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Subject: AM2020/99, AM2021/63 & AM2021/65: Work value case – Aged care industry [MBC-VIC.FID4764043]

Dear Associate

I refer to the above.

Please find the following documents attached for filing:

1. Draft determination - Aged Care Award 2010 (Word and PDF versions);
2. Draft determination - SCHADS Award 2010 (Word and PDF versions) and
3. Excel spreadsheet explaining the calculations underpinning the proposed wage rates.

I have included the legal representatives for the active parties in these proceedings in this email by way of service.

Kind regards

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Authorised by Michael Cooney, Melbourne



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MA000018 PRXXXXXX

FAIR WORK COMMISSION

DRAFT DETERMINATION

Fair Work Act 2009

s.158—Application to vary or revoke a modern award

Health Services Union – Work value case – Aged care industry

(AM2021/63)

AGED CARE AWARD 2010

[MA000018]

Aged care industry

JUSTICE HATCHER, PRESIDENT

XX

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XXXXXXXXXX, XX MONTH 20XX

Applications to vary modern awards – work value – aged care industry – Aged Care Award 2010.

A. Further to the Full Bench decision issued by the Fair Work Commission on XX MONTH 20XX [[20XX] FWCFB XXXX], the above award is varied as follows:

1. Amending clause 10.3 as follows:

10. 3 Part-time employees

- (a) A part-time employee is an employee who is engaged to work less than full-time hours of an average of 38 hours per week and has reasonably predictable hours of work.
- (b) Before commencing employment, the employer and employee will agree in writing on a regular pattern of work including the number of hours to be worked each week, the days of the week the employee will work and the starting and finishing times each day.
- (c) Any agreed variation to the hours of work will be in writing.
- (d) The terms of this award will apply on a pro rata basis to part-time employees on the basis that the ordinary weekly hours for full-time employees are 38.
- (e) Payment in respect of personal/carer's leave (where an employee has accumulated an entitlement) for a part-time employee will be on a pro rata basis made according to the number of ordinary hours the employee would have worked on the day or days on which

the leave was taken.

(f) In respect of Homecare Employees:

- i. Where a part-time employee has regularly worked more than their guaranteed hours for at least 12 months, the employee may request in writing that the employer vary the agreement made under clause 10.3(b), or as subsequently varied under clause 10.3(c), to increase their guaranteed hours.
- ii. The employer must respond in writing to the employee's request within 21 days.
- iii. The employer may refuse the request only on reasonable business grounds. Before refusing a request made under clause 10.3(f)(i), the employer must discuss the request with the employee and genuinely try to reach agreement on an increase to the employee's guaranteed hours that will give the employee more predictable hours of work and reasonably accommodate the employee's circumstances.

If the employer and employee agree to vary the agreement made under clause 10.3(c), the employer's written response must record the agreed variation.

- iv. If the employer and employee do not reach agreement, the employer's written response must set out the grounds on which the employer has refused the employee's request.
- v. Clause 10.3(f) is intended to operate in conjunction with clause 10.3(e) and does not prevent an employee and employer from agreeing to vary the agreement made under clause 10.3(c) in other circumstances.
- vi. An employee cannot make a request for a review of their guaranteed hours when:
 1. The employee has refused a previous offer to increase their guaranteed hours in the last 6 months; or
 2. The employer refused a request from the employee to increase their guaranteed hours based on reasonable business grounds in the last 6 months.

2. Inserting a new clause 13A as follows:

13.A Salary Packaging for Home Care Employees:

Where agreed between the employer and a full-time or part-time employee, an employer may introduce remuneration packaging in respect of salary, as provided for in clause 14. The terms and conditions of such a package must not, when viewed objectively, be

less favorable than the entitlements otherwise available under this award.

3. By deleting clause 14.1, 14.2 and 14.3, renumbering accordingly and inserting the following:

14.1 Residential care employee

The following minimum wages apply to employees in the classifications listed in clause B.1.

Classification	Per week
	\$
Residential care employee level 1	1,152.40
Residential care employee level 2	1,230.00
Residential care employee level 3	1,281.80
Residential care employee level 4	1,294.80
Residential care employee level 5	1,411.30
Residential care employee level 6	1,489.10
Residential care employee level 7	1683.20

14.2 Home Care Employee

The following minimum wages apply to employees in the classifications listed in clause B.2:

Classification	Per week
	\$
Home care employee level 1	1,165.90
Home care employee level 2	1296.90
Home care employee level 3	1,310.00
Home care employee level 4 – Senior Home Care Employee	1,388.60
Home care employee level 5 – Specialist Home Care Employee	1,506.50
Home care employee level 6 – Home Care Supervisor	1,572.00
Home care employee level 7 – Care Coordinator	1,703.00

14.3 Transitional provisions: Home Care Employee

Employees who were as at [date] employed in a classification within the Home Care Employee – Aged Care classification structure in the *Social, Community, Home Care and Disability Services Industry Award 2010* must be classified in respect of this Award at the higher of the table below or the correct classification as set out at Clause B.2.

SCHaDS Classification	Aged Care Classification
Level 1	Home care employee level 1
Level 2.1	Home care employee level 2
Level 2.2	Home care employee level 2
Level 3.1	Home care employee level 3
Level 3.2	Home care employee level 4
Level 4.1	Home care employee level 5
Level 4.2	Home care employee level 6
Level 5.1	Home care employee level 7
Level 5.2	Home care employee level 7

4. By inserting clause 15.2A as follows:

15.2A Laundering of clothing other than uniforms for Home Care Employees

If during any day or shift, the clothing of an employee (other than a uniform) is soiled in the course of the performance of their duties, the employee will be paid a laundry allowance of \$0.32 cents per shift provided that:

- (a) As soon as reasonably practicable the employee provides notice of the soiling and, if requested, evidence that would satisfy a reasonable person of the soiling and/or how it occurred; and
- (b) At the time the clothing was soiled the employee had complied with any reasonable requirement of the employer in relation to the wearing of personal protective equipment either provided or paid for by the employer.

5. By inserting a clause 15.2B as follows:

15.2B Repair and replacement of clothing other than uniforms for Home Care Employees

- (a) If the clothing of an employee is soiled or damaged (excluding normal wear and tear) in the course of the performance of their duties, to the extent that its repair or replacement is necessary, the employer must reimburse the employee for the reasonable cost incurred in repairing or replacing the clothing with a substitute item, provided that:
 - (i) As soon as reasonably practicable the employee provides notice of the soiling or damage and, if requested, evidence that would satisfy a reasonable person of the soiling or damage, how it occurred, and the reasonable repair or replacement costs;
 - (ii) At the time the clothing was soiled or damaged the employee had complied with any reasonable requirement of the employer in relation to the wearing of personal protective equipment either provided or paid for by the employer; and
 - (iii) The damage or soiling of an employee's clothes is not caused by the negligence of the employee.

6. By inserting subclause 15.7(d) as follows:

- (d) A Home Care Employee required to stay away from home overnight will be reimbursed the cost of reasonable accommodation and meals. Reasonable proof of costs so incurred is to be provided to the employer by the employee.

7. By inserting clause 15.8 as follows:

15.8 First aid allowance for Home Care Employees

- (a) **First aid allowance—full-time Home Care Employees**

A weekly first aid allowance of 1.67% of the standard rate per week will be paid to a full-time Home Care employee where:

- (i) a Home Care employee is required by the employer to hold a current first aid certificate; and
- (iii) a home care employee is required by the employer to be, in a given week, responsible for the provision of first aid to employees employed by the employer.

8. By inserting clause 15.9 as follows:

15.9 Telephone allowance for Home Care Employees

Where the employer requires a Home Care employee to install and/or maintain a telephone for the purpose of being on call, the employer will refund the installation costs and the subsequent rental charges on production of receipted accounts.

9. By inserting clause 15.9 as follows:

15.9 Heat allowance for Home Care Employees

- (a) Where work for a Home Care employee continues for more than two hours in temperatures exceeding 46 degrees Celsius employees will be entitled to 20 minutes rest after every two hours' work without deduction of pay.
- (b) It will be the responsibility of the employer to ascertain the temperature.
- (c) The following amounts will be paid to Home Care employees employed at their current place of work prior to 8 August 1991, in the prescribed circumstances in addition to any other amounts specified elsewhere in this award. Where an employee works for more than one hour in the shade in places where the temperature is raised by artificial means and:
 - i. exceeds 40 degrees Celsius but does not exceed 46 degrees Celsius—0.05% of the standard rate per hour or part thereof; or
 - ii. exceeds 46 degrees Celsius—0.06% of standard rate per hour or part thereof.

10. By inserting clause 15.10 as follows:

15.10 Board and lodging for Home Care Employees

Where the employer provides board and lodging to a Home Care employee, the wage rates prescribed in this award will be reduced by the following amounts per week:

- (a) employees receiving full adult rate of pay—\$29.54; or
- (b) where the employee buys their meals at ruling cafeteria rates, by an additional amount of—\$18.39.

11. By inserting clause 15.11 as follows:

15.11 On call allowance for Home Care Employees

A Home Care employee required by the employer to be on call (i.e. available for recall to duty at the employer's or client's premises and/or for remote work) will be paid an allowance of:

- (a) 2.0% of the standard rate (\$22.81) for any 24-hour period or part thereof during the period from the time of finishing ordinary duty on Monday to the time of finishing ordinary duty on Friday; or
- (b) 3.96% of the standard rate (\$45.17) in respect of any other 24-hour period or part thereof, or any public holiday or part thereof.

12. By inserting clause 15.12 as follows:

15.12 Broken shift allowance for Home care Employees

- (a) A Home Care employee required to work a broken shift with 1 unpaid break in accordance with clause 25.6(a) will be paid an allowance of 1.7% (\$19.39) of the standard rate, per broken shift.
- (b) A Home Care employee who agrees to work a broken shift with 2 unpaid breaks in accordance with clause 25.6(b) will be paid an allowance of 2.25% (\$25.67) of the standard rate, per broken shift.

13. By amending clause 22.4 as follows:

22.4 Rest breaks between rostered work

- (a) An employee will be allowed a break of not less than 10 hours between the termination of one shift or period of duty and the commencement of another.
- (b) In respect of Residential Aged Care employees, by mutual agreement, the 10 hour rest break may be reduced to eight hours.
- (c) In respect of Home Care employees, notwithstanding the provisions of subclause (a) by agreement between the employee and the employer, the break between:
 - (i) the end of a shift and the commencement of a shift contiguous with the start of a sleepover; or
 - (ii) a shift commencing after the end of a shift contiguous with a sleepover,

may not be less than eight hours.

14. By amending clause 22.6 as follows:

22.6 Rosters

- (a) The ordinary hours of work for each employee will be displayed on a roster in a place conveniently accessible to employees. Such roster will be displayed at least two weeks prior to the commencing date of the first working period in any roster subject to clause 22.6(b) below.
- (b) It is not obligatory for the employer to display any roster of the ordinary hours of work of casual or relieving staff.
- (c) Seven days' notice will be given of a change in a roster. However, a roster may be altered at any time to enable the service of the organisation to be carried on where another employee is absent from duty on account of illness or in an emergency.

- (d) This clause will not apply where the only change to the roster of a part-time employee is the mutually agreed addition of extra hours to be worked such that the part-time employee still has two rostered days off in that week or four rostered days off in that fortnight, as the case may be.
- (e) Where practicable, ADOs will be displayed on the roster.
- (d) Rostering arrangements and changes to rosters may be communicated by telephone, direct contact, mail, email, facsimile or any electronic means of communication.
- (e) This clause will not apply to hostel supervisors.
- (f) In respect of Home Care employees only:
 - i. Clause 22.6(h) applies where a client cancels a scheduled home care or disability service, within 7 days of the scheduled service, which a full-time or part-time employee was rostered to provide. For the purposes of clause 22.6(h) a client cancellation includes where a client reschedules a scheduled home care or disability service.
 - ii. Where a service is cancelled by a client under clause 22.6(f)(i), the employer may either:
 - A. direct the employee to perform other work during those hours in which they were rostered; or
 - B. cancel the rostered shift or the affected part of the shift.
 - iii. Where clause 22.6(h) ii)(A) applies, the employee will be paid the amount payable had the employee performed the cancelled service or the amount payable in respect of the work actually performed, whichever is the greater.
 - iv. Where clause 22.6(h) (ii)(B) applies, the employer must either:
 - A. pay the employee the amount they would have received had the shift or part of the shift not been cancelled; or
 - B. subject to clause 22.6(h) (v), provide the employee with make-up time in accordance with clause 22.6(h) vi).
 - v. The make-up time arrangement can only be used where the employee was notified of the cancelled shift (or part thereof) at least 12 hours prior to the scheduled commencement of the cancelled service. If less than 12 hours' notice is provided, clause 22.6(h)(iv)(A) applies.
 - vi. Where the employer elects to provide make-up time:
 - A. despite clause 22.6(a), the employer must provide the employee with 7 days' notice of the make-up time (or a lesser period by agreement with the employee);
 - B. the make-up time must be worked within 6 weeks of the date of the cancelled

service;

- C. the employer must consult with the employee in accordance with clause 8A—Consultation about changes to rosters or hours of work regarding when the make-up time is to be worked;
- D. the make-up time can include work with other clients or in other areas of the employer’s business provided the employee has the skill and competence to perform the work; and
- E. an employee who works make-up time will be paid the amount payable had the employee performed the cancelled service or the amount payable in respect of the work actually performed, whichever is the greater

vii. Clause 22.6(f) is intended to operate in conjunction with clause 22.6(d) and does not prevent an employer from changing a roster under clause 22.6(d)(i) or (d)(ii).

15. By deleting clause 22.8 and inserting the following:

22.8 Broken shifts

(a) In respect of broken shifts for Residential Care Employees:

- i. Broken shift for the purposes of this clause means a shift worked by a casual or permanent part-time employee that includes breaks (other than a meal break) totalling not more than four hours and where the span of hours is not more than 12 hours.
- ii. A broken shift may be worked where there is mutual agreement between the employer and employee to work the broken shift.
- iii. Payment for a broken shift will be at ordinary pay with penalty rates and shift allowances in accordance with clauses 25—Overtime penalty rates and 26—Shiftwork, with shift allowances being determined by the commencing time of the broken shift.
- iv. All work performed beyond the maximum span of 12 hours for a broken shift will be paid at double time.
- v. An employee must receive a minimum break of 10 hours between broken shifts rostered on successive days.
- vi. Each portion of the shift must meet the minimum engagement requirements in clause **22.7(b)**.

(b) In respect of broken shifts for Home Care Employees:

- i. Broken shift with 1 unpaid break:
 - A. An employer may only roster an employee to work a broken shift of 2 periods of work with 1 unpaid break (other than a meal break).
 - B. An employee rostered to work a broken shift with 1 unpaid break must be paid the allowance in clause 15.12(a).

- ii. Agreement to work a broken shift with 2 unpaid breaks:
 - A. Despite clause 22.8(a), an employer and an employee may agree that the employee will work a broken shift of 3 periods of work with 2 unpaid breaks (other than meal breaks).
 - B. An agreement under clause 22.8(b)(i) must be made before each occasion that the employee is to work a broken shift with 2 unpaid breaks unless the working of the 2 break broken shift is part of the agreed regular pattern of work in an agreement made under clause 10.3 or subsequently varied.
- iii. An employee who works a broken shift with 2 unpaid breaks must be paid the allowance in clause **15.12(b)**.
- iv. Where a break in work falls within a minimum payment period in accordance with clause 10.5 then it is to be counted as time worked and does not constitute a break in a shift for the purposes of clause 22.8(a)(i) or clause 22.8.6(b)(i).
- v. Payment for a broken shift will be at ordinary pay with weekend, overtime and public holiday penalty rates to be paid in accordance with clauses 26—Saturday and Sunday work, 28—Overtime and penalty rates and 34—Public holidays.
- vi. An employee must be paid the shift allowances in accordance with clause 29—Shiftwork in relation to work performed on a broken shift, provided that:
 - A. The shift allowances are only payable in respect of periods of work in a broken shift that satisfy the definitions of afternoon shift, night shift and public holiday shift (as defined by clause 29.2 and in accordance with clause 22.8(e)(i)).
 - B. The night shift allowance is not payable for work performed on a night shift that commences before 6.00 am.
- vii. Example: If an employee performs work on a broken shift from 9.00 am to 11.00am (first period of work) and then from 5.30 pm to 8.30 pm (second period of work), the afternoon shift allowance will be payable on the second period of work only.
- viii. The span of hours for a broken shift is up to 12 hours. All work performed beyond a span of 12 hours will be paid at double time.
- ix. An employee must receive a minimum break of 10 hours between broken shifts rostered on successive days.

16. By deleting clause 22.9 and inserting the following:

22.9 Sleepovers

- (a) In respect of sleepovers for Residential Care Employees:
 - i. Residential Care Employees may, in addition to normal rostered shifts, be required to sleepover. A sleepover means sleeping in at night in order to be on call for

emergencies.

- ii. The following conditions will apply to each night of sleepover:
 - A. The span for a sleepover will be not less than eight hours and not more than 10 hours on any one night.
 - B. Employees will be provided with free board and lodging for each night on which they are required to sleepover.
- iii. Employees will be provided with a separate room with a bed and use of staff facilities or client facilities where applicable.

(b) In respect of sleepovers for Homecare Employees:

- i. A sleepover means when an employer requires an employee to sleep overnight at premises where the client for whom the employee is responsible is located (including respite care) and is not a 24 hour care shift pursuant to clause 22.10 or an excursion pursuant to clause 22.1.
- ii. The provisions of 22.6 apply for a sleepover. An employee may refuse a sleepover in the circumstances contemplated in 22.6(c) but only with reasonable cause.
- iii. The span for a sleepover will be a continuous period of 8 hours. Employees will be provided with a separate room with a bed and clean linen, the use of appropriate facilities (including access to food preparation facilities and staff facilities where these exist) and free board and lodging for each night when the employee sleeps over.
- iv. The employee will be entitled to a sleepover allowance of 4.9% of the standard rate for each night on which they sleep over.
- v. In the event of the employee on sleepover being required to perform work during the sleepover period, the employee will be paid for the time worked at the prescribed overtime rate with a minimum payment as for one hour worked. Where such work exceeds one hour, payment will be made at the prescribed overtime rate for the duration of the work.
- vi. An employer may roster an employee to perform work immediately before and/or immediately after the sleepover period, but must roster the employee or pay the employee for at least four hours' work for at least one of these periods of work. The payment prescribed by 22.9(b)(iv) will be in addition to the minimum payment prescribed by this subclause.
- vii. The dispute resolution procedure in clause 9 of this Award applies to the sleepover provisions.

17. By inserting a new clause 22.10 as follows:

22.10 24-hour care

This clause only applies to Home Care Employees.

- (a) A 24-hour care shift requires an employee to be available for duty in a client's home for a 24-hour period. During this period, the employee is required to provide the client with the services specified in the care plan. The employee is required to provide a total of no more than 8 hours of care during this period.
- (b) An employer may only require an employee to work a 24-hour care shift by agreement.
- (c) The employee will be afforded the opportunity to sleep for a continuous period of 8 hours during a 24-hour care shift and employees will be provided with a separate room with a bed and clean linen, the use of appropriate facilities (including access to food preparation facilities and staff facilities where these exist) and free board and lodging for each night when the employee sleeps over.
- (d) The employee will be paid 8 hours' work at 155% of their appropriate rate for each 24-hour period.
- (e) If the employee is required to perform more than 8 hours' work during a 24-hour care shift, that work shall be treated as overtime and paid at the rate of time and a half for the first 2 hours and double time thereafter, except on Sundays when overtime will be paid for at the rate of double time, and on public holidays at the rate of double time and a half. An employer and employee may utilise the TOIL arrangement in accordance with clause 28.2
- (f) An employee may refuse to work more than 8 hours' work during a 24-hour care shift in circumstances where the requirement to work those additional hours is unreasonable.

18. By inserting a new clause 22.11 as follows:

22.11 Excursions

This clause applies to Home Care Employees only.

Where an employee agrees to supervise clients in excursion activities involving overnight stays from home, the following provisions will apply:

- (a) Monday to Friday excursions
 - i. Payment at the ordinary rate of pay for time worked between the hours of 8.00 am to 6.00 pm Monday to Friday up to a maximum of 10 hours per day.
 - A. The employer and employee may agree to accrual of time instead of overtime payment for all other hours.
 - B. Payment of sleepover allowance in accordance with the provision of clause 25.7.
- (b) Weekend excursions
 - i. Where an employee involved in overnight excursion activities is required to work

on a Saturday and/or Sunday, the days worked in the two week cycle, including that weekend, will not exceed 10 days.

19. By inserting a new clause 22.12 as follows:

22.12 Remote work

(a) This clause applies where a Home Care Employee is required by their employer to perform remote work.

(b) For the purpose of this clause, remote work means the performance of work by an employee at the direction of, or with the authorisation of, their employer that is:

i. not part of their ordinary hours of work rostered in accordance with clause **25.5** (or, in the case of casual employees, not a designated shift); and

ii. not additional hours worked by a part-time employee under clause **10.4(f)** or up to 38 hours per week, or overtime contiguous with a rostered shift; and

iii. not required to be performed at a designated workplace.

(c) **Minimum payments for remote work**

i. (Where an employee performs remote work, they will be paid for the time spent performing remote work, with the following minimum payments applying:

A. where the employee is on call between 6.00 am and 10.00 pm—a minimum payment of 15 minutes' pay;

B. where the employee is on call between 10.00 pm and 6.00 am—a minimum payment of 30 minutes' pay;

C. where the employee is not on call—a minimum payment of one hour's pay;

D. where the remote work involves participating in staff meetings or staff training remotely—a minimum payment of one hour's pay.

ii. Any time worked continuously beyond the minimum payment period outlined above will be rounded up to the nearest 15 minutes and paid accordingly.

iii. Where multiple instances of remote work are performed on any day, separate minimum payments will be triggered for each instance of remote work performed, save that where multiple instances of remote work are performed within the applicable minimum payment period, only one minimum payment period is triggered.

(d) **Rates of pay for remote work**

i. Remote work will be paid at the employee's minimum hourly rate unless one of the following exceptions applies:

- A. Remote work performed outside the span of 6am to 8pm will be paid at the rate of 150% of the minimum hourly rate for the first two hours and 200% of the minimum hourly rate thereafter or, in the case of casual employees, at 175% of the minimum hourly rate for the first two hours and 225% of the minimum hourly rate thereafter;
 - B. Remote work performed in excess of 38 hours per week or 76 hours per fortnight will be paid at the applicable overtime rate prescribed in clause 28.1;
 - C. Remote work performed in excess of 10 hours per day will be paid at the rate of 150% of the minimum hourly rate for the first two hours and 200% of the minimum hourly rate thereafter or in the case of casual employees, 175% of the minimum hourly rate for the first 2 hours and 225% of the minimum hourly rate thereafter;
 - D. Remote work performed on a Saturday will be paid at the rate of 150% of the minimum hourly rate or, in the case of casual employees, 175% of the minimum hourly rate;
 - E. Remote work performed on a Sunday, it will be paid at the rate of 200% of the minimum hourly rate or, in the case of casual employees, 225% of the minimum hourly rate;
 - F. Remote work performed on a public holiday will be paid at the rate of 250% of the minimum hourly rate or, in the case of casual employees, 275% of the minimum hourly rate.
- ii. The rates of pay in clause 22.12(d)(i) above are in substitution for and not cumulative upon the rates prescribed in clauses 26—Saturday and Sunday work, 28—Overtime and penalty rates, 29—Shiftwork and 34—Public holidays.

(e) Other requirements

- i. An employee who performs remote work must maintain and provide to their employer a time sheet or other record acceptable to the employer specifying the time at which they commenced and concluded performing any remote work and a description of the work that was undertaken. Such records must be provided to the employer within a reasonable period of time after the remote work is performed.

(f) Miscellaneous provisions

- i. In this clause, the term ‘minimum hourly rate’ means the weekly rates prescribed by clauses 15—Minimum weekly wages for social and community services employees and crisis accommodation employees, 16—Minimum weekly wages for family day care employees and 17—Minimum weekly wages for home care employees (as applicable) divided by 38.
- ii. Where remote work is performed, the minimum payments at clause 10.5 do not apply.
- iii. The performance of remote work will not count as work or overtime for the purpose of the following clauses:
 - A. Clause 25.3—Rostered days off;
 - B. Clause 25.4—Rest breaks between rostered work;
 - C. Clause 28.3—Rest period after overtime;

D. Clause 28.5—Rest break during overtime.

20. By deleting clause 23 and replacing it with the following:

23. Saturday and Sunday work

- 23.1 Employees whose ordinary working hours include work on a Saturday and/or Sunday will be paid for ordinary hours worked between midnight on Friday and midnight on Saturday at 150% of the ordinary rate of pay, and for ordinary hours worked between midnight on Saturday and midnight on Sunday at 200% of the ordinary rate of pay.
- 23.2 The rates in clause 23.1 are in substitution for and not cumulative upon the shift premiums prescribed in clause 29—Shiftwork and are not applicable to overtime worked on a Saturday and Sunday.
- 23.3 Casual employees will be paid the casual loading in clause **10.4(b)** in addition to the Saturday and Sunday rates at clause 23.1.
- 23.4 A casual employee who works on a weekend will be paid at the following rates:
- (a) between midnight Friday and midnight Saturday – 175% of the ordinary rate of pay (inclusive of the casual loading); and
 - (b) between midnight Saturday and midnight Sunday – 225% of the ordinary rate of pay (inclusive of the casual loading).

21. By deleting clause 24.1 and replacing it with the following:

24.1 Meal breaks

- (a) Each employee who works in excess of five hours will be entitled to an unpaid meal break of not less than 30 minutes and not more than 60 minutes duration, to be taken at a mutually agreed time after commencing work.
- (b) Where a Residential Care Employee is required to remain available to attend to duty or is on duty during their meal break, the employee will be paid at overtime rates for all time worked from the commencement of that meal break until such time that a meal break free from duty is taken by the employee or the employee's shift ends (whichever occurs first). Whilst payment will be calculated at overtime rates, the time worked until the meal break is taken will be regarded and count as an employee's ordinary time.
- (c) Where a Homecare Employee is required to work during a meal break and continuously thereafter, they will be paid overtime for all time worked until the meal break is taken.
- (d) Where a Homecare Employee is required by the employer to have a meal with a client or clients as part of the normal work routine or client program, they will be paid for the duration of the meal period at the ordinary rate of pay, and clause **24.1(a)** does not apply. This paid meal period is to be counted as time worked.

22. By deleting clause 26.1 and inserting with the following:

26.1 Shift allowances and penalty rates

Employees working afternoon or night shift will be paid the following percentages in addition to the ordinary rate for such shift. Provided that employees who work less than 38 hours per week will only be entitled to the additional rates where their shift commence prior to 6.00 am or finish subsequent to 6.00 pm.

- (a) Afternoon shift commencing at 10.00 am and before 1.00 pm—10% of the ordinary hourly rate
- (b) Afternoon shift commencing at 1.00 pm and before 4.00 pm—12.5% of the ordinary hourly rate.
- (c) Night shift commencing at 4.00 pm and before 4.00 am—15% of the ordinary hourly rate.
- (d) Night shift commencing at 4.00 am and before 6.00 am—10% of the ordinary hourly rate.
- (e) For Home Care Employees, a public holiday shift means any time worked between midnight on the night prior to the public holiday and midnight of the public holiday. A Homecare Employee who works a public holiday shift will be paid a loading of 150% of their ordinary rate of pay for that part of such shift which is on the public holiday.

23. By inserting a new clause 24.6 as follows:

- 24.6 For Homecare Employees, Shifts are to be worked in one continuous block of hours that may include meal breaks and sleepovers, except where broken in accordance with **clause 22.8**.

24. By inserting clause 27.2 as follows:

- 27.2 All Home Care Employees who are called upon to perform the duties of another employee in a higher classification under this award for a period of five consecutive working days or more will be paid for the period for which duties are assumed at a rate not less than the minimum rate prescribed for the classification applying to the employee so relieved.

25. By amending clause 28.2 as follow:

28.2 Quantum of annual leave

- (a) For the purposes of the NES a shiftworker is defined as:
 - (i) an employee who is regularly rostered to work their ordinary hours outside the ordinary hours of work as a day worker as defined in clause **22.2(a)**; and/or

(ii) an employee who works for more than four ordinary hours on 10 or more weekends.

(iii) in respect of Home Care Employees only, an employee who works at least eight 24-hour care shifts in accordance with clause 22.10 during the yearly period in respect of which their annual leave accrues and is entitled to an additional week's annual leave on the same terms and conditions.

(b) For the purpose of the clause 28.2(a), a weekend means work in ordinary time on a Saturday and/or a Sunday in any one calendar week.

27. By inserting a new clause 29.3 as follows:

29.3 Substitution of public holidays by agreement

- (a) An employee may request to substitute another day for a day that would otherwise be a public holiday under the NES. The requested day will be substituted if the employer agrees to the employee's request.
- (b) An employee may request to substitute another part day for a day that would otherwise be a part day public holiday under the NES. The requested part day will be substituted if the employer agrees to the employee's request.

28. By deleting clause B.1 and B.2 and inserting the following:

B1: Residential Aged Care

Level 1: General, Administrative and Food Services streams only

Description of work	General, administrative services or food services work that supports the provision of person-centered care to a diverse range of frail dependent older adults in a residential aged care facility.
Qualifications and experience	Has less than three months' work experience in the aged care industry
Accountability and extent of authority	The work is performed under direct or routine supervision.
Judgment and decision-making	The work is performed with minimal responsibility and discretion.
Specialist knowledge and skills	<ol style="list-style-type: none">1. No previous training or experience in aged care, work is performed within established routines, methods and procedures.2. On-the-job training to ensure:

- a. Skills to undertake basic cleaning, laundry and food services while maintaining residents' and own and other employees' health and safety.
- b. Basic knowledge of infection control and prevention and food handling protocols.
- c. Basic communication and interpersonal skills in dealing respectfully with a range of residents, and/or their families.
- d. Knowledge and observance of the Charter of Aged Care Rights and the Code of Conduct for Aged Care and the maintenance of residents' dignity and confidentiality.

Work environment

The work may involve:

1. Physical effort in cleaning, laundry and kitchen assistance work and in the use of equipment such as vacuums, polishers, heavy laundry and kitchen equipment.
2. Environmental conditions where work may involve unpleasant conditions such as high temperatures and the cleaning up of bodily fluids and matter.
3. Emotional demands such as verbal or physical aggression from residents, their family members; and experiencing death of residents.

Level 2 Personal & General streams

Description of work

Personal care work:

1. provides person-centred care to a diverse range of frail dependent older adults in a residential aged care facility who require basic personal care and social support and who are able to communicate and make decisions about the personal care and support they require.

General, administrative services or food services work:

1. Supports the provision of person-centred care to a diverse range of frail dependent older adults in a residential aged care facility.

Qualifications and experience

Personal care work: entry level up to six months experience in aged

care industry.

General, administrative services and food services work: more than three months work experience in the aged care industry and for general clerks between 3-12 months service.

Accountability and extent of authority

Personal care work and general, administrative services and food services streams: The work is performed under direct supervision, either individually or in a team.

Personal care work: may involve observing and reporting any changes in residents' social, emotional and clinical status to supervisor.

Judgment and decision-making

Basic situational judgement and problem-solving skills to adapt to changes in the individual needs of residents and immediately notifying supervisor in emergency situations.

Specialist knowledge and skills

Personal care work: the work may involve applying:

1. Knowledge and skills to undertake basic personal care, such as assistance with dressing and showering while maintaining residents' dignity and maintaining residents' and employees' health and safety.
2. Basic knowledge of hygiene practices, infection control and prevention.
3. Basic relationship-building skills to respond to, and communicate with, a diverse range of residents whilst maintaining professional boundaries.
4. Sound communication and interpersonal skills in dealing respectfully with a range of residents who are able to make the decisions about the personal care and other support they need.
5. Knowledge of the Charter of Aged Care Rights and the Code of Conduct for Aged Care and the maintenance of residents' dignity and confidentiality.
6. Capability to organise and prioritise work within allotted time.

General, administrative services and food services work: the work may involve applying:

1. Adequate skills to undertake cleaning, laundry and food services while maintaining residents' and own and other

- employees' health and safety.
2. Basic knowledge of infection control and prevention and food handling protocols.
 3. Basic communication and interpersonal skills in dealing respectfully with a range of residents and their families.
 4. Knowledge and observance of the Charter of Aged Care Rights and the Code of Conduct for Aged Care and the maintenance of residents' dignity and confidentiality.

Food services work - the work may involve applying:

1. Assist in the preparation of food for cooking.
2. Preparation of light refreshments.
3. General waiting/table service and clearing duties;

Work environment

In the personal care stream, the work may involve:

1. Physical effort in showering /bathing/dressing residents including in confined spaces, in the use of hoists, assisting residents in and out of wheelchairs, zimmer frames and other equipment.
2. Environmental conditions such as undertaking intimate body care and/or being exposed to unpleasant conditions such as bodily fluids and matter
3. Emotional demands such as from resident distress, verbal or physical aggression from residents' families, experiencing death of residents.

In the general, administrative and food services stream, the work may involve:

1. Physical effort in cleaning, laundry and kitchen assistance work and in the use of equipment such as vacuums, industrial washing machines, polishers, heavy laundry and kitchen equipment
2. Environmental conditions where work may involve unpleasant conditions such as high temperatures and the cleaning up of bodily fluids and matter.
3. Emotional demands such as from resident distress, verbal or physical aggression from residents or their family members and experiencing death of residents.

Level 3: Personal & General streams

Description of work

Personal care work:

1. provide person-centred care to a diverse range of frail dependent older adults, including with those who may have physical disabilities and/or mild cognitive impairment but have the capacity to make decisions about their care. The work may include a range of individualised personal care and support such as: intimate personal care, supervising personal hygiene, toileting, social and emotional support, assistance with communication, mobility and eating.
2. May include documentation of care provided and resident condition

Recreational /life style activities (RAO) work:

1. Provide basic person-centred recreational or life style activities for a diverse range of frail dependent older adults on an individual and group basis.

General, administrative & food services:

1. Supports the provision of person-centred care to a diverse range of frail dependent older adults in a residential aged care facility.

Qualifications and experience

Personal care work: 6 months or more experience in aged care industry.

RAO work: entry level up to 6 months experience in aged care industry.

General, administrative services and food services work: more than 6 months work experience in aged care industry and for general clerks 1 years + of service.

Accountability and extent of authority

Personal care /RAO work: the work performed is subject to some direct supervision and requires a medium level of individual responsibility, accountability and discretion in negotiating how care and support is to be undertaken with residents, accountability for monitoring and reporting any changes in residents' clinical, social and emotional status to supervisor.

General, administrative services or food services work is subject to

some direct supervision and requires a medium level of individual responsibility, accountability and discretion.

Judgment and decision-making

Basic situational judgement in adjusting care and support to the specific needs of each resident.

The work may involve the immediate resolution of minor problems that relate to the provision of basic personal care and other services and recognising and knowing how to deal promptly with emergency situations.

Specialist knowledge and skills

Personal care work may involve applying:

1. Knowledge and skills to undertake intimate bodily personal care with frail aged residents, while maintaining residents' and employees' health and safety.
2. Basic knowledge of medical conditions associated with aging and clinical procedures, , and of working with residents after discharge from hospital.
3. Knowledge of hygiene practice, infection control and prevention.
4. Good relationship-building skills to respond to, and communicate with, a diverse range of residents whilst maintaining professional boundaries.
5. Knowledge and skills to work empathetically with residents with mild cognitive impairment including understanding individual residents' specific behaviours and triggers for distress or agitation.
6. Sound communication and interpersonal skills in dealing respectfully with a range of residents including those who may not be able to make the decisions about the personal care and other support they require, and their families.
7. Knowledge of the Charter of Aged Care Rights and the Code of Conduct for Aged Care and the maintenance of residents' dignity and confidentiality.
8. Capability to organise and prioritise work as situation requires within scheduled times.

General, administrative services and food services work: the work may involve applying:

1. Skills to drive a less than 3 ton vehicle, undertake and provide food services while maintaining residents' and own and other employees' health and safety.

2. Good knowledge of infection control and prevention and food handling protocols.
3. Good communication and interpersonal skills in dealing respectfully with a range of residents and their families.
4. Knowledge and observance of the Charter of Aged Care Rights and the maintenance of residents' dignity and confidentiality.
5. Capability to organise and prioritise work within scheduled times.

Food services work - the work may involve applying:

1. Basic knowledge of the specific nutritional needs, cooking processes and requirements of older adults and of individual residents.
2. Assist in the preparation and cooking of food.

Admin/clerical work – the work may involve applying:

1. skills to undertake a range of basic clerical functions within established routines methods and procedures.

Work environment

In the personal care stream, the work may involve:

1. Physical effort in showering /bathing/dressing residents including in confined spaces, in the use of, hoists, assisting residents in and out of wheelchairs, zimmer frames and other equipment.
2. Environmental conditions such as undertaking intimate body care and/or being exposed to unpleasant conditions such as bodily fluids and matter.
3. Emotional demands such as from residents and residents' families, including communicating with residents with mild cognitive decline, experiencing verbal or physical aggression and and/or experiencing death of residents.

In the general, administrative and food services stream, the work may involve:

1. Physical effort in cleaning, laundry and kitchen assistance work and in the use of equipment such as vacuums, industrial washing machines, polishers and kitchen equipment.
2. Environmental conditions where work may involve unpleasant conditions such as high temperatures and the cleaning up of bodily fluids and matter.
3. Emotional demands such as from resident distress, verbal or

physical aggression from residents or their family members;
and experiencing death of residents

Level 4: Personal & General streams (Cert III or equivalent)

Description of work

Personal care work:

Provision of person-centred care to a diverse range of frail dependent older adults, including those requiring additional assistance and support due to physical incapacity and /or frailty or cognitive decline, including those who may not have the capacity to make decisions about their care. The work:

1. May include a range of advanced personal care and support such as: intimate personal care, medical/clinical assistance, provision of social and emotional support in line with residents' care plans.
2. May include documentation of care provided and resident condition

Recreational /life style activities (RAO) work:

1. Run person-centred recreational or life style activities for a diverse range of frail dependent older adults on an individual and group basis

General, administrative & food services:

1. Supports the provision of person-centred care to a diverse range of frail dependent older adults in a residential aged care facility.

Qualifications and experience

Personal care work: A relevant Certificate III qualification (or equivalent knowledge skills and experience). If an employee holds a Cert III they must be classified no lower than this level.

RAO work: from 6 months experience in aged care industry.

General, administrative services and food services work: formal qualifications and/or relevant skills training and experience in aged care.

Accountability and extent of authority

Personal care /RAO work: The work is performed with limited direct supervision. The work may involve a medium level of individual

responsibility, accountability and discretion in negotiating how care and support is to be undertaken with residents, accountability for monitoring and reporting any changes in residents' clinical, social and emotional status to supervisor.

General, administrative services or food services work is subject to limited direct supervision and requires a medium level of individual responsibility, accountability and discretion.

Judgment and decision-making

Moderate situational judgement in adjusting care and support to the specific needs of each client.

The work may involve the immediate resolution of moderate problems that relate to the provision of personal care, support and other services in accordance with residents' care plans and recognising and knowing how to deal promptly with emergency situations.

Specialist knowledge and skills

Personal care work: the work may involve applying:

1. Knowledge and skills to induct and support other aged care employees to acquire relevant skills.
2. Knowledge and skills to undertake intimate bodily personal care to frail aged residents, while maintaining residents' and employees' health and safety.
3. Knowledge of medical conditions associated with aging and performance of clinical procedures, , and in working with residents with chronic health conditions, and/or after discharge from hospital.
4. Knowledge of hygiene practice, infection control and prevention.
5. High-level relationship-building skills to respond to, and communicate with, a diverse range of residents whilst maintaining professional boundaries.
6. Knowledge and skills to work empathetically with residents with moderate cognitive impairment, including dementia.
7. Sound communication and interpersonal skills in dealing respectfully with a range of residents who may not be able to make the decisions about the personal care and other support they require and their families.
8. Knowledge of the Charter of Aged Care Rights and the Code of Conduct for Aged Care and the maintenance of residents' dignity and confidentiality.

9. Capability to organise and re-prioritise work as situation requires scheduled times.

General, administrative services and food services work: the work may involve applying:

1. Good knowledge of infection control and prevention and food handling protocols.
2. Well-developed communication and interpersonal skills in dealing respectfully with a range of residents and their families.
3. Knowledge and observance of the Charter of Aged Care Rights and the Code of Conduct for Aged Care and the maintenance of residents' dignity and confidentiality.
4. Capability to organise and prioritise work within scheduled times.

Food services work - the work may involve applying:

1. Skills to undertake food services while maintaining residents' and own and other employees' health and safety.
2. Sound knowledge of the specific nutritional needs, cooking processes, and requirements of older adults and of individual residents.
3. Skills to prepare and cook all meals.

Admin/clerical work – the work may involve applying:

1. administrative skills and arithmetic skills.

Work environment

In the personal care stream, the work may involve:

1. Physical effort in showering /bathing/dressing residents including in confined spaces, in the use of, hoists, assisting residents in and out of wheelchairs, zimmer frames and other equipment.
2. Environmental conditions such as undertaking intimate body care and/or being exposed to unpleasant conditions such as bodily fluids and matter.
3. Emotional demands such as from residents and residents' families, including communicating with residents with mild cognitive decline, experiencing verbal or physical aggression and and/or experiencing death of residents.

Level 5 Senior Personal & General streams

Description of work

Personal care work:

Provision of person-centred care to a diverse range of frail dependent older adults, including those with moderate physical incapacity and/or frailty or moderate to profound dementia. The work:

1. May include a range of advanced personal care and support such as at Level 4.
2. May include the administration of medication (where appropriate training has been completed and competency verified).
3. Requires documentation of care provided and resident condition.
4. Provision of support, induction and mentoring in domains of personal and clinical care to new workers and other workers as required.

Recreational /life style activities (RAO) work:

1. Devise and run provide person-centred recreational or life style activities on an individual and group basis, including for those with moderate physical incapacity and/or frailty or moderate to profound dementia

General, senior administrative & food services:

1. Supports the provision of person-centred care to a diverse range of frail dependent older adults in a residential aged care facility.
2. Provision of support, induction and mentoring of new staff as required.

Qualifications and experience

Personal care work/ROA:

1. A relevant Certificate III qualification and/or equivalent knowledge, skills and experience.
2. May be required to hold a first aid certificate.

Personal care work:

1. where required to assist residents with medication must hold the relevant unit of competency.
2. On-the-job training in mentoring and supporting other employees.

RAO work (qualified):

1. A relevant qualification and/or equivalent knowledge, skills and experience
2. May be required to hold a first aid certificate.

General, administrative services and food services work:

1. formal qualifications, including trade certification, and/or relevant skills training and experience in aged care..

Accountability and extent of authority

Personal care work:

1. The work may involve a substantial level of employee responsibility, accountability and discretion in negotiating how care and support is to be undertaken with residents' including those who do not have the capacity to make decisions about their care.
2. The work may involve accountability for the proficient training, supporting and mentoring new and other care staff as required.
3. The work may involve accountability for closely monitoring and reporting any changes in residents' condition or circumstances to supervisor

Judgment and decision-making

High level situational judgement in adjusting care and support to the specific needs of each resident.

The work may involve the immediate resolution of serious problems that relate to the provision of personal care and support and other services and recognising and dealing promptly with emergency situations.

Specialist knowledge and skills

Personal care work: the work may involve applying:

1. Knowledge of inducting and assisting other aged care employees acquire relevant skills.
2. Knowledge and skills to undertake intimate bodily personal care to frail aged residents, while maintaining residents' and employees' health and safety.
3. Knowledge of medical conditions associated with aging and performance of clinical procedures, , and in working with residents with chronic health conditions, and/or after discharge from hospital.

4. Knowledge of hygiene practice, infection control and prevention.
5. High-level relationship-building skills to respond to, and communicate with, a diverse range of residents whilst maintaining professional boundaries.
6. Knowledge and skills to work empathetically with residents with moderate to profound cognitive impairment, including dementia, such as the skills to understand and de-escalate situations in which residents may become distressed or agitated.
7. Well-developed communication and interpersonal skills in dealing respectfully with a range of residents who may not be able to make the decisions about the personal care and other support they require, and their families.
8. Knowledge of the Charter of Aged Care Rights and the Code of Conduct for Aged Care and the maintenance of residents' dignity and confidentiality.
9. Capability to organise and re-prioritise work as situation requires scheduled times.

General, administrative services and food services work: the work may involve applying:

1. Good knowledge of infection control and prevention and food handling protocols.
2. Well-developed communication and interpersonal skills in dealing respectfully with a range of residents and their families.
3. Knowledge and observance of the Charter of Aged Care Rights and the Code of Conduct for Aged Care and the maintenance of residents' dignity and confidentiality.
4. Capability to organise and prioritise work within scheduled times.

Food services work - the work may involve applying:

1. Skills to undertake food services while maintaining residents' and own and other employees' health and safety.
2. Sound knowledge of the specific nutritional needs, cooking processes, and requirements of older adults and of individual residents.
3. Skills to prepare and cook all meals.
4. Capability to manage the daily operations of the kitchen, including monitoring/managing stock levels, and maintaining

quality control

Admin/clerical work – the work may involve applying:

1. well-developed arithmetic skills and a comprehensive knowledge of medical terminology and/or a working knowledge of health insurance and aged care systems.

Work environment

In the personal care stream, the work may involve:

1. physical effort in showering /bathing/dressing residents including in confined spaces hoists, wheelchairs, equipment, and other household equipment.
2. Environmental conditions such as undertaking intimate body care and/or being exposed to unpleasant conditions such as bodily fluids and matter.
3. Emotional demands such as from residents and residents' families, including residents with moderate to profound cognitive decline, experiencing verbal or physical aggression from residents or residents' families and/or experiencing death of client/residents.

Level 6 Specialist Personal Care /Senior RAO/Senior Chef/Advanced Tradesperson

Description of work

Personal care work:

Provision of person-centred care to a diverse range of frail dependent older adults, including those requiring additional assistance and support due to moderate to severe physical incapacity, moderate to profound dementia, and/or moderately severe to profound cognitive decline. The work:

1. May include provision of a range of advanced personal care and support such as at Levels 4 and 5 as well as in domains of specialised practice such as working with residents in a dementia unit, palliative care, and/or the household model of care.
2. Requires documentation of care provided and resident condition.
3. Provision of support, induction and mentoring in domains of specialised practice to new workers and other workers as required.

Recreational /life style activities (RAO) work:

2. Devise and run provide person-centred recreational or life style activities on an individual and group basis, including for those requiring additional assistance and support due to moderate to severe physical incapacity, moderate to profound dementia, and/or moderately severe to profound cognitive decline.

Advanced trades & food services work

1. Supports the provision of person-centred care to a diverse range of frail dependent older adults in a residential aged care facility;
2. Provision of support, induction and mentoring of new and other staff, as required.

Qualifications and experience

Personal care work:

1. May require a relevant Certificate IV qualification (or equivalent knowledge and skills).
2. Where work at this level requires the leading or supervising of others a relevant post-trade, Certificate IV or Diploma level training may be required.
3. May be required to hold a first aid certificate.
4. Specialist knowledge is in palliative care and dementia care, acquired through Cert IV and/or previous experience as a level 4 or 5 worker.
5. where required to assist residents with medication must hold the relevant unit of competency.
6. On-the-job training in mentoring and supporting other employees in areas of specialist practice.

RAO work (qualified):

1. A relevant qualification and/or equivalent knowledge, skills and experience
2. May be required to hold a first aid certificate.
3. Where work at this level requires the leading or supervising of others, relevant Certificate or Diploma level training may be required.

General, administrative services and food services work: may require formal qualifications, including trade certification, and/or relevant skills training and experience in aged care.

Accountability and extent of authority

Personal care work:

1. The work is performed with minimal direct supervision.
2. The work may involve a high level of autonomy, accountability and discretion in negotiating the services to be provided to residents with the residents themselves and/or with their family members, including with and for residents who do not have the capacity to make decisions about their care.
3. The work may involve accountability for the proficient training, supporting, mentoring personal care employees in areas of specialised practice.
4. The work may involve accountability for responding immediately to any reported changes in residents' condition or circumstances to supervisor.

Judgment and decision-making

High level situational judgement in adjusting care and support to the specific needs of each resident and in managing employees.

The work may involve the immediate resolution of serious problems that relate to the provision of personal care and support and other services for individual residents and responding promptly to emergency situations.

Specialist knowledge and skills

Personal care work: the work may involve applying:

1. Knowledge of inducting and assisting other aged care employees acquire relevant skills, including in areas of specialist practice.
2. Knowledge and skills to undertake intimate bodily personal care to frail aged residents, while maintaining residents' and employees' health and safety.
3. Knowledge of medical conditions associated with aging and performance of clinical procedures, , and in working with residents with chronic health conditions, and/or after discharge from hospital.
4. Knowledge of hygiene practice, infection control and prevention.
5. High-level relationship-building skills to respond to, and communicate with, a diverse range of residents whilst maintaining professional boundaries.

6. Knowledge and skills to work empathetically with residents with moderate to profound cognitive impairment, including dementia, such as the skills to understand and de-escalate situations in which residents may become distressed or agitated.
7. Knowledge and skills in a specialist domain of practice, such as dementia care, palliative care or a household model of care.
8. High level communication and interpersonal skills in dealing respectfully with a range of residents and/or family members for residents who may not be able to make the decisions about the personal care and other support they require and their families.
9. Knowledge of the Charter of Aged Care Rights and the Code of Conduct for Aged Care and the maintenance of residents' dignity and confidentiality.

General, administrative services and food services work: the work may involve applying:

2. Good knowledge of infection control and prevention and food handling protocols.
3. Well-developed communication and interpersonal skills in dealing respectfully with a range of residents and their families.
4. Knowledge and observance of the Charter of Aged Care Rights and the Code of Conduct for Aged Care and the maintenance of residents' dignity and confidentiality.
5. Capability to organise and prioritise work within scheduled times.

Food services work - the work may involve applying:

1. Skills to undertake food services while maintaining residents' and own and other employees' health and safety.
2. Sound knowledge of the specific nutritional needs, cooking processes, and requirements of older adults and of individual residents.
3. Skills to prepare and cook all meals.
4. Capability to manage the daily operations of the kitchen, including monitoring/managing stock levels, and maintaining quality control.
5. Assist to design, implement and review menus, in line with nutritional requirements.

Admin/clerical work – the work may involve applying:

6. Well-developed arithmetic skills and a comprehensive knowledge of medical terminology and/or a working knowledge of health insurance and aged care systems.

Work environment

In the personal care stream, the work may involve:

1. physical effort in showering /bathing/dressing residents including in confined spaces hoists, wheelchairs, equipment, and other household equipment.
2. Environmental conditions such as undertaking intimate body care and/or being exposed to unpleasant conditions such as such as bodily fluids and matter.
3. Emotional demands such as from residents and/or residents' families in respect of services provided, including residents with moderate to profound cognitive decline experiencing verbal or physical aggression from residents or residents' families, and/or experiencing death of residents, and/or in providing dementia care, palliative care and/or a household model of care.

Level 7 Supervisor

Description of work

All streams: Provision of and support for the provision of person-centred care to a diverse range of frail dependent older adults. The work includes:

1. Coordination and overall team management of employees in relevant stream.
2. Leadership, administration, training and rostering of relevant groups of employees.
3. Guidance, counselling and regular supervision of relevant employees.
4. Communication with and establishment of relationships with residents and residents' family members as required.
5. Coordination of resources and supervision and support of employees.
6. Assistance with the development of budgets, ordering consumables and routine stock items.

Qualifications and experience

May require formal qualifications at trade or Advanced Diploma level and/or equivalent knowledge, skills and experience in aged care.

Accountability and extent of authority

1. All streams: The work is capable of being performed autonomously with minimal oversight.
2. The work may involve a high level of autonomy, responsibility, accountability and discretion in the work of relevant employees.
3. Work at this level may involve the co-ordinating of resources and/or giving support to more senior employees or engaging in duties of a specialist nature.
4. Where the prime responsibility is for resource co-ordination, the freedom to act is governed by clear objectives and/or budgets with frequent prior consultation with more senior employees and a regular reporting mechanism to ensure adherence to plans.
5. The work may involve accountability for the quality, effectiveness, cost and timeliness of the programs, projects or work plans under their control, for the safety and security of the assets being managed and for the well-being of staff and residents.
6. The work may involve ensuring that groups of relevant employees are trained in safe working practices and in the safe operation of equipment and are made aware of all occupational health and safety policies and procedures.
7. The work may involve accountability for the proficient management of relevant are of work, including the ongoing supervision of staff.

Judgment and decision-making

While the objectives of the work are well defined, sound judgement is required in determining the particular method, technology, process or equipment to be used must be selected from a range of available alternatives.

The work may involve the resolution of complex or serious system problems that relate to the provision of good quality home care services.

Where problems are of a complex or technical nature with solutions not related to previously encountered situations, some creativity and originality is required.

Specialist knowledge and skills

The work may involve applying:

1. A thorough understanding of the relevant technology, procedures and processes used within the home care service.
2. Sound knowledge of the function of the position within its organisational context, including relevant policies, regulations and precedents.
3. As required, the skills to provide direction, leadership and structured training or on-the-job training to supervised employees or groups of employees.
4. Sound skills in managing time, setting priorities and planning and organising one's own work and that of supervised employees so as to achieve specific and set objectives in the most efficient way possible within the resources available and within a set timetable.
5. An understanding of and capability to implement personnel policies and practices including those related to equal employment opportunity, relevant industrial relations regulation, occupational health and safety and employees' training and development.
6. The capability to gain co-operation and assistance from members of the public and other employees in the performance of well-defined activities.
7. Sound written and documentation skills to write reports, as required, in the relevant field of expertise.
8. High level communication and interpersonal skills in dealing respectfully with a range of residents and/or family members for residents who may not be able to make the decisions about the personal care and other support they require.
9. High-level interpersonal skills to gain co-operation and assistance from residents, members of the public and other employees in the administration of defined activities and in the supervision and guidance of other employees or groups of employees.
10. Knowledge of the Charter of Aged Care Rights and the Code of Conduct for Aged Care and the maintenance of residents' dignity and confidentiality.
11. Knowledge and application of the Aged Care Quality Standards relevant to the provision of home care and the rights and duties of residents, providers and employees.
12. Capability to organise and re-prioritise services as required.

Work environment

The work may involve:

1. Emotional demands such as from residents, residents' families and relevant employees in respect of services provided and the allocation of work.
2. Responding to, managing and, where required, reporting complaints from residents and/or their families about the quality of services provided

B2. Home care**Level 1 Home care employee****Description of work**

Provision of person-centred care to a diverse range of frail dependent older adults in clients' private homes, who require basic social support and domestic assistance in line with care plans and who are all able to communicate and make decisions about the support they require.

Qualifications and experience

Less than three months' work experience in the aged care industry

Accountability and extent of authority

The work is performed without direct in-person supervision.

The work is clearly defined in clients' care plans, requiring minimal employee discretion in the type of work to be performed.

Judgment and decision-making

Basic situational judgement and problem-solving skills to adapt to changes in specific needs of each client.

The work may involve the resolution of minor problems that directly relate to the provision of social support and domestic assistance for an individual client and in responding promptly with emergency situations.

Specialist knowledge and skills

The work may involve applying:

1. Skills to undertake cleaning and other domestic support in private homes while maintaining clients' and employees' health and safety.
2. Knowledge of hygiene practice and basic infection control and prevention.

3. Basic relationship-building skills to respond to, and communicate with, a diverse range of clients whilst maintaining professional boundaries.
4. Sound communication and interpersonal skills in dealing respectfully with a range of clients who are all able to communicate and make decisions about the support they require, clients' families, members of the public, other health professionals, and other employees.
5. Adequate written documentation skills to update visits in clients' care plans.
6. Knowledge of the Charter of Aged Care Rights and the Code of Conduct for Aged Care and the maintenance of clients' dignity and confidentiality.

Work environment

The work may involve:

1. Physical effort in cleaning and in the use of household equipment such as vacuums , in use of hoists, assisting clients in and out of wheelchairs and with use of mobility aids such as walking frames.
2. Environmental conditions including working in private homes where family members and animals may also be present, transporting clients in vehicles, working in the community and other settings, being exposed to unpleasant conditions, uncomfortable temperatures.
3. Emotional demands such as from clients with limited or no other social support, experiencing verbal or physical aggression from clients or clients' families and/or dealing with the illness/ hospitalisation/death of clients.

Level 2 Home care employee

Description of work

Provision of person-centred care to a diverse range of frail dependent older adults in clients' private homes, who require basic personal care, such as assistance with dressing and /or showering, social support and domestic assistance in line with care plans and who are all able to communicate and make decisions about the personal care and support they require.

Qualifications and experience

1. entry level for provision of personal care work up to six months or more work experience in the aged care industry.
2. specific on-the-job training and/or relevant skills training or

experience

Accountability and extent of authority

1. The work is performed without direct in-person supervision.
2. The work is clearly defined in clients' care plans and requires a basic level of employee responsibility, accountability and discretion in negotiating how it is to be undertaken with clients.
3. The work may involve the monitoring and reporting of any changes in clients' social, emotional and clinical status or circumstances to supervisor.

Judgment and decision-making

1. Basic situational judgement and problem-solving skills to adapt to changes in the specific needs of each client.
2. The work may involve the resolution of minor problems that relate to the provision of personal care, social support and domestic assistance in accordance with clients' care plans and dealing promptly with emergency situations

Specialist knowledge and skills

The work may involve applying:

1. Knowledge and skills to undertake personal care, such as assistance with dressing and showering as well as cleaning and other domestic support in private homes while maintaining clients' dignity and maintaining clients' and employees' health and safety.
2. Knowledge of hygiene practices and basic infection control and prevention.
3. Moderate relationship-building skills to respond to, and communicate with, a diverse range of clients whilst maintaining professional boundaries.
4. Sound communication and interpersonal skills in dealing respectfully with a range of clients who are all able to make the decisions about the personal care and other support they need, clients' families, members of the public, other health professionals, and other employees.
5. Knowledge and observance of the Charter of Aged Care Rights and the Code of Conduct for Aged Care and the maintenance of clients' dignity and confidentiality.

6. Capability to organise and prioritise work within allotted time.
7. Written documentation skills to update visits in clients' care plans.

Work environment

The work may involve:

1. Physical effort in cleaning and in the use of household equipment such as vacuums, and in showering /bathing/dressing clients including in confined spaces, in the use of hoists, assisting clients in and out of wheelchairs and with use of mobility aids such as walking frames.
2. Environmental conditions including working in private homes where family members and animals may also be present, transporting clients in vehicles, working the community and other settings, being exposed to unpleasant conditions, uncomfortable temperatures, undertaking intimate body care and/or being exposed to unpleasant conditions such as bodily fluids (including faecal and urinary incontinence).
3. Emotional demands such as from clients who lack social contact, experiencing verbal or physical aggression from clients or clients' families and/or dealing with illness/hospitalisation/ death of clients.

Level 3 Home care employee

Description of work

1. Provision of person-centred care to a diverse range of frail dependent older adults in clients' private homes, including with those who may have physical incapacity and/or mild cognitive impairment but have the capacity to do make decisions about their care.
2. The work may involve a range of personal care and support such as: intimate personal care personal hygiene, toileting, assistance with fitting and removal of aids and appliances, monitoring taking of medication, social and emotional support, assistance with communication, preparation and assistance with meals, and domestic assistance in line with

clients' care plans.

Qualifications and experience

1. A relevant Certificate III qualification (or equivalent knowledge and skills gained from experience working in aged care. If an employee holds a relevant Certificate III they must be classified no lower than this level.
2. May hold a first aid certificate

Accountability and extent of authority

1. The work is performed without direct in-person supervision.
2. The work involves a medium level of employee responsibility, accountability and discretion in negotiating how care and support is to be undertaken with clients, including with those who may not have the capacity to make decisions about their care.
3. The work may involve accountability for monitoring and reporting any changes in clients' clinical, social and emotional status or circumstances to supervisor.

Judgment and decision-making

1. Moderate situational judgement in adjusting care and support to the specific needs of each client.
2. The work may involve the immediate resolution of minor problems that relate to the provision of personal care, support and domestic assistance in accordance with clients' care plans and recognising and knowing how to deal promptly with emergency situations.

Specialist knowledge and skills

The work may involve applying:

1. Knowledge and skills to undertake intimate bodily personal care in private homes while maintaining clients' dignity and maintaining clients' and employees' health and safety.
2. Knowledge of medical conditions associated with aging and performance of clinical procedures in working with clients with chronic health conditions, and/or after discharge from hospital.
3. Knowledge of hygiene practices and infection control and prevention.

4. High-level relationship-building skills to respond to, and communicate with, a diverse range of clients whilst maintaining professional boundaries.
5. Knowledge and skills to work empathetically dealing with clients with mild cognitive impairment including understanding individual clients' specific behaviours and triggers for distress or agitation.
6. Sound communication and interpersonal skills in dealing respectfully with a range of clients including those who may not be able to make the decisions about the personal care and other support they require, clients' families, members of the public, other health professionals, and other employees.
7. Knowledge and observance of the Charter of Aged Care Rights and the Code of Conduct for Aged Care and the maintenance of clients' dignity and confidentiality.
8. Capability to organise and re-prioritise work as situation requires within allotted time.
9. Written documentation skills to update visits in clients' care plans.

Work environment

The work may involve:

1. Physical effort in cleaning and in the use of household equipment such as vacuums, and in showering /bathing/dressing clients including in confined spaces, in the use of hoists, assisting clients in and out of wheelchairs, and with use of mobility aids such as walking frames.
2. Environmental conditions including working in private homes where family members and animals may also be present, transporting clients in vehicles, working the community and other settings, being exposed to unpleasant conditions, uncomfortable temperatures, undertaking intimate body care and/or being exposed to unpleasant conditions such as bodily fluids (including faecal and urinary incontinence).
3. Emotional demands such as from clients and clients' families, including communicating with clients with mild cognitive impairment, experiencing verbal or physical aggression from clients or clients' families and/or dealing with illness/hospitalisation/death of clients.

Level 4 Senior home care employee

Description of work

1. Provision of person-centred care to a diverse range of frail dependent older adults in clients' private homes, including those requiring additional assistance and support due to physical incapacity and /or frailty and/or cognitive decline, including those who may not have the capacity to make decisions about their care.
2. The work may involve a range of advanced personal care and support such as: intimate personal care, , assisting clients to take medications, provision of social and emotional support in line with client's care plans.
3. The work may involve the provision of support, induction and mentoring in domains of personal care to new workers and other workers as required such as in the use of hoists.

4. The work may involve contribution to changes to clients' care plans.

Qualifications and experience

1. A relevant Certificate III qualification (or equivalent knowledge and skills) and one year experience as a level 3 worker.
2. Where required to assist clients with medication, may hold the relevant unit of competency.
3. may involve on-the-job training in mentoring and supporting other home care workers.
4. May hold a first aid certificate.

Accountability and extent of authority

1. The work is performed without direct in-person supervision.
2. The work involves a high level of employee responsibility, accountability and discretion in negotiating how care and support is to be undertaken with clients, including those who do not have the capacity to make decisions about their care.
3. The work may involve accountability for the training, supporting and mentoring of new and other staff as required.
4. The work may involve accountability for monitoring and reporting any changes in clients' clinical, social and emotional status or circumstances to supervisor

Judgment and decision-making

1. High level situational judgement in adjusting care and support to the specific needs of each client.
2. The work may involve the immediate resolution of moderate problems that relate to the provision of personal care, support and domestic assistance in accordance with clients' care plans and recognising and knowing how to deal promptly with emergency situations.

Specialist knowledge and skills

The work may involve applying:

1. Knowledge and skills to induct and support other home care employees acquire relevant skills.

2. Knowledge and skills to undertake intimate bodily personal care, in private homes while maintaining clients' dignity and maintaining clients' and employees' health and safety.
3. Knowledge of medical conditions associated with aging and performance of clinical procedures, and skills in working with clients with chronic health conditions, and/or after discharge from hospital .
4. Knowledge of hygiene practices and infection control and prevention.
5. High-level relationship-building skills to respond to, and communicate with, a diverse range of clients whilst maintaining professional boundaries.
6. Knowledge and skills in dealing with clients with moderate cognitive impairment, including dementia.
7. Sound communication and interpersonal skills in dealing respectfully with a range of clients including those who may not be able to make the decisions about the personal care and other support they require, clients' families, members of the public, other health professionals, and other employees.
8. Knowledge and observance of the Charter of Aged Care Rights and the Code of Conduct for Aged Care and the maintenance of clients' dignity and confidentiality.
9. Capability to organise and re-prioritise work as situation requires within allotted time.
10. Written documentation skills to update visits in clients' care plans.

Work environment

The work may involve:

1. Physical effort in cleaning and in the use of household equipment such as vacuums, showering /bathing/dressing clients including in confined spaces, in the use of hoists, wheelchairs, and other household equipment.
2. Environmental conditions including working in private homes where family members and animals may also be present, transporting clients in vehicles, working the community and other settings, being exposed to unpleasant

conditions, uncomfortable temperatures, undertaking intimate body care and/or being exposed to unpleasant conditions such as bodily fluids (including faecal and urinary incontinence).

3. Emotional demands such as from clients and clients' families, including communicating with clients with moderate cognitive impairment, experiencing verbal or physical aggression from clients or clients' families and/or dealing with illness/hospitalisation/death of clients.

Level 5 Specialist home care employee

Description of work

1. Provision of person-centred care to a diverse range of frail dependent older adults in clients' private homes, including those requiring additional assistance and support due to moderate to severe physical incapacity, moderate to profound dementia, and/or moderately severe to profound cognitive decline and/or end of life care.
2. The work may require a range of advanced personal care and support such as at Level 4 as well as in areas or domains of specialised practice such as communicating with clients with moderate to profound dementia and assisting with end of life care.
3. The work may involve the provision of support, induction and mentoring in domains of specialised practice to new workers and other workers as required.
4. The work may involve contribution to the development of, and changes to, clients' care plans.

Qualifications and experience

1. A relevant Certificate IV qualification (or equivalent knowledge and skills in dementia care and palliative care) and previous experience as a level 4 worker.
2. May involve on-the-job training in mentoring and supporting other home care workers.
3. May hold a first aid certificate

Accountability and

extent of authority

1. The work is performed without direct in-person supervision.
2. The work involves a high level of employee responsibility, accountability and discretion in negotiating how care and support is to be undertaken with clients, including those who do not have the capacity to make decisions about their care.
3. The work may involve accountability for the proficient training, supporting and mentoring of new and other staff in areas of specialised practice as required.
4. The work may involve accountability for closely monitoring and reporting any changes in clients' clinical, social and emotional status or circumstances to supervisor.

Judgment and decision-making

1. High level situational judgement in adjusting care and support to the specific needs of each client.
2. The work may involve the immediate resolution of serious problems that relate to the provision of personal care, support and domestic assistance in accordance with clients' care plans and recognising and knowing how to deal promptly with emergency situations.

Specialist knowledge and skills

The work may involve applying:

1. Knowledge and skills to induct and assist other home care employees acquire relevant skills.
2. Knowledge and skills to undertake intimate bodily personal care, in private homes while maintaining clients' dignity and maintaining clients' and employees' health and safety.
3. Knowledge of medical conditions associated with aging and performance of clinical procedures, skills in working with clients with chronic health conditions, and/or after discharge from hospital.
4. Knowledge and skills in a specialist domain of practice, such as dementia care or palliative care.

5. Knowledge of hygiene practices and infection control and prevention.
6. High-level relationship-building skills to respond to, and communicate with, a diverse range of clients whilst maintaining professional boundaries.
7. Knowledge and skills in working with clients with moderate to profound cognitive impairment, including dementia, such as the skills to understand and de-escalate situations in which clients may become distressed or agitated.
8. High level communication and interpersonal skills in dealing respectfully with a range of clients who may not be able to make the decisions about the personal care and other support they require, clients' families, members of the public, other health professionals, and other employees.
9. Knowledge and observance of the Charter of Aged Care Rights and the Code of Conduct for Aged Care and the maintenance of clients' dignity and confidentiality.
10. Capability to organise and re-prioritise work as situation requires within allotted time.
11. Written documentation skills to update visits in clients' care plans.

Work environment

The work may involve:

1. Physical effort in cleaning and in the use of household equipment such as vacuums, showering /bathing/dressing clients including in confined spaces, in the use of hoists, wheelchairs and other household equipment.
2. Environmental conditions including working in private homes where family members and animals may also be present, transporting clients in vehicles, working the community and other settings, being exposed to unpleasant conditions, uncomfortable temperatures, undertaking intimate body care and/or being exposed to unpleasant conditions such as bodily fluids, (including faecal and urinary

incontinence).

3. Emotional demands such as from clients and clients' families, including clients with moderate to profound cognitive decline, experiencing verbal or physical aggression from clients or clients' families and/or providing end of life care and/or dealing with illness/hospitalisation/death of clients.

Level 6 Home Care Supervisor

Description of work

1. Provision of person-centred care to a diverse range of frail dependent older adults in clients' private homes.
2. The work may involve leadership, administration, training and rostering of home care employees.
3. The work may involve guidance, counselling and regular supervision of direct home care employees.
4. The work may involve communication and establishment of relationships with clients and family members as required.
5. The work may involve assistance with the development of budgets, ordering consumables and routine stock items.
6. The work may involve case management of services provided to individual clients.
7. The work may involve development of individual client care plans and oversight of domestic, social support and personal care service provision.

Qualifications and experience

1. A relevant Certificate III or IV qualification (or equivalent knowledge and skills) and/or previous experience as a level 4 or 5 worker.
2. May involve on-the-job training in the administration of home care services, and in training, rostering, supporting and providing regular supervision to home care employees.
3. May hold a first aid certificate.

Accountability and extent of authority

1. The work is performed under limited direct supervision.
2. The work involves a high level of employee responsibility, accountability and discretion in negotiating the aged care services to be provided to clients with the clients themselves and/or with their family members, including with and for clients who do not have the capacity to make decisions about their care.
3. The work may involve accountability for the proficient training, supporting, mentoring and on-going supervision of care staff.
4. The work may involve accountability for responding immediately to any reported changes in client's status or circumstances to supervisor.

Judgment and decision-making

1. High level situational judgement in adjusting care and support to the specific needs of each client and in managing home care employees.
2. The work may involve the immediate resolution of serious problems that relate to the provision of personal care, support and domestic assistance for individual clients and responding promptly to emergency situations.

Specialist knowledge and skills

The work may involve applying:

1. The capability to gain co-operation and assistance from members of the public and other employees in the performance of well-defined activities.
2. Sound written and documentation skills to write reports, as required, in their field of expertise.
3. Good management skills in working with home care employees.
4. Sound knowledge of the skills required in the delivery of home care services in the Australian aged care system.

5. Sound knowledge of the programs in the Australian aged care system, their funding and reporting requirements and their means testing of clients/residents .
6. Sound financial and budgeting skills in establishing care plans within the constraints of the level of home care funding allocated to clients.
7. High level communication and interpersonal skills in dealing respectfully with a range of clients and/or family members of clients who may not be able to make the decisions about the personal care and other support they require, members of the public, other health professionals, and other employees.
8. Knowledge of relevant industrial instruments and their provisions in the rostering and allocation of home care employees.
9. Knowledge and skills in training and providing supportive supervision to home care employees.
10. Knowledge and observance of the Charter of Aged Care Rights and the Code of Conduct for Aged Care and the maintenance of clients' dignity and confidentiality.
11. Knowledge and application of the Aged Care Quality Standards relevant to the provision of home care and the rights and duties of clients, providers and employees.
12. Capability to organise and re-prioritise home care services as required.

Work environment

The work may involve:

1. Emotional demands such as from clients and/or clients' families in respect of home care services allocated, including in respect of clients with moderate to profound cognitive impairment; experiencing verbal or physical aggression from clients or clients' families.

Level 7 Care Coordinator

Description of work

1. Provision of person-centred care to a diverse range of frail

dependent older adults in clients' private homes.

2. The work may involve coordination and overall management of a home care service.
3. The work may involve coordination of resources and support of home care supervisors/team leaders which may involve guidance and counselling.
4. The work may involve reporting as required to the Commonwealth.
5. The work may be responsible for the development of budgets, and for management of ordering consumables and stock items.

Qualifications and experience

A relevant Diploma or Degree with equivalent knowledge and relevant skills

Accountability and extent of authority

1. The work is performed under minimal direct supervision.
2. The work involves a high level of employee responsibility, accountability and discretion in managing a home care service.
3. Work at this level may involve co-ordinating resources and/or giving support to more senior employees or engaging in duties of a specialist nature.
4. Where the prime responsibility is for resource co-ordination, the freedom to act is governed by clear objectives and/or budgets with frequent prior consultation with more senior employees and a regular reporting mechanism to ensure adherence to plans.
5. The work may involve accountability for the quality, effectiveness, cost and timeliness of the programs, projects or work plans under their control, for the safety and security of the assets being managed and for the well-being of staff and clients.
6. The work may involve ensuring that all employees in the home care service are trained in safe working practices and in the safe operation of equipment and are made aware of all occupational health and safety policies and procedures.

7. The work may involve accountability for the proficient management of the home care service including the ongoing supervision of home care team leaders/supervisors.

Judgment and decision-making

1. While the objectives of the work are well defined, sound judgement is involved in determining the particular method, technology, process or equipment to be used must be selected from a range of available alternatives.
2. The work may involve the resolution of complex or serious system problems that relate to the provision of good quality home care services.
3. Where problems are of a complex or technical nature with solutions not related to previously encountered situations, some creativity and originality is required.

Specialist knowledge and skills

The work may involve the application of:

1. A thorough understanding of the relevant technology, procedures and processes used within the home care service.
2. Sound knowledge of the function of the position within its organisational context, including relevant policies, regulations and precedents.
3. As required, the skills to provide direction, leadership and structured training or on-the-job training to supervised employees or groups of employees.
4. Sound skills in managing time, setting priorities and planning and organising one's own work and that of supervised employees so as to achieve specific and set objectives in the most efficient way possible within the resources available and within a set timetable.
5. An understanding of and capability to implement personnel policies and practices including those related to equal employment opportunity, relevant industrial relations

regulation, occupational health and safety and employees' training and development.

6. The capability to gain co-operation and assistance from members of the public and other employees in the performance of well-defined activities.
7. Sound written and documentation skills to write reports, as required, in their field of expertise.
8. High level communication and interpersonal skills in dealing respectfully with a range of clients and/or family members of clients who may not be able to make the decisions about the personal care and other support they require, members of the public, other health professionals, and other employees.
9. Knowledge and observance of the Charter of Aged Care Rights and the Code of Conduct for Aged Care and the maintenance of clients' dignity and confidentiality.
10. Knowledge and application of the Aged Care Quality Standards relevant to the provision of home care and the rights and duties of clients, providers and employees.

Work environment

The work may involve:

1. Emotional demands such as from clients, clients' families, and home care employees in respect of home care services being provided; and
2. Responding to, managing and, where required, reporting complaints from clients and/or their families and home care employees about the quality of services provided.

16By inserting Schedule I in the form set out in Annexure A.

17By updating the table of contents and cross-references accordingly.

B. This determination comes into operation on XX MONTH 20XX. In accordance with s.166(5) of the *Fair Work Act 2009* this determination does not take effect in relation to a particular employee until the start of the employee's first full pay period that starts on or after XX MONTH 20XX.

PRESIDENT

MA0000100 PRXXXXXX

FAIR WORK COMMISSION

DRAFT DETERMINATION

Fair Work Act 2009

s.158—Application to vary or revoke a modern award

Health Services Union – Work value case – Aged care industry

(AM2021/63)

SOCIAL, COMMUNITY, HOME CARE AND DISABILITY

SERVICES INDUSTRY AWARD 2010

[MA0000100]

Aged care industry

JUSTICE HATCHER, PRESIDENT

XX

XX

XXXXXXXXXX, XX MONTH
20XX

Applications to vary modern awards – work value – aged care industry – Aged Care Award 2010.

A. Further to the Full Bench decision issued by the Fair Work Commission on XX MONTH 20XX [[20XX] FWCFB XXXX], the above award is varied as follows:

1. By deleting 4.1 and inserting:

4.1 This industry award covers employers throughout Australia in the:

- (a) crisis assistance and supported housing sector;
- (b) social and community services sector;
- (c) home care sector, other than aged care;
- (d) family day care scheme sector;

2. By deleting clause 17.2.

Classification	Current rate	Current internal relativities	Correct C10 equivalent	Notes	Proposed internal relativities	Proposed rate pre further work value adjustment	Change	Proposed rate with additional work value adjustment	Change
Residential Care Level 1	\$1,047.60	92%	C13	Skill requirement and responsibility is in excess of C14 level	89%	\$1,047.60	0.00%	\$1,152.40	10.00%
Residential Care Level 2	\$1,089.00	95%	C12		95%	\$1,118.20	2.68%	\$1,230.00	12.95%
Residential Care Level 3	\$1,130.90	99%	C11		99%	\$1,165.30	3.04%	\$1,281.80	13.34%
Residential Care Level 4	\$1,144.20	100%	C10	Cert III alignment	100%	\$1,177.10	2.88%	\$1,294.80	13.16%
Residential Care Level 5	\$1,183.00	103%	C7	Semi-autonomous work, some supervision of others, non-trade incidental tasks	109%	\$1,283.00	8.45%	\$1,411.30	19.30%
Residential Care Level 6	\$1,246.80	109%	C5	Diploma level	115%	\$1,353.70	8.57%	\$1,489.10	19.43%
Residential Care Level 7	\$1,269.10	111%	C2(a)	Advanced certificate/associate diploma, plus supervisory role	130%	\$1,530.20	20.57%	\$1,683.20	32.63%