

From: SUMMERS, Ingrid

Sent: Thursday, 9 May 2019 10:05 AM

To: Brent Ferguson (Brent.Ferguson@aigroup.com.au); 'Nicola Shaw'; 'Michael Robson'; Madeleine Tiedeman; 'peggms24@gmail.com'; 'rachell@hsu.net.au'; 'Natalie.Dabarera@unitedvoice.org.au'

Cc: 'Ruchi Bhatt' (Ruchi.Bhatt@aigroup.com.au); 'kyle.scott@ablawyers.com.au'; 'thalls@ja.com.au'; Chambers - Ross J; Chambers - Clancy DP; Chambers - Lee C; AMOD

Subject: AM2018/26 - SCHADS Award - updated draft survey

Dear parties,

Following yesterday's conference in the above matter, please find attached an updated version of the draft survey. The survey has been attached in a tracked version (highlighting amendments in red text) and a clean version.

Please forward any final comments to me (with a cc to chambers.ross.j@fwc.gov.au) by **12.00 pm tomorrow, Friday 10 May 2019**.

In your response please indicate a contact person for your organisation for the purposes of administering the survey.

Regards,

INGRID SUMMERS

Assistant Director, Modern Awards
Modern Awards, Economics and Research Section

Fair Work Commission

Tel: +613 8656 4709

ingrid.summers@fwc.gov.au

www.fwc.gov.au

Please note my working days are Monday, Tuesday and Wednesday

The Fair Work Commission acknowledges that our business is conducted on the traditional lands of Aboriginal and Torres Strait Islander peoples. We acknowledge their continuing connection to country and pay our respects to their Elders, past, present and emerging.



DRAFT SURVEY

Fair Work Act 2009

s.156 - 4 yearly review of modern awards

4 yearly review of modern awards—Award stage—Group 4—*Social, Community, Home Care and Disability Services Industry Award 2010*— Substantive claims

(AM2018/26)

SYDNEY, 2019

The Fair Work Commission (the Commission) is conducting a review of the *Social, Community, Home Care and Disability Services Industry Award 2010* (SCHADS Award) as part of the 4 yearly review of modern awards.

The sectors covered by the SCHADS Award include:

- crisis accommodation for women, children, families, young people and men;
- sexual assault, domestic and family violence services;
- women’s domestic violence court advocacy services;
- youth and child protection services;
- out of home care for children and young people at risk;
- homelessness, housing and tenancy services;
- family support services;
- disability services, including residential care and care provided in a private residence;
- health and mental health services;
- alcohol, gambling and other drugs of addiction and rehabilitation services;
- aged care services;
- first nation people’s services;
- migrant and settlement services;
- prisoner rehabilitation;
- community legal services;
- community and neighbourhood services;
- policy, research and advocacy services;
- community transport;

- family day care; and
- home care (provision of personal care, domestic assistance or home maintenance to an aged person or person with a disability in a private residence)

The Commission requests that you complete the survey below to assist in the review of the SCHADS Award. If you are unable or unwilling to complete the survey you may be required to attend the Commission to give evidence in respect of the questions asked below.

Information collected by the Commission about the enterprises that complete the survey will be used for the sole purpose of excluding those enterprises from attending to give evidence. Data will be presented in aggregate form and will not identify the enterprises that completed the survey.

~~This survey should only be completed by you if you are currently covered by the SCHADS Award and you do not have an enterprise agreement in place.~~

~~You should only complete the survey once, regardless of how many times you have received a copy of the an invitation to complete this survey.~~

1. Which sector or sectors does your enterprise operate in?

- crisis accommodation for women, children, families, young people and men;
- sexual assault, domestic and family violence services;
- women's domestic violence court advocacy services;
- youth and child protection services;
- out of home care for children and young people at risk;
- homelessness, housing and tenancy services;
- family support services;
- disability services, including residential care and care provided in a private residence;
- health and mental health services;
- alcohol, gambling and other drugs of addiction and rehabilitation services;
- aged care services;
- first nation people's services;
- migrant and settlement services;
- prisoner rehabilitation;
- community legal services;
- community and neighbourhood services;
- policy, research and advocacy services;
- community transport;

- family day care;
- home care services;
- other (please specify) _____

XX. Are any of your employees currently covered by an enterprise agreement?

- Yes No

XX. Does your enterprise agreement cover all of your SCHADS Award covered employees?

- Yes No

2. How many employees do you **currently** employ in the sectors covered by the SCHADS Award?

- Fewer than 20 employees
- Between 20 and 49 employees
- Between 50 and 99 employees
- 100 or more employees

3. If you employ ~~more than~~ 100 or more employees who are covered by the SCHADS Award how many employees **covered by the SCHADS Award** do you employ?

ENTER NUMBER

4. Of the employees you employ who are covered by the SCHADS Award how many employees do you employ in the categories set out below?

Category	No. of Employees
Permanent full time employees	
Permanent part time employees	
Fixed term contract full time employees	
Fixed term contract part time employees	
Casual employees (i.e. in receipt of the 25% casual loading and not in receipt of any paid leave entitlement)	

5. The following questions concern the casual employees you employ in the sectors covered by the SCHADS Award. ~~If you do not employ any casual employees in any of these sectors go to question 6.~~

5.1 Did the enterprise employ any casual employees covered by the SCHADS Award in the 4 week period from 4 to 31 March 2019:

Yes No [SKIP TO Q6]

5.2 Did any of your casual employees work more than 38 hours per week?

Yes No

5.2 Did any of your casual employees work on a Saturday?

Yes No

5.3 Did any of your casual employees work on a Sunday?

Yes No

6. Does your business enterprise receive a significant proportion of its income from the Commonwealth, a State Government or a Local Government?

Yes No

7. If the answer to Question 6 is yes, what is the source of the income? Please select all that apply.

Commonwealth

State Government

Local Government

8. Clause 25.8 of the SCHADS Award provides that home care employees may be rostered for a 24 hour care shift which requires an employee to be available for duty in a client's home for a 24 hour period.

Has your business enterprise rostered a home care employee for a 24 hour care shift in the 12 month period from 1 March 2018 to 1 March 2019?

Yes No Don't know

9. If the answer to Question 8 is yes, how many times has your business enterprise rostered a home care employee for a 24 hour care shift in the 12 month period?

ENTER NUMBER

10. Where is the primary location of your business enterprise?

- Metropolitan area
- Regional area
- Rural/remote area

XX. What is the name of your enterprise?

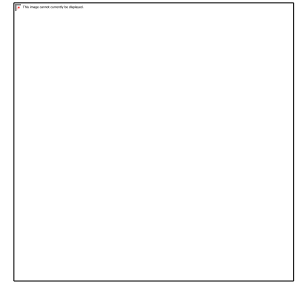
ENTER NAME

XX. Is your organisation a member of one or more of the organisations listed below? If so indicate which one(s)

~~Which of the following organisations is your enterprise a member of?~~

- Jobs Australia
- Australian Federation of Employers and Industry (AFEI)
- Australian Business Industrial and the NSW Business Chamber (ABI)
- Aged and Community Services Australia
- Leading Aged Services Australia
- National Disability Services (NDS)
- Australian Industry Group (Ai Group)
- ~~Health Services Union of Australia (HSU)~~
- ~~Australian Municipal, Administrative, Clerical and Services Union (ASU)~~

DRAFT SURVEY



Fair Work Act 2009

s.156 - 4 yearly review of modern awards

4 yearly review of modern awards—Award stage—Group 4—*Social, Community, Home Care and Disability Services Industry Award 2010*— Substantive claims

(AM2018/26)

SYDNEY, 2019

The Fair Work Commission (the Commission) is conducting a review of the *Social, Community, Home Care and Disability Services Industry Award 2010* (SCHADS Award) as part of the 4 yearly review of modern awards.

The sectors covered by the SCHADS Award include:

- crisis accommodation for women, children, families, young people and men;
- sexual assault, domestic and family violence services;
- women’s domestic violence court advocacy services;
- youth and child protection services;
- out of home care for children and young people at risk;
- homelessness, housing and tenancy services;
- family support services;
- disability services, including residential care and care provided in a private residence;
- health and mental health services;
- alcohol, gambling and other drugs of addiction and rehabilitation services;
- aged care services;
- first nation people’s services;
- migrant and settlement services;
- prisoner rehabilitation;
- community legal services;
- community and neighbourhood services;
- policy, research and advocacy services;
- community transport;

- family day care; and
- home care (provision of personal care, domestic assistance or home maintenance to an aged person or person with a disability in a private residence)

The Commission requests that you complete the survey below to assist in the review of the SCHADS Award. If you are unable or unwilling to complete the survey you may be required to attend the Commission to give evidence in respect of the questions asked below.

Information collected by the Commission about the enterprises that complete the survey will be used for the sole purpose of excluding those enterprises from attending to give evidence. Data will be presented in aggregate form and will not identify the enterprises that completed the survey.

You should only complete the survey once, regardless of how many times you have received an invitation to complete this survey.

1. Which sector or sectors does your enterprise operate in?

- crisis accommodation for women, children, families, young people and men;
- sexual assault, domestic and family violence services;
- women's domestic violence court advocacy services;
- youth and child protection services;
- out of home care for children and young people at risk;
- homelessness, housing and tenancy services;
- family support services;
- disability services, including residential care and care provided in a private residence;

- health and mental health services;
- alcohol, gambling and other drugs of addiction and rehabilitation services;
- aged care services;
- first nation people's services;
- migrant and settlement services;
- prisoner rehabilitation;
- community legal services;
- community and neighbourhood services;
- policy, research and advocacy services;
- community transport;
- family day care;
- home care services;

other (please specify) _____

2. Are any of your employees currently covered by an enterprise agreement?

Yes No

3. Does your enterprise agreement cover all of your SCHADS Award covered employees?

Yes No

4. How many employees do you currently employ in the sectors covered by the SCHADS Award?

- Fewer than 20 employees
- Between 20 and 49 employees
- Between 50 and 99 employees
- 100 or more employees

5. If you employ 100 or more employees who are covered by the SCHADS Award how many employees covered by the SCHADS Award do you employ?

ENTER NUMBER

6. Of the employees you employ who are covered by the SCHADS Award how many employees do you employ in the categories set out below?

Category	No. of Employees
Permanent full time employees	
Permanent part time employees	
Fixed term contract full time employees	
Fixed term contract part time employees	
Casual employees (i.e. in receipt of the 25% casual loading and not in receipt of any paid leave entitlement)	

7. The following questions concern the casual employees you employ in the sectors covered by the SCHADS Award.

5.1 Did the enterprise employ any casual employees covered by the SCHADS Award in the 4 week period from 4 to 31 March 2019:

Yes No [SKIP TO Q6]

5.2 Did any of your casual employees work more than 38 hours per week?

Yes No

5.2 Did any of your casual employees work on a Saturday?

Yes No

5.3 Did any of your casual employees work on a Sunday?

Yes No

8. Does your enterprise receive a significant proportion of its income from the Commonwealth, a State Government or a Local Government?

Yes No

9. If the answer to Question 6 is yes, what is the source of the income? Please select all that apply.

Commonwealth

State Government

Local Government

10. Clause 25.8 of the SCHADS Award provides that home care employees may be rostered for a 24 hour care shift which requires an employee to be available for duty in a client's home for a 24 hour period.

Has your enterprise rostered a home care employee for a 24 hour care shift in the 12 month period from 1 March 2018 to 1 March 2019?

Yes No Don't know

11. If the answer to Question 8 is yes, how many times has your enterprise rostered a home care employee for a 24 hour care shift in the 12 month period?

ENTER NUMBER

12. Where is the primary location of your enterprise?

- Metropolitan area
- Regional area
- Rural/remote area

13. What is the name of your enterprise?

ENTER NAME

14. Is your organisation a member of one or more of the organisations listed below? If so indicate which one(s)

- Jobs Australia
- Australian Federation of Employers and Industry (AFEI)
- Australian Business Industrial and the NSW Business Chamber (ABI)
- Aged and Community Services Australia
- Leading Aged Services Australia
- National Disability Services (NDS)
- Australian Industry Group (Ai Group)