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13 November 2014

AMOD Team  
Fair Work Commission

By email: [ADMOD@fwc.gov.au](mailto:ADMOD@fwc.gov.au)

**s. 156 – FOUR YEARLY REVIEW OF MODERN AWARDS - AM2014/201 - CORRECTIONS AND DETENTION (PRIVATE SECTOR) AWARD 2010**

We refer to the directions issue by the Fair Work Commission on 30 October 2015. The parties were directed to respond to the revised draft report and the exposure draft dated 30 October 2015 for the Corrections and Detention (Private Sector) Award 2010.

**Revised Exposure Draft**

1. United Voice has had the opportunity to consider the submissions made in response to the revised draft report and exposure draft by the Australian Workers Union, dated 13 November 2015. United Voice supports those submissions.

Clause 8.2 (a)

2. The parties were directed to consult with their members with respect to the rostering of part time employees and the incidence of part time work under the *Corrections and Detentions (Private Sector) Award 2010* ('the Award'). United Voice covers all detention officers in the privately operated immigration detention system and prison officers in some privately operated prisons in New South Wales and Queensland. United Voice can report that all of its members in this sector are covered by enterprise agreements and the incidence of part-time employment is low.

*Immigration Detention System*

3. United Voice covers all detention services and catering employees in privately-run immigration detention centres. All employees in this sector are covered by the *Serco Immigration Services Agreement 2015*. There are very few part time employees in the immigration detention system.

4. Part-time detention services employees are paid 1/42<sup>nd</sup> of the aggregate rate of pay for their classification. The aggregate rate of pay is inclusive of extended hours, penalties and shift loadings. They are paid overtime when they work in excess of 12 hours per day or outside the agreed pattern of work. Under the agreement, rosters will be developed that divide weekend and night shifts equitably between all employees. The concept of day worker from the Award does not apply.

#### *Private Prisons in New South Wales*

5. In New South Wales, United Voice covers correctional officers at two private correctional centres: the Junee Correctional Centre and the Parklea Correctional Centre. Part-time employment is not common at either centre.
6. The employees at the Junee are covered by the *Junee Correctional Centre – Correctional Officers – 2015 Enterprise Agreement*. Under this agreement, the majority of employees are shift-workers, except for those employed under clause 2.5.7 'Monday to Friday 8 Hour Posts'. The 'day worker' issue from clause 8.2(a) of the Award is therefore not relevant to this agreement. The employees at the Parklea centre have recently voted in favour of the *Parklea Correction Centre – Correctional officers Enterprise Agreement 2015*, which is currently going through the approval process. In that agreement, Clause 2.7 Hours of Work replicates the Award clause 8.2. According to the Form F17 filed in this matter, there is 1 part-time employee who will be covered by this agreement.

#### *Private Prisons in Queensland*

7. United Voice covers correctional officers in private correctional facilities at the Arthur Gorrie Correctional Centre and the Southern Queensland Correctional Centre. Correctional Officers at the Arthur Gorrie Correctional Centre are employed under the *Arthur Gorrie Correctional Centre - Correctional Officers – Certified Agreement 2014*. Under that agreement part time employees have the same entitlements, on a pro rate basis, as full time employees. However, employees are paid a salary using an average pay system and a rotating roster system. Correctional Officers at the Southern Queensland Correctional Centre are employed under the *Serco Southern Queensland Correctional Centre Agreement 2013-2016*. A day worker under this agreement works between 6.00 am and 6.00 pm from Monday to Friday. Part-time day workers have the same conditions, including span of hours, as a full-time day worker.



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Yours faithfully,



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