

This table is a summary of proposed variations lodged for this award.

Aged Care Award 2010

Some of the items contained in this summary may be determined by the Group 4 Award Stage—Technical and Drafting Full Bench while others may be referred to a separately constituted Full Bench (to be discussed at a conference before an individual Member of the Commission).

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
S1.	Aged Care Employers	Sub-02Mar15		Telephone advice payment Insert new clause providing for payment to employees who provide telephone advice outside normal rostered hours.	Page 2	RESOLVED Agreed per Draft Report 11Sept17 , New subclause 18.3(e) On call allowance & 18.3(f) Remote response per clauses at Appendix 2
	Aged Care Employers	Sub-11Jul17		Confirms proposal of clause as submitted 02/03/15		
	Aged Care Employers	Sub-29Aug17		Proposes “Remote response” clause	Page 2	
S2.	HSU	Sub-02Mar15		On call and recall Inclusion of new provisions sought.	Para 15	
	HSU	Sub-12July17		Proposes on call allowance provisions	Para 3	
S3.	Aged Care Employers	Sub-02Mar15	10.3	Part-time employees Seek removal of the requirement that any additional hours agreed to between an employer and employee be recorded in writing.	Page 2	REFERRED Referred to Part-time and Casuals Full Bench in AM2014/196 and AM2014/197
S4.	HSU	Sub-02Mar15	10.4	Casual loading Casual loading to be paid in addition to other shift allowances and weekend and public holiday rate.	Para 5	OUTSTANDING Likely to go to arbitration per transcript 29Augt2017 [PN311]-
	HSU	Sub-12July17		Confirms intention to pursue claim S4	Para 1(b)	

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						[PN346]
S5.	HSU	Sub-02Mar15	15	Allowances Inclusion of the following: phone allowance, on call/recall allowances, reimbursement of costs associated with first aid certificate renewal.	Para 14	OUTSTANDING
	HSU	Sub-12July17		Confirms intention to pursue claim S5	Para 1(c)	
	Aged Care Employers	Sub-11Jul17		Advises it may pursue this issue as it applies to on call/recall allowances		
	UV	Sub-13Jul17		Confirms pursuing a variation to insert a	Para 2(b)	
	Aged Care Employers	Sub-28Jul17		Proposes new subclause 18.3(e) and (f)	Para 3(b)	
	HSU	Sub-31July17		Inclusion of a phone allowance to reflect the requirement to have a mobile phone for work related purposes or on call; inclusion of on call/ recall allowances; Payment of costs associated with first aid certificate renewal for employees required to hold a current certificate to undertake their work	Para 5(i)-(iii)	
Aged Care Employers	Sub-29Aug17	Remove “or to access their roster” from proposed clause (e), removed “needed” from proposed clause (e)(ii)	Page 3			

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
S6.	UV	Sub-03Mar15	15.2	Allowances Variation to clothing and equipment allowance is sought to clarify number of uniforms to be provided.	Page 2	RESOLVED AGREED - Draft Report 11Sept17 per clause at Appendix 8
	UV	Sub-13Jul17		Confirms pursuance of claim	Para 2(a)	
	UV	Sub-28Jul13		Proposes new clause 18.3(a)(iii) “An adequate number of uniforms means the number of uniforms that allows an employee to work their agreed hours of work in a clean uniform without having to launder work uniforms more than once a week.”		
	HSU	Sub-31July17		A variation to uniform and laundry allowances to ensure that both are payable, including where the employer does not require a specific uniform to be worn;	Para 5(iv)	
S7.	HSU	Sub-02Mar15	15.2	Allowances Variation is sought to the clothing and equipment allowance.	Para 14	RESOLVED AGREED - Draft Report 11Sept17 per clause at Appendix 5
	HSU	Sub-12July17		Proposes damaged clothing allowance provision	Para 4	
	HSU	Sub-31July17		Inclusion of a damaged clothing allowance	Para 5(v)	
	Aged Care Employers	Sub-29Aug17		Proposes wording change to “Damaged clothing allowance”	Page 3	
S8.	HSU	Sub-02Mar15	17	Payment of wages	Para 13	WITHDRAWN
	HSU	Sub-12July17		Penalty for late payment of wages is sought.	Para 2(a)	

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				Claim withdrawn		
S9.	Aged Care Employers	Sub-02Mar15	22.6	Rosters Allow for a roster to be changed at any time where the employer and employee(s) agree and/or where there is an unexpected absence.	Page 2	WITHDRAWN
	Aged Care Employers	Sub-11Jul17		Confirms proposal of clause as submitted 02/03/15		
	Aged Care Employers	Sub-28Jul17		Proposes new subelause 14.4(e)	3(a)	
	Aged Care Employers	Sub-250917		Claim withdrawn.	Page 1	
S10.	HSU	Sub-02Mar15	22.6	Rostering An allowance for employees who are the subject of a unilateral employer-imposed roster change is sought.	Para 7	OUTSTANDING
	Aged Care Employers	Sub-11Jul17		Oppose part not referred to the Full Bench (part-time & casual)		
S11.	HSU	Sub-02Mar15	22.7, 22.8, 22.9	Rostering Minimum four hour engagement, including provisions for sleepovers and broken shifts, sought.	Para 9	OUTSTANDING
S12.	HSU	Sub-02Mar15	22.7	Minimum engagements Minimum engagement should be four hours for all employees.	Para 3	REFERRED Referred to casual and part-time common issues Full Bench in AM2014/196 and AM2014/197

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S13.	HSU	Sub-02Mar15	22.8	Broken shift Delete provision or, in the alternative, provide for an allowance and overtime to be paid, and for the minimum engagement to apply to each part of the shift.	Paras 10–11	WITHDRAWN
	Aged Care Employers	Sub-11Jul17		Opposes substantive claim		
	HSU	Sub-12July17		Claim withdrawn	Para 2(b)	
S14.	HSU	Sub-02Mar15	22.9	Sleepovers Variation to applicable sleepover rate is sought.	Para 12	WITHDRAWN
	HSU	Sub-12July17		Claim withdrawn	Para 2(c)	
S15.	Anonymous	Sub-20Oct14	22.9	Sleepovers Amendment to sleepover provisions sought.	Pages 1–2	OUTSTANDING
S16.	UV	Sub-03Mar15	22.9	Sleepovers Substantial variation to clause is sought.	Pages 2–4	OUTSTANDING PART AGREED - Draft Report 11Sept17 per clause at Appendix 6, variations NOT agreed upon at Appendix 7.
	UV	Sub-13Jul17		Confirms pursuance of claim	Para 2(c)	
	UV	Sub-28Jul13		Proposes variation to 15.3(a)(c)-(e), 15.4, definition of Aged Care Employee – Level 4		
S17.	HSU	Sub-02Mar15	23, 26	Weekend work Payment of shift allowances and casual loading for weekend work is sought.	Para 16–17	OUTSTANDING
	HSU	Sub-31July17		The HSU intends to pursue its claim to ensure that casual loading, payable in lieu of the paid leave entitlements of ongoing employees, is paid in addition to both	Para 2-4	

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				weekend and public holiday rates of pay		
S18.	HSU	Sub-02Mar15	25	Overtime Employees should be paid overtime when they work beyond their rostered hours, in excess of the daily maximum of 10 hours or on an average weekly hours basis.	Para 19	WITHDRAWN
	Aged Care Employers	Sub-11Jul17		Opposes part not referred to Full Bench (part-time & casual)		
	HSU	Sub-12July17		Claim withdrawn	Para 2(d)	
S19.	HSU	Sub-02Mar15	32	Ceremonial leave Clause should be expanded to include 'Torres Strait Islanders'.	Para 20	RESOLVED AGREED - Draft Report 11Sept17 per clause at Appendix 9
	Aged Care Employers	Sub-11Jul17		No longer intend to press the issue		
	HSU	Sub-31July17		Seeks expansion of the ceremonial leave clause to include Torres Strait Islanders ceremonial leave responsibilities	7-8	
S20.	HSU	Sub-02Mar15	Schedule B	Classification Definitions Variation of classification nomenclature and terminology is sought.	Para 6	WITHDRAWN
	HSU	Sub-12July17		Claim withdrawn	Para 2(e)	
S21.	UV	Sub-03Mar15	Schedule B.4	Classification definitions Replace "is required to hold a relevant Certificate III" with "holds a relevant Certificate III".	Pages 4-5	OUTSTANDING Matter likely to be arbitrated per Draft Report 11Sept17
	Aged Care Employers	Sub-11Jul17		Opposed		
	UV	Sub-13Jul17		Confirms pursuance of claim	Para 2(d)	

List of abbreviations

Aged Care Employers	Aged and Community Services NSW & ACT, Leading Age Services Australia NSWACT, 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)
HSU	Health Services Union
UV	United Voice