



DETERMINATION

Fair Work Act 2009

s 158—Application to vary or revoke a modern award

Application by Mental Health Australia

(AM2023/2)

Application by Plan International Australia

(AM2023/5)

SOCIAL, COMMUNITY, HOME CARE AND DISABILITY SERVICES INDUSTRY AWARD 2010

[MA000100]

Social, community, home care and disability services

JUSTICE HATCHER, PRESIDENT
DEPUTY PRESIDENT DEAN
DEPUTY PRESIDENT BEAUMONT

SYDNEY, 1 SEPTEMBER 2023

Applications to vary the Social, Community, Home Care and Disability Services Industry Award 2010.

A. Further to the decision issued by the Expert Panel of the Fair Work Commission on 1 September 2023 [[\[2023\] FWCFB 150](#)], the above award is varied as follows:

1. By inserting clause 34.3 as follows:

34.3 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.

2. By updating the cross-references accordingly.

B. This determination comes into operation on 11 September 2023. In accordance with s 165(3) of the *Fair Work Act 2009* (Cth), 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 11 September 2023.



PRESIDENT

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