

From: Renee King <Renee.King@ablawyers.com.au> **On Behalf Of** Nigel Ward

Sent: Friday, 28 February 2020 10:32 AM

To: Chambers - Hatcher VP <Chambers.Hatcher.VP@fwc.gov.au>; AMOD <AMOD@fwc.gov.au>

Cc: Andrew Donne <a.donne@endeavour.com.au>; Claire Bratney (claire.bratney@corrs.com.au)

<claire.bratney@corrs.com.au>; 'KEMP, James' <James.KEMP@dss.gov.au>;

'Stephen.bull@unitedvoice.org.au' <Stephen.bull@unitedvoice.org.au>; Leigh Svendsen

<leighs@hsu.net.au>; 'fogarty@denmanchambers.com.au' <fogarty@denmanchambers.com.au>;

Kairsty Wilson <kairsty.wilson@aed.org.au>; 'craig.rawson@ags.gov.au' <craig.rawson@ags.gov.au>;

'abigail.cooper@ashurst.com' <abigail.cooper@ashurst.com>; Nigel Ward

<Nigel.Ward@ablawyers.com.au>; 'chrisc@greenacres.net.au' <chrisc@greenacres.net.au>;

'MarkW@greenacres.net.au' <MarkW@greenacres.net.au>; 'pfrench@disabilitylaw.org.au'

<pfrench@disabilitylaw.org.au>; 'samanthaf@pwd.org.au' <samanthaf@pwd.org.au>;

'Anthony.rohr@maiwel.com.au' <Anthony.rohr@maiwel.com.au>; 'Smith_c1@optusnet.com.au'

<Smith_c1@optusnet.com.au>; 'Steve.burgess@flagstaffgroup.com.au'

<Steve.burgess@flagstaffgroup.com.au>; 'Roy.rogers@flagstaffgroup.com.au'

<Roy.rogers@flagstaffgroup.com.au>; 'lmooney@dsa.org.au' <lmooney@dsa.org.au>;

'mlcinality@gmail.com' <mlcinality@gmail.com>; 'mj buck2@telstra.com' <mjbuck2@telstra.com>;

'estelleshields@hotmail.com' <estelleshields@hotmail.com>; 'hdickens@dsa.org.au'

<hdickens@dsa.org.au>; 'kerrie.langford@nds.org.au' <kerrie.langford@nds.org.au>;

'bree.willsmore@dss.gov.au' <bree.willsmore@dss.gov.au>; 'johnharvey@greenacres.net.au'

<johnharvey@greenacres.net.au>; 'marywalsh6@bigpond.com' <marywalsh6@bigpond.com>;

'mpatrick@disabilitylaw.org.au' <mpatrick@disabilitylaw.org.au>; 'Skillsmaster275@outlook.com'

<Skillsmaster275@outlook.com>; 'cnewbold@actu.org.au' <cnewbold@actu.org.au>;

'Rowena.Freeland@dss.gov.au' <Rowena.Freeland@dss.gov.au>; Joe Murphy

<Joe.Murphy@ablawyers.com.au>; 'cwatts@actu.org.au' <cwatts@actu.org.au>;

'robk@accessindustries.com.au' <robk@accessindustries.com.au>; 'Chris.D'SOUZA@dss.gov.au'

<Chris.D'SOUZA@dss.gov.au>; Emily Slaytor <Emily.Slaytor@Ablawyers.com.au>; 'Paul Musso

(paul.musso@nds.org.au)' <paul.musso@nds.org.au>; 'jzadel@hwle.com.au'

<jzadel@hwle.com.au>; 'sryan@hwle.com.au' <sryan@hwle.com.au>; 'Noni Lord'

<noni.lord@aed.org.au>; Nick Le Mare <Nick.LeMare@corrs.com.au>; Kirrily Boulton

<k.boulton@endeavour.com.au>

Subject: AM2014/286 - Supported Employment Services Award 2010

Dear Associate,

At the last conference ABI undertook to provide some suggested modifications to the definition of the new grade A and B definitions proposed for the trial.

During the conference process we expressed some concern about how the word "actions" might be practically interpreted by ADEs. This arose because it could be construed to simply mean a small physical movement.

It was clear from the exchanges between the bench and the parties during the conference process that this was not intended by the Commission.

Further during the conferences Mr Christodoulou demonstrated the use of a purpose built manual jig which raised a further concern that the use of such basic equipment was not misunderstood by ADEs to fall within the reference to equipment and tools in Grade B (which we understood from the conference was not intended).

We have had extensive discussions with ADEs and suggest that some modest changes to the proposed definitions could be made to give effect to the Commission's Decision but with language that is practically clearer for ADEs.

Accordingly we ask the Commission to consider adopting the following definitions for the purposes of the trial; the amended words are italicised:

B.2.

Grade A

Employees at this grade will perform a simple task or tasks consisting of up to three sequential *sub-tasks*, which may involve the use of jigs or equipment or tools with *basic functionality* to enable employees to carry out a task or part of a task under direct supervision or constant monitoring.

Grade B

Employees at this grade will perform a simple tasks or tasks consisting of more than three sequential *sub-tasks*, which may involve the *operation* of mechanical or electrical equipment or tools, under direct supervision with regular monitoring.

Sincerely,

Nigel Ward

CEO + Director

Australian Business Lawyers & Advisors

140 Arthur Street North Sydney NSW 2060

Dir: +612 9458 7286 | Fax: +612 9954 5029 | Mob: 0405 539 172

Tel: +612 9458 7005 | Web: www.ablawyers.com.au | Connect with me on [LinkedIn](#)



AUSTRALIAN BUSINESS
Lawyers & Advisors

Experts make things simple

Workplace + Employment Corporate + Commercial

