

FAIR WORK COMMISSION

Matter No.: AM2020/21

Applicant: Zeenat Abdullah

Respondent:

OUTLINE OF SUBMISSIONS OF THE UNITED WORKERS UNION

The application

1. Zeenat Abdullah (**the Applicant**) has filed an application pursuant to section 157 of the *Fair Work Act 2009* (**the Act**) proposing a variation to clause 25.3 of the *Social, Community, Home Care and Disability Services Industry Award 2010* (**SCHADS Award**) (**the application**).
2. On 11 June 2020 the Commission issued a statement inviting interested parties to make submissions in writing in relation to the application by 4:00PM on 9 July 2020. United Workers Union (**UWU**) sought and was granted an extension of time in relation to this timeframe.

UWU response to the application

3. UWU opposes the application.
4. The application would have the effect of changing the requirement that employees covered by the Award must be provided with at least two full days free from duty in each week.
5. The application is not supported by probative evidence or submissions. It appears to be aimed at a confined set of individual circumstances. Obviously if it were granted, it would have application well beyond those confined circumstances.
6. On its face, a variation to the Award of this kind is not consistent with the requirement in section 134(1) of the Act, that the Commission must ensure that modern awards, together with the National Employment Standards, provide a fair and relevant minimum safety net of terms and conditions. The variation sought would weaken the safety net.

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7. In the event the Commission intends to conduct a hearing about this matter, the UWU wishes to be heard in relation to these submissions.

For the United Workers Union

13 July 2020