

From: Natalie Dabarera <Natalie.Dabarera@unitedvoice.org.au>
Sent: Thursday, 3 October 2019 5:03 PM
To: AMOD <AMOD@fwc.gov.au>; Chambers - Ross J <Chambers.Ross.j@fwc.gov.au>
Cc: Stephen Bull <Stephen.Bull@unitedvoice.org.au>
Subject: AM2018/26 SCHDS Award: Transitional arrangements -Submission in reply

The Associate
The President

Dear Associate,

Australian Business Industrial, NSW Business Chamber, Aged and Community Services Australia and Leading Age Services Australia Ltd in their submission, dated 20 September 2019, have stated that changes with respect to casual employee's weekend penalty rates, public holiday penalty rates and overtime payments should take place from 1 July 2020, rather than 1 December 2019. Some other employer parties have made similar submissions that the implementation of these variations should be delayed.

We would note that the Commission, in the Decision on 2 September 2019 ([2019] FWCFB 6067), found that the existing penalty rates for casuals working overtime and weekends and public holidays in the Award do not provide a *'fair and relevant'* minimum safety net (see paragraphs [171-172]).

Significant delays in the implementation of the variations will mean that casual employees will not be provided with a fair and relevant safety net for a longer period of time. This will have ramifications for the relevant casual employees, in that they will receive lower incomes than they should rightly be entitled to.

We note that the transitional arrangements in paragraphs [199] –[200] as outlined in the Decision of 2 September provide employers with a period of 3-9 months to implement the changes. This is a reasonable period of time for employers to adjust to the changes, particularly because these changes are in respect of casual employees, and employers have a high level of flexibility in how and when casual employees are engaged.

We support the transitional arrangements outlined in the Decision and urge the Commission not to further delay increases in overtime, weekend and public holiday rates for casual employees covered by this Award.

Warm regards,

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National Industrial Officer
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