

## FAIR WORK COMMISSION

Matter No: AM2026/10

RE: Applications to vary modern awards with respect to vehicle allowances

### SUBMISSION OF THE HEALTH SERVICES UNION

#### A. INTRODUCTION

1. On 14 April 2026, the ACTU filed applications to vary 27 modern awards on behalf of 5 affiliated unions, including the Health Services Union (**HSU**), seeking to vary the motor vehicle allowance (**the Allowance**) in these awards. These applications included, at Annexure A, a Draft Determination setting out a proposed schedule to be inserted into these awards, titled 'Proposed Schedule XY Oil Shock Crisis'. Other Unions have since filed separate applications seeking to vary another 13 modern awards on broadly the same terms (collectively, the **Applications**).
2. The applications filed by the ACTU on 14 April 2026 include applications by the HSU to vary 6 modern awards in which the HSU has an interest (**HSU Applications**), namely, the:
  - a. *Aboriginal and Torres Strait Islander Health Workers and Practitioners' and Aboriginal Community Controlled Health Services Award 2020*;
  - b. *Aged Care Award 2020*;
  - c. *Ambulance and Patient Transport Industry Award 2020*;
  - d. *Health Professionals and Support Services Award 2020*;
  - e. *Nurses Award 2020*; and
  - f. *Social, Community, Home Care and Disability Services Industry Award 2010*.
3. The application seeking to vary the *Social, Community, Home Care and Disability Services Industry Award 2010* was a joint application with the Australian Services Union (**ASU**) and the Australian Workers' Union (**AWU**).
4. On 20 April 2026, the President issued directions (**the Directions**), directing the union applicants and the Australian Council of Trade Unions (**ACTU**) to file any evidence, submissions, or other documents these parties wish to rely upon by 24 April 2026.
5. The HSU has had the opportunity to review the submission of the ACTU, which will be filed in response to the Directions (**the ACTU Submission**). The HSU endorses the ACTU

submission, which addresses the background and context of the proceeding, how the modern award system handles vehicle allowances, reasons the variations sought in the Applications the subject of this proceeding should be made, and the modern awards objective. The HSU has also had the opportunity to review the submissions of the ASU and UWU, and we endorse these submissions with respect to the awards in which we have an interest.

6. This submission is made by the HSU in response to the Directions. The purpose of this submission is to address matters relevant to the sectors covered by the awards in the HSU Applications in supplement to the ACTU Submission.

## **B. FUEL CRISIS**

7. The Applications seek to vary the motor vehicle allowance in relevant modern awards in response to the rising cost of fuel caused by the current conflict in the Middle East (**the Conflict**).
8. The Conflict has caused excessive volatility in the price of Brent crude oil on international markets. On 26 February 2026, oil prices traded at around \$70 USD per barrel. Following American-Israeli airstrikes on Iran on 27 February 2026, oil prices climbed to a peak of \$144 USD per barrel on 7 April 2026.<sup>1</sup> At the time of writing this submission, the price of Brent crude oil was trading at \$106 USD per barrel (**the Fuel Crisis**).<sup>2</sup>
9. Brent crude oil is the primary raw material used to refine petrol and diesel products. In 2010, Australia had seven operating refineries; however, rising transportation and labour costs, compared to international competitors, impacted commercial viability. Australia's capacity to refine Brent crude oil has now reduced to two operating refineries. As such, Australia imports around 91 per cent of its domestic refined fuel consumption, predominantly from countries in Southeast Asia, including Singapore, South Korea and Malaysia.<sup>3</sup> These countries, in turn, import Brent crude oil from countries in the Middle East predominantly through the Strait of Hormuz. The flow of which has been impacted by the Conflict. As a result of these factors, Australian petrol and diesel prices are incredibly susceptible to geopolitical tensions in the Middle East and fluctuations in the price of Brent crude oil.

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<sup>1</sup> Bloomberg, '[Dated Brent Oil Price Jumps to Highest Level on Record](#)', 7 April 2026.

<sup>2</sup> Yahoo Finance, '[Brent Crude Oil](#)'.

<sup>3</sup> The Australia Institute, 'Australia 91% reliance on foreign oil: Research Report', 21 April 2022.

10. The Fuel Crisis caused the average retail price of petrol to reach a high of 254.3 cents per litre for the week ending 29 March 2026, and the average price of diesel was 307.5 cents per litre in April. On 14 April 2026, the Australian Institute of Petroleum indicated that the current average cost of petrol is 224.5 cents per litre for petrol and 319 cents per litre for diesel.<sup>4</sup> This represents an increase of 40 per cent in average retail petrol prices and an increase of 72.9 per cent in average retail diesel prices in around a month.
11. The Applications seek to vary the relevant allowance within modern awards in line with the percentage movement for the Monthly Series of the Private Motoring Sub-Group index. The explanation for using this index is provided at [102]-[106] of the ACTU submission.
12. The HSU references and relies on paragraphs [11] – [53] of the ACTU submissions setting out further background and context to this proceeding.

### **C. HSU APPLICATIONS AND EVIDENCE**

13. The modern awards the subject of the HSU Applications cover employees working in a range of sectors, including health, aged care and disability services.
14. Employees in various occupations within these sectors are required to use their own vehicles, often travelling significant distances in the course of their duties. Some employees, for example, those providing aged care or disability support to people in private homes (including disability group homes), or pathology collectors performing collections at multiple collection centres or ‘domiciliary’ collections, including at private homes and aged care facilities, can be required to travel between multiple locations during the course of their duties on a given day.
15. The Fair Work Commission has previously recognised that travelling between clients (sometimes significant distances) is a feature of the work of home care and disability support workers covered by the SCHADS Award.<sup>5</sup>
16. At [29]-[35] of its submission, the ACTU sets out and cites publicly available evidence as to the impact of the Fuel Crisis on retail petrol prices. The HSU relies upon this evidence, alongside [11] above, to support the Applications.

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<sup>4</sup> Australian Institute of Petroleum, ‘At a glance, current fuel prices’ 12 April 2026.

<sup>5</sup> 4 yearly review of modern awards – *Social, Community, Home Care and Disability Services Industry Award* – Substantive claims [2021] FWCFN 2383, at [232] and [584].

17. In addition to the foregoing and the publicly available evidence set out and cited in the ACTU Submission as to the impact of the Fuel Crisis on retail petrol prices in Australia, the HSU also relies on lay witness statements from the following members demonstrating the real-life impact of the Fuel Crisis:
- a. **Candice Gordon.** Ms Gordon is a pathology collector from New South Wales who is engaged under the *Health Professionals and Support Services Award 2020*.
  - b. **Elizabeth Chatwin.** Ms Chatwin is a home care manager and home and disability support worker from Tasmania who employs workers on the *Social, Community, Home Care and Disability Services Industry Award 2010*.
  - c. **Laura Wright-St. Clair.** Ms Wright-St. Clair is a support worker from New South Wales. Ms Wright-St. Clair is engaged under the *Uniting Aged Care Enterprise Agreement (NSW)2017*. She would otherwise be covered by the *Social, Community, Home Care and Disability Services Industry Award 2010*.
18. Ms Chatwin is the home care manager and business owner of Dorset Community Care. At [15] of her statement, Ms Chatwin indicates that when providing care and support to aged clients and clients with disability herself, she typically sees between three to five clients per day and can travel up to 400 kilometres per week in the course of her duties.
19. In her capacity as a business owner, Ms Chatwin also has knowledge of the distances her employees travel during the course of their duties. At [16], Ms Chatwin states that her employees drive on average around 80 kilometres per day to see clients.
20. At [15] of her statement, Ms Gordon tells the Commission she has travelled up to 450 kilometres per fortnight to perform pathology collections at a range of collection centres throughout the Newcastle and Hunter Valley region of New South Wales.
21. Ms Wright-St. Clair describes that she can see up to 6 clients per day and travel up to 120 kilometres per day while assisting elderly clients throughout the Blue Mountains region of New South Wales.<sup>6</sup>
22. The distances that these witnesses are required to travel during the course of their duties mean they are incredibly exposed to fluctuations in the price of fuel and are spending considerably

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<sup>6</sup> Laura Wright-St. Clair statement at [15]

more of their disposable income on fuel. Ms Wright-St. Clair at [18] of her statement said she spent up to \$100 a week on fuel at its peak.<sup>7</sup>

23. Despite employees in these sectors being in receipt of the Allowance to reimburse them for the cost of travel performed during the course of their duties, the quantum of \$0.99 is not sufficient to absorb the additional cost.

24. For example, Ms Chatwin gives evidence that she has had to lend employees the company car because they have informed her they are unable to afford the travelling during the course of their duties because of the cost of fuel.<sup>8</sup> Similarly, Ms Wright-St. Clair gave evidence that she had to turn down a job requiring 90 kilometres of driving because of the current cost of fuel.<sup>9</sup> Likewise, Ms Gordon gave evidence that she has to turn down work at a collections centre in Charlestown, New South Wales, because of the cost of fuel.<sup>10</sup>

#### **D. CONCLUSION**

25. For the reasons set out in this submission, and in the submission filed by the ACTU, the HSU submits that the motor vehicle allowance in the awards the subject of the HSU Applications specifically (and the Applications more broadly) should be varied in the manner set out in the draft determination at Annexure A to the Applications.

**Health Services Union**

**Monday 27 April 2026**

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<sup>7</sup> Also see Candice Gorman statement at [18].

<sup>8</sup> Elizabeth Chatwin statement at [19].

<sup>9</sup> Laura Wright-St. Clair statement at [20].

<sup>10</sup> Candice Gorman statement at [19].

## **FAIR WORK COMMISSION**

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#### **WITNESS STATEMENT OF CANDICE GORMAN**

I, Candice Gorman, Pathology Collector, [REDACTED], New South Wales, state as follows:

1. I have worked in the healthcare and social assistance sector for nearly 1 year.
2. I currently work as a pathology collector for Douglass Hanly Moir and perform collections around the Hunter Valley region of New South Wales.
3. I am 40 years old and was born on [REDACTED].
4. This statement is from my own knowledge and belief, unless otherwise stated. Where statements are not made from my own knowledge, they are made to the best of my knowledge, information and belief, and I have set out the sources of my knowledge, information and belief.

#### **A. Qualifications and experience**

5. I started working in the healthcare and social assistance sector in May 2025, which is when I started working for Douglass Hanly Moir.
6. Before working in the sector, I worked in a factory undertaking distribution and packing work. I did this work for 3 years.
7. I decided to work as a pathology collector because I previously worked as a veterinary nurse and enjoyed taking blood from animals, and liked the idea of taking blood from humans.
8. I hold a Certificate III in pathology collection from Adept training in Parramatta, New South Wales. I completed this certificate in 2024.

#### **B. Wages and conditions of employment**

9. I currently work part-time, 30 hours per week. My employment is covered by the *Health Professionals and Support Services Award 2020 (the Award)*.
10. I earn \$30.64 per hour and am classified at pay point 2, clause C.2.1 of the Award.

11. Under the Award, I am entitled to a motor vehicle allowance of \$0.99 per kilometre completed during the course of my duties. I am entitled to receive the allowance for travel beginning from my 'base', rather than from my home. My base is Toronto, New South Wales.

**C. Roster and travel during work**

12. I currently work on Monday, Tuesday, Wednesday, Friday, and occasionally on a Saturday. My roster is set fortnightly and as such, my hours of work and location vary fortnight-to-forenight.

13. When I started working for Douglass Hanly Moir, I worked full-time hours, however due to the intensity of the role, including travel, working in new collection centres day-to-day and the pressure of learning a new job, I stepped back to part-time hours around August 2026.

14. I work at collection centres across the Hunter Valley region, which requires significant travel between these centres. I occasionally work in Newcastle when required.

15. The amount I have to travel to perform my duties varies fortnight-to-forenight based on my roster; however, I can travel up to 450 kilometres in a fortnight.

16. On some days, I can travel up to 90 kilometres per day. For example, in March 2026, I was required to travel from my base in Toronto to Greenhill, which is around 40 kilometres, then to Law Street, before driving home. I drove around 80 kilometres that day.

17. To claim the motor vehicle allowance, I fill out a 'kilometre expenses form' and fax it to my supervisor for approval. This allowance is paid in the next pay cycle.

**D. Impact of the crisis**

18. I do not know exactly how much more I am spending on fuel per week since fuel prices started to increase. However, before the crisis started, I generally only filled my car up with fuel once per week. I now fill my car up twice a week.

19. The additional cost of fuel has meant I have had to say no to working in some locations. For example, in March, my supervisor asked me to work at a collection centre in Charlestown. While this is only around an 18-kilometre drive one way, I would have been bumper-to-bumper with other vehicles, and it would have taken me up to an hour to drive there. Sitting in traffic burns fuel and adds additional cost to my journey, which would not be paid back by the fuel allowance. I would have taken this job if the cost of fuel were lower because I wanted to experience working in another collection room; however, I did not feel I was able to because of the cost of fuel.

20. The other impact of the crisis is that I have to pick up Saturday work to cover rising costs, including fuel. I occasionally work for 3 hours on a Saturday from a collection centre in Morisset.
21. Increasing the fuel allowance would help significantly because it would reduce the financial pressure of work-related travel, and every dollar counts.

Candice Gorman

23 April 2026





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### WITNESS STATEMENT OF ELIZBETH CHATWIN

I, Elizabeth Chatwin, Home Care Manager at Dorset Community Care, [REDACTED]  
Tasmania, state as follows:

1. I have worked in the Age Care sector for 15 years.
2. I am currently the home care manager and business owner of Dorset Community Care, which provides a range of services for clients throughout the Dorset Region, North-East Tasmania, including Age Care at home and disability support and palliative care.
3. I am fifty-seven years old and was born on [REDACTED]
4. This statement is from my own knowledge and belief unless otherwise stated. Where statements are not made from my own knowledge, they are made to the best of my knowledge, information and belief, and I have set out the sources of my knowledge, information and belief.

#### A. Qualifications and experience

5. I have worked in the disability sector for 15 years.
6. I started working in the sector because of the lack of care shown to my father while he was undergoing palliative care in 2009. I wanted to make a difference and help people in need.
7. My career in the sector started in 2012, when I worked as a home care and social support worker for St Mary's Home Care in Caloundra, Queensland. I worked here until 2013, when I moved to Tasmania to look after my aging mother. In Tasmania, I worked for May Shaw as a coordinator until November 2022.
8. In 2016, I worked briefly as a sole trader under the name 'Dorset Community Care' for 6 months, completing home care work for one client. I stopped working as a sole trader because I was offered a job working full-time through MayShaw. In November 2022, I again worked as a sole trader under the same name and then shortly after incorporated the company. I was the first employee, with only one client; however, due to ongoing and consistent demand for our services, the business has grown significantly since 2022, and now employs 26 people, supporting over 180 clients.
9. I hold a Certificate III and IV in Aged Care. I completed my Certificate III in August 2012 from TAFE in STEPS Training in Caloundra, Queensland. I completed my Certificate IV in October 2014 from State Enterprise Training in Tasmania.

10. Our employees have a range of qualifications and certificates suitable for personal care and domestic work, such as Certificate III in Aged Care, working with vulnerable people, police checks, which are necessary for domestic work.

**B. Wages and conditions of employment**

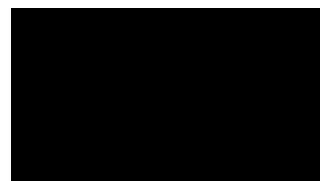
11. I currently work full-time hours, 38 hours a week. My employment, and our employees, is covered by the *Social, Community, Home Care and Disability Services Industry Award 2010 (the Award)*.
12. Our employees are engaged under a range of classifications and streams within the Award. I am paid a salary.
13. Under the Award, employees are entitled to a motor vehicle allowance of \$0.99 per kilometre completed during the course of their duties. Employees are paid the allowance for travel between client sites, but not for travel from their home to the first client or from the last client back home.

**C. Roster and travel during work**

14. I currently work between 09:00 to 17:00 Monday to Friday. Our employees work a range of casual hours with rosters changing on a daily basis due to clients' changes of circumstances.
15. We have clients throughout North-East Tasmania, which requires significant travel throughout the week, including between client sites. During a typical week, I see between 3 - 5 clients per day and travel up to 400 kilometres per week in the course of my duties. For example, on 27 February 2026, I drove 30 kilometres from our office in [REDACTED] to [REDACTED] to see my first client for personal care and domestic work. I then drove the 30 kilometres back to [REDACTED] to see my remaining clients. I drove around 70 kilometres over the day. This is an average day.
16. Having reviewed the rostering system in preparation for this witness statement, some of our employees drive significantly more per day in the course of their duties. For example, one employee drives on average 110 kilometres per day, and an average employee drives around 80 kilometres per day to see clients.
17. All of our staff are casual employees and claim the motor vehicle allowance fortnightly. They claim this after the fact by completing a travel log each day via our rostering system, detailing how many kilometres they travel between clients. We also use Google Maps to calculate distances between locations if the information an employee logged looks incorrect.

**D. Impact of the crisis**

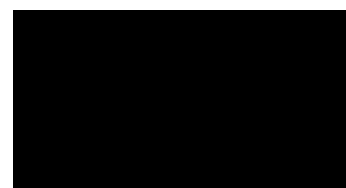
18. Before the fuel crisis, I was spending around \$120 per week on fuel. I now spend around \$200 per week on fuel. Staff members who drive more in the course of their duties will be spending significantly more money on fuel.
19. Staff have told me they are feeling these costs acutely. For example, an employee told me on 25 March 2026 that they could not afford the 200-kilometre round trip from [REDACTED] to [REDACTED] (and back) to take a client to a doctor's appointment. To ensure that the client still received their required services, I lent the employee my personal car.
20. Employees have also mentioned they are having to cut back on essential services to cover fuel. For example, I was told in March that an employee's son is unable to compete in extra sports and social outings during the week because of the added cost of fuel.
21. The other knock-on effect of the crisis is that I have had to redo the roster to try to get staff working in the same areas, to reduce travel time and fuel costs. In an example, I would usually send an employee with Certificate III to assist with a client showering and send another employee to do housework. However, in March 2026, I had to change this shift pattern so that the employee with Certificate III completes the housework as well, to reduce fuel costs for employees. This client was understanding of this change.
22. The current motor vehicle allowance is insufficient and is impacting employees and clients. Increasing the motor vehicle allowance within the Award would decrease employees' stress because they would not have to worry about paying extra money for fuel. It would also mean that I would not have to change clients services because we do not have the staff in the area.



Elizabeth Chatwin

~~23~~ April 2026

27.4.2026





**FAIR WORK COMMISSION**

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**WITNESS STATEMENT OF LAURA WRIGHT-ST. CLAIR**

I, Laura Wright-St. Clair, Support Worker at [REDACTED] New South Wales state as follows:

1. I have worked as a support worker for 2 years.
2. I am currently a support worker with Uniting (NSW, ACT), trading as Uniting, providing support services to elderly clients throughout the Blue Mountains, Hawkesbury and Penrith region of New South Wales.
3. I am 41 years old and was born on [REDACTED]
4. This statement is from my own knowledge and belief unless otherwise stated. Where statements are not made from my own knowledge, they are made to the best of my knowledge, information and belief, and I have set out the sources of my knowledge, information and belief.

**A. Qualifications and experience**

5. I have worked as a support worker for 2 years.
6. Before working as a support worker, I worked for Uniting in the kitchen of an aged care home for 12 years.
7. In my role, I assist clients at home with housekeeping, shopping and meal preparation, escort clients to medical appointments, on shopping trips and for social activities. I am required to see multiple clients each day in different locations throughout the [REDACTED] [REDACTED] and [REDACTED] region of New South Wales.
8. I hold a Certificate II in Hospitality, which I completed at school in 2002 and a Certificate II in design fundamentals from TAFE, completed in 2004.
9. I am currently studying towards a Certificate III in individual support. I am completing this through Uniting, in Parramatta, New South Wales. I will complete this certificate in July 2026.

**B. Wages and conditions of employment**

10. I currently work part-time, and my contract of employment guarantees me 25 hours per week. However, on average, I work 30 hours per week.

11. My employment is currently covered by the *Uniting Aged Care Enterprise Agreement (NSW) 2017* (the Agreement). I am classified as a Grade 2 Support Worker and earn \$34.59 per hour. My employment is otherwise covered by the *Social, Community, Home Care and Disability Services Industry Award 2010*.

12. I am entitled to a vehicle allowance of \$0.99 per kilometre when I travel between client sites.

#### **B. Roster and travel during work**

13. I work Monday to Friday and must be available to work from 9 – 5. My hours of work change week to week, and my employer regularly requires me to work more than my contracted 25 hours per week. This is why I am available from 9 – 5.

14. While I am based in [REDACTED] I see clients throughout the [REDACTED] [REDACTED] and [REDACTED] region of New South Wales, which requires significant travel throughout the week to multiple clients. I used to travel up to 60 kilometres per day to see clients; however, Uniting have started using a new artificial intelligence rostering system, and I now travel significantly greater distances per day.

15. The number of clients I see varies, day-to-day, and I can see up to 6 clients in a day and travel up to 120 kilometres. For example, on 21 April 2026, I saw my first client in [REDACTED], my second in [REDACTED] and my first in [REDACTED] I drove around 120 kilometres that day.

16. Depending on the client, I can also be required to drive clients to appointments or to the shops. This adds further kilometres to my day.

17. Uniting uses Google to log how many kilometres I drive during the day to see clients and then reimburses me the appropriate amount. If I must drive clients to an appointment or the shops during a shift, I log the number of kilometres I have driven in our online system. I am required to note where we visited, why, and how many kilometres I drove.

#### **C. Impact of the fuel crisis**

18. Before the fuel crisis, I was spending around \$70 per week on fuel. At its peak, I was spending up to \$100 a week on fuel. I estimate that around 85 per cent of this was spent for work purposes and 15 per cent for personal use.

19. In response to the ongoing fuel crisis, my employer has increased the fuel allowance by \$0.05. However, this is only temporary and finishes on 3 May 2026.

20. I have also had to turn down a job because of the additional cost of fuel. For example, on 24 March 2026, our rostering system attempted to send me on a split shift to a job in [REDACTED] 35 kilometres away from my home, then to [REDACTED], which is a 26-kilometre drive from [REDACTED] in one direction. This was around a 90-kilometre round trip. There was a 3.5-hour break between these shifts, which I would not be paid for. I informed Uniting that, with the cost of fuel and the break between shifts, I could not afford to do this shift.
21. I am worried about how much a shift will cost in fuel and the wear and tear on my car, particularly when I am scheduled to travel a long distance between clients.

Laura Wright-St. Clair

24 April 2026

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[REDACTED]

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