressing any matters relating to issues covered in the HSU Alternate Proposal, however reserve the right to respond if consensus is not reached.

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<sup>1</sup> Aged Care Employers: Aged and Community Services NSW & ACT, Leading Age Services Australia NSW-ACT, Aged and Community Services Australia, Leading Age Services Australia, Leading Age Services Australia VIC, Aged and Community Services Western Australia, Aged and Community Services SA & NT, Leading Age Services Australia – QLD, Leading Age Services Australia – SA, Leading Age Services Australia – TAS, Leading Age Services Australia – WA, Aged & Community Services Tasmania, Aged and Community Services Australia (Victoria), Aged and Community Services Australia (QLD)