

*Children's Services Award 2010*

This table is a summary of proposed variations lodged for this award. This summary has been revised on 19 April 2017 to incorporate previously omitted submissions of various parties (shown in red font). This summary has been revised to incorporate the outcomes of the Conference on 11 September 2017 ([Transcript](#)) and correspondence received from United Voice.

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	UV	<a href="#">Sub-13Nov15</a>	15	<b>Allowances</b> <del>Seek to include two allowances to reflect the change in legislation which have created new roles. A weekly allowance for an employee appointed as an educational leader and an hourly allowance for a responsible person physically present at a child care centre.</del>	Page 4	WITHDRAWN  See <a href="#">sub-6/10/16</a> para 9.
S2	G8E	<a href="#">Sub-12Nov15</a>	14	<b>Minimum wages</b> Seeks to insert clause from <i>Educational Services (Teachers) Award 2010</i> at 14.2. Proposes wording for clause in <a href="#">Corro-2/09/16</a> .	Page 1	OUTSTANDING
S3	An individual	<a href="#">Sub-11Nov15</a>	Schedule B	<b>Classifications</b> Seeks to insert new classifications of Educational Leader as a result of the Education and Care Services National Regulations. Seek to insert qualifications for approved anaphylaxis management training.	Para 1-2	OUTSTANDING  Relates to item S1 (UV application) which was withdrawn 6/10/16 and to items S4 and S5
S4	An individual	<a href="#">Sub-11Nov15</a>	15	<b>Allowances</b> Seeks to insert allowances so the Responsible Person can be appropriately remunerated for	Para 3	OUTSTANDING  Relates to item S1 (UV

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				additional responsibilities and duties.		application) which was withdrawn 6/10/16 and to items S3 and S5
S5	OSHC	<a href="#">Sub-19Nov15</a>	Schedule B	<b>Classifications</b> UV submission – allowances - Education and Care Services National Regulations are not new and would impose a significant cost per year, if introduced as a new classification.	Page 1-2	OUTSTANDING  Relates to item SI (UV application) which was withdrawn 6/10/16 and to items S3 and S4
S6	UV	<a href="#">Sub-3Mar15</a>	4.1( <del>d</del> )	<b>Coverage</b> Seeks to vary clause to include Clerk Private Sector Award 2010.	Page 2	OUTSTANDING  UV advised it is pressing this item – <a href="#">Corr-04/10/17</a>  Moved to substantive issue summary as discussed. See Transcript <a href="#">Transcript 7/02/17</a> [PN98].
S7	AFEI	<a href="#">Sub-5Mar15</a>	10.4	<b>Part-time employment</b> Seeks to vary clause so part-time employees may work up to 10 hours per day before overtime applies. Variation will ensure award is coherent. Provides wording in <a href="#">sub-4/10/16</a> .	Point 1	OUTSTANDING  AFEI confirmed pursuing item in <a href="#">subs of 4/10/16</a>
S7A	AFEI	<a href="#">Sub-4Oct16</a>	10.4(b) (ED)	Seeks variation to make it simpler to amend rosters of part-time employees. Provides wording in submission	Para 4-5	OUTSTANDING
S8	BSA	<a href="#">Sub-2Mar15</a>	10.4(e) and	<b>Casual employment</b> Seeks to clarify wording of clauses as they	Page 9	WITHDRAWN

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			10.5(e)	could cause confusion about the applicable pay requirements in relation to 23.4(e)		<a href="#">corro-3/04/17</a> . Submitted this item would be better dealt with under the technical and drafting matter. See also <a href="#">sub-29/09/16</a> para 2.4.
S9	BSA	<a href="#">Sub-2Mar15</a>	10.5(b)	<b>Casual employment</b> Clause currently only allows for casuals to be engaged if they are required for emergencies or relief purposes – party consulting further with members and may pursue a variation.	Page 8	Being dealt with by Part-time and Casuals Full Bench in <a href="#">AM2014/196</a> and <a href="#">AM2014/197</a>
S10	CCSA	<a href="#">Sub-2Mar15</a>	10.5(d)	<b>Casual employment</b> <del>Seeks to vary clause to reduce administrative complexity in the many small to medium enterprises – proposed wording in submission.</del>	Page 3	REFERRED to Part-time and Casuals Full Bench in <a href="#">AM2014/196</a> and <a href="#">AM2014/197</a> WITHDRAWN – see <a href="#">sub-30/09/16</a>
S11	CCSA	<a href="#">Sub-2Mar15</a>	10.5(e) and 23.2(a)	<b>Casual employment</b> <del>Seeks to remove casual loading when overtime rates are payable to casual employees.</del>	Page 3	REFERRED to Part-time and Casuals Full Bench in <a href="#">AM2014/196</a> and <a href="#">AM2014/197</a> WITHDRAWN – see <a href="#">sub-30/09/16</a>
S11A	AFEI	<a href="#">Sub-4Oct16</a>	11.1 (ED)	<b>Casual employment</b> Proposes to remove the restriction on employing casuals for temporary and relief purposes. Provides wording.	Para 6-7	OUTSTANDING
S12	ACSAE	<a href="#">Sub-2Feb15</a>	14	<b>Minimum wages</b> Party seeks the insertion of junior rates into	Para 3	OUTSTANDING

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				award.		
S13	CCSA	<a href="#">Sub-2Mar15</a>	14.1	<b>Minimum wages</b> Seeks an additional pay level for the classification of Support Worker Level 3 as a Level 3.2 and Level 3.3.	Page 4	WITHDRAWN  See <a href="#">sub-30/09/16</a> and <a href="#">transcript 11/09/17</a>
S14	UV	<a href="#">Sub-3Mar15</a>	15	<b>Allowances</b> Seeks to insert new clause/allowance for training as there is no provision currently in the award for training.	Page 5	OUTSTANDING  UV advised it is pressing this item – <a href="#">Corr-04/10/17</a>
S15	CCSA	<a href="#">Sub-2Mar15</a>	15	<b>Allowances</b> Seeks introduction of allowances for a Nominated Supervisor, Educational Leader and Certified Supervisor.	Page 4	WITHDRAWN  See <a href="#">sub-30/09/16</a>
S16	UV	<a href="#">Sub-3Mar15</a>	15	<b>Allowances</b> Seeks the inclusion of a 'Programming and Administrative' tasks allowance for Children Service Employees that are required to perform additional programming and administrative duties in addition to their rostered hours.	Page 2	WITHDRAWN  See <a href="#">Corr-04/10/17</a>
S17	CCSA	<a href="#">Sub-2Mar15</a>	15.1	<b>Allowances—broken shift allowance</b> Seeks to clarify what constitutes a broken shift.	Page 4	WITHDRAWN  See <a href="#">sub-30/09/16</a>
S18	BSA	<a href="#">Sub-2Mar15</a>	15.2(b)	<b>Allowances—clothing and equipment allowance</b> Seeks to vary clause to include a maximum allowance per week—suggests similar wording to the General Retail Industry and Pharmacy Award 2010.	Page 9	WITHDRAWN  See <a href="#">corro-3/04/17</a> . See also <a href="#">sub-29/09/16</a> para 2.2.
S19	UV	<a href="#">Sub-3Mar15</a>	15.2(b)	<b>Allowances—clothing and equipment</b>	Page 3	OUTSTANDING

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				<b>allowance</b> Seeks to insert a note below clause – suggested wording in submission.		UV advised it is pressing this item – <a href="#">Corr-04/10/17</a>
S20	UV	<a href="#">Sub-3Mar15</a>	15.2(c)(e)	<b>Allowances—clothing and equipment allowance</b> Seeks to add the words ‘hat, sun protection (including sunscreen lotions)’ before the word ‘goggles’.	Page 3	OUTSTANDING  UV advised it is pressing this item – <a href="#">Corr-04/10/17</a>
S20A	G8E	<a href="#">Sub-12/11/15</a>	16.2	<b>Minimum wages</b> Seeks to insert clause from <i>Educational Services (Teachers) Award 2010</i> at 16.2 (clause 14.2 of current award).	Page 1	Raised at hearing, may be a substantive issue. To be discussed at conference. See <a href="#">Transcript-6/12/16</a> [PN570-PN571]  Moved to substantive issues conference as discussed in <a href="#">Transcript 7/02/17</a> [PN154]. Confirmed in <a href="#">report</a> .
S21	CCSA	<a href="#">Sub-2Mar15</a>	18.1(e)	<b>Higher duties</b> <del>Party proposes deleting this clause.</del>	Page 5	WITHDRAWN  See <a href="#">sub-30/09/16</a>
S22	CCSA	<a href="#">Sub-2Mar15</a>	18.1(e)	<b>Higher duties</b> <del>Party proposes deleting this clause.</del>	Page 5	WITHDRAWN  CCSA claim withdrawn – see <a href="#">sub-30/09/16</a>
S23	UV	<a href="#">Sub-3Mar15</a>	18.1(e)	Seeks to delete clause or delete the phrase ‘(including in-service training)’.	Page 3	OUTSTANDING  UV advised it is pressing

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						this item – <a href="#">Corr-04/10/17</a>
S24	CCSA	<a href="#">Sub-2Mar15</a>	20.5(b)	<del><b>Superannuation—absence from work</b></del> Seeks to delete clause as it create administrative complexity which works against the modern awards objective. It also contradicts the Superannuation Guarantee provisions.		WITHDRAWN  See <a href="#">sub-30/09/16</a>
S25	ABL	<a href="#">Sub-2Mar15</a>	21 and 10	<b>Ordinary hours of work and rostering</b> Seeks to vary clause to provide employers with greater flexibility to change rosters other than with 7 days' notice.	Pg 1	OUTSTANDING  Still pursued by ABL see <a href="#">transcript 11/09/17</a>
S26	ABL	<a href="#">Sub-2Mar15</a>	21	<b>Ordinary hours of work and rostering</b> Seeks to vary clause to allow ordinary hours to be worked before 6.00 am or after 6.30 pm.	Pg 1	OUTSTANDING  Still pursued by ABL see <a href="#">transcript 11/09/17</a>
S27	BSA	<a href="#">Sub-2Mar15</a>	21.2	<del><b>Ordinary hours of work and rostering</b></del> Seeks to a variation of clause to remove ambiguity regarding broken shifts and ordinary hours.	Page 9	WITHDRAWN  See <a href="#">corro-3/04/17</a> . See also <a href="#">sub-29/09/16</a> para 2.3.
S29	UV	<a href="#">Sub-3Mar15</a>	21.5	<del><b>Ordinary hours of work and rostering—non-contact time</b></del> Seeks to vary clause by extending non-contact time to 8 hours per week.	Page 3	WITHDRAWN  See <a href="#">corro-30/03/17</a> . See also <a href="#">sub-6/10/16</a> para 4.
S30	UV	<a href="#">Sub-3Mar15</a>	24.4(e)	<b>Annual leave—taking annual leave</b> Seeks to reduce maximum amount of leave without pay for a Christmas close down of 4 weeks to 2 weeks.	Page 4-5	OUTSTANDING  UV advised it is pressing this item – <a href="#">Corr-04/10/17</a>

**List of abbreviations**

ABL	Australian Business Lawyers
ACSAE	Australian Community Services Employers Association, Union of Employers
AFEI	Australian Federation of Employers and Industries
BSA	Business SA
CCSA	Community Connections Solutions Australia
G8E	G8 Education
OSHC	OSH Club
UV	United Voice