

IN THE FAIR WORK COMMISSION

4 yearly Review of Modern Awards

Supported Employment Services Award 2010

FWC Matter No.: AM2014/286

OUTLINE OF SUBMISSIONS OF THE ENDEAVOUR FOUNDATION

Background

1. This Outline of Submissions is filed pursuant to the directions of VP Hatcher dated 10 July 2017 (as amended on 6 November 2017).
2. This matter concerns the four yearly review by the Fair Work Commission (**Commission**) of the Supported Employment Services Award 2010 (**Award**), pursuant to the provisions contained in Division 4 of Part 2-3 of the *Fair Work Act 2009* (**FW Act**).
3. Clause 4.1 of the Award states:

'This industry award covers employers throughout Australia who operate supported employment services and their employees working in the classifications listed in Schedule B – Classifications to the exclusion of any other modern award.'
4. The Endeavour Foundation (**Endeavour**) is an employer that provides supported employment services and is covered by this Award.
5. Endeavour opposes any variation to the Award which:
 - a. deletes the Greenacres Association Competency Based Wage System (**Greenacres Tool**) an approved wage assessment under clause 14(4) of the Award; and/or
 - b. provides for the Supported Wages System (**SWS**) to become the only wage assessment tool under clause 14(4) of the Award.

Statutory context

6. The FW Act gives the Commission the power to review all modern awards and in doing so, it may make a determination to vary a modern award.¹
7. In exercising its functions, the Commission is required to adhere to the Modern Awards Objective², which requires the Commission to ensure that modern awards, together with the national employment standards, provide a fair and relevant minimum safety net of the terms and conditions which take into account (amongst other things) the likely impact of any exercise of modern award powers on business, including on productivity, employment costs

¹ Section 156(2) FW Act

² Section 134(1) FW Act

and the regulatory burden³ and the need to ensure a simple, easy to understand, stable and sustainable modern award system.⁴

8. In circumstances where the Commission may make a determination varying modern award minimum wages, it must do so only if it is satisfied that the variation of the modern award minimum wages is justified by work value reasons⁵ whilst adhering to the Minimum Wages Objective.⁶
9. The Minimum Wages Objective requires the Commission to establish and maintain a safety net of fair minimum wages taking into account (amongst other things) promoting social inclusion through increased workforce participation⁷ and providing a comprehensive range of fair minimum wages to employees with a disability.⁸
10. Modern minimum wages are the rates of wages including those that apply to employees with a disability.⁹ A variation occurs when the current rates of one or more modern minimum wages is varied¹⁰ A variation to the wages of supported employees can only be made if it is justified by work value reasons.¹¹

The Greenacres Tool

11. Endeavour operates 30 Australian Disability Enterprises (**ADEs**) which employs approximately 2,330 supported employees at sites located in Queensland, New South Wales and Victoria.¹²
12. A core function of Endeavour is to be able to offer employment to people with disabilities who would otherwise not have the opportunity to be in paid employment. It is therefore a unique workplace that specifically caters for people who are predominantly intellectually impaired.
13. While the core function is to provide supported employees with employment opportunities, Endeavour must do so while concurrently and maintaining a commercially viable business.
14. As ADEs provide services for supported employees, the challenges of running a commercially viable business are different to one with a non-impaired workforce. The challenges faced by supported employees are different. For example, there are many factors which impact upon a supported employee's ability to stay focused on the task and this naturally impacts upon an ADEs production levels.
15. The Greenacres Tools is designed to accommodate employees who have intellectual impairment and who require high to moderate support needs. The Greenacres Tool has

³ Section 134(1)(f) FW Act

⁴ Section 134(g) FW Act

⁵ Section 156(3)

⁶ Section 284(2)

⁷ Section 284(1)(b)

⁸ Section 284(1)(e)

⁹ Section 284(3)

¹⁰ Section 284(4)

¹¹ Section 156(4)

¹² Paragraph 8 of the statement of Andrew Donne

three distinct areas of work performance that are assessed, two of which are competency based. These are as follows:

- a. **Task Skills** which assess fine motor, gross motor, spacial, planning/problem solving, multiple co-ordination, language, literacy and numeracy and machinery/equipment/tools skills required to successfully complete a job;
 - b. **Underpinning Work Skills** which include general vocational skills necessary to maintain successful employment, such as team work, punctuality and working consistency; and
 - c. **Productivity** (of work output per individual employee over a pre-determined time period) and is normally mentioned against the productivity rates of peers rather than able bodied rates.¹³
16. The Greenacres Tool breaks down a job into tasks. The competencies required to complete each task are assessed. The complexity of the task determines the Wage Level. The more complex the task, the higher the wage.
 17. The Greenacres Tool is an appropriate and reasonable tool to assess wage rates for employees with intellectual impairment. It has been specifically designed for that.
 18. The majority of supported employees at Endeavour have intellectual impairment. The most common conditions which impact Endeavour's supported employees are; down syndrome, autism, cerebral palsy, fragile X syndrome, prader willi syndrome, birth related brain injuries, foetal alcohol syndrome, acquired brain injuries and other conditions impacting an employee's intellectual abilities.¹⁴
 19. The Greenacres Tool is an appropriate and reasonable tool for Endeavour and should be retained as an approved wage assessment tool under clause 14(4) of the Award.

The Supported Wage Tool Assessment (SWS Tool)

20. The SWS Tool was developed to assess wage rates for people with a disability working in open employment, not for supported employees working in ADEs.
21. Under the SWS Tool, the productivity capacity of employees is assessed against basic performance standards for other employees without a disability who undertake the same tasks or duties in the workplace. The productivity based wage essentially requires a standard to be set of the productivity needed for the full rate of pay for the job, followed by an assessment of the employee's achievement against that standard.¹⁵
22. The SWS Tool is not an appropriate or reasonable tool to determine wage outcomes across all supported employment.
23. The provision of wage outcomes for supported employees is a not a *"one size fits all approach"*.
24. In circumstances where the majority of Endeavour's supported employees have an intellectual impairment, it would be inappropriate and unreasonable to require that Endeavour only use the SWS Tool to determine wage outcomes.

¹³ Paragraph 36 of the statement of Andrew Donne

¹⁴ Paragraph 10 of the statement of Andrew Donne

¹⁵ Paragraph 70 to 72 of the statement of Andrew Donne

The implications of adopting the SWS Tool as the only tool at Endeavour

25. During 2016, Endeavour trialled the SWS Tool. That trial demonstrated that assessments conducted using the SWS Tool only would lead to a dramatic increase in wage levels for Endeavour's supported employees.
26. According to the trial, if the SWS Tool were to become the only tool available to Endeavour to assess wage outcomes for its supported employees, Endeavour's wage bill would increase from \$15,295,538 to \$33,807,489 per annum. This is an increase of a staggering \$18,511,951.¹⁶
27. Endeavour is not in a position to absorb an increase in labour costs of this magnitude. An increase of this size would inevitably mean:
 - a. Many of Endeavour's ADEs would close as they would not be sustainable; and
 - b. The ADEs which remain open would encompass significant job losses.¹⁷
28. For Endeavour's supported employees, it would also mean that they are unlikely to find alternate paid employment as they do not have the skills for the open employment market.
29. This inevitably has negative social ramifications, as supported employees would look to day services or rely on their families for additional support.
30. The review of SWS trial was conducted by ARDT consultants at the request of the Department of Social Services. The conclusion of the consultants was that "*the trial itself had not provided a clear case that the modified SWS can be consistently applied by ADEs and assessors provide an accurate assessment of supported employee productivity across the range of ADEs operating contexts. However it has not definitively provided that it cannot.*"¹⁸
31. The report highlighted many shortcomings with the application of the SWS Tool including:
 - a. Questions remained about whether the assessment could or should take into account the range and complexity of duties and tasks undertaken by the employee and the relevance of support and supervision the employee needs.
 - b. The job design was not taken into account for employees doing more complex tasks at a slower rate. This meant that employees could be paid less for more complex tasks.
 - c. There did not appear to be any provision for those completing tasks as a group or on a production line where productivity could be increased or decreased depending on their co-workers capability.¹⁹
32. These shortcomings do not arise with the Greenacres Tool.
33. Under the Greenacres Tool, the job is assessed and the wage level determined by the complexity of the tasks undertaken. The more complex the job, the higher the wage.
34. Therefore, while an employee may take longer to complete the task, their wage level is set at a level that takes this into account. The level of productivity of the employee only affects

¹⁶ Paragraphs 86 to 89 statement of Andrew Donne

¹⁷ Paragraph 97 statement of Andrew Donne

¹⁸ Paragraph 94 statement of Andrew Donne

¹⁹ Paragraph 95 statement of Andrew Donne

the band level, (entry, competent or advanced). The employee is not at risk of receiving a wage that is the same as someone who is completing a basic task.

35. The Greenacres Tool is a reasonable wage assessment tool for employees who are intellectually impaired and who work in an ADE.
36. The Greenacres Tool is appropriate and reasonable for Endeavour.

Prohibition of disability discrimination

37. The Greenacres Tool is not unlawful.
38. It is accepted that the Greenacres Tool (like the SWS Tool and others) provides for different wage outcomes for its supported employees. This fact is inherent within the Supported Wage System.
39. The Supported Wage System was endorsed by the then Australian Industrial Relations Commission on 10 October 1994. At that time, joint applications had been made by several unions to vary awards to include a Supported Wage System. The decision records:

*“The Supported Wage System facilitates the employment of workers with disabilities in **open employment (our emphasis)** at a rate of pay commensurate with the employee’s assessed productive capacity. The system is an important social and industrial advance.”²⁰*

40. In 2005, further to an application by the Liquor, Hospitality and Miscellaneous Union for the variation of the *Australian Liquor, Hospitality and Miscellaneous Workers Union Supported Employment (Business Enterprise) Award 2001*, a range of wage assessment tools were included in the award.
41. The decision records that:

“all the tools set out in the award as varied have been approved by the Department as satisfying the relevant standards for the sector.”
42. During the Award modernisation process and the emergence of the *Supported Employment Services Award 2010*, the wage assessment tools remain and are listed at clause 14.2 of the Award. They have been in place for many years.

Disability Discrimination Act 1992 (DD Act)

43. One of the objectives of the DD Act is to eliminate, as far as possible, discrimination against persons on the ground of disability in areas of work. In the context of considering whether the Greenacres Tool is discriminatory, the relevant sections of the DD Act are section 6, and section 15. These sections are extracted at **Appendix A**.

The Nojin Decision²¹

44. In this case, the Full Bench of the Federal Court held that Messrs Nojin and Prior had been subjected to unlawful discrimination in contravention of section 15 of the DD Act because their employer had imposed upon them a requirement or condition that, in order to secure a

²⁰ Administrative and Clerical Officers (Australian Public Service) Salaries Award 1986 ODN C No 07114 of 1986 [A0324] Dec 1831/94

²¹ Nojin v Commonwealth of Australia [2012] FCAFC 192

higher wage, they had to undergo a wage assessment known as the Business Services Wage Assessment Tool (**BSWAT**).

45. At the time, the BSWAT was a listed wage assessment tool under clause 14.2 of the Award.
46. Relevantly, the BSWAT examined an impaired worker's productivity by reference to work actually performed and the extent to which the worker possessed identified competencies.
47. *Nojin* is not authority for the proposition that any wage assessment tool that considers competencies other than productivity is discriminatory.
48. *Nojin* does not go that far.
49. In *Nojin*, the BSWAT tool was found to have measured productivity and competencies. Each counted for 50% of the individual's final assessment.
50. In respect of the competencies assessed, there were two areas - core competencies and industry competencies. Each competency (of which there were eight) carried a value of 6.25%.
51. Under each of the competencies, the individual was required to answer questions (as if they were in an interview) about matters that did not relate to the job that was being undertaken by them. The assessment was more about general knowledge and aptitude.
52. Relevantly, if they could not answer the question (which was not relevant to the task being undertaken), they scored 0 for the competency, thereby losing 6.25% from the wage assessment.
53. In the circumstances of *Nojin*, the BSWAT assessment was found to be unlawful. In summary, this was because those subject to it were asked questions about abstract concepts, meaning that those with intellectual impairment found it more difficult to answer correctly or successfully when compared to those with a physical impairment.
54. Messrs *Nojin* and *Prior* were subject to an assessment process that did not fairly relate to the work that they performed.
55. The *Greenacres Tool* does not adopt the same assessment process as *Nojin*.
56. The *Greenacres Tool* assesses the Task Skills, the Underpinning Work Skills and the Productivity of the individual assessed.
57. The assessment provided by the *Greenacres Tool* relates to the work actually being performed and assesses three elements of that work, taking into account the circumstances of intellectual impairment.
58. The *Greenacres Tool* provides a fair and reasonable assessment for those with intellectual impairment.

Reasonableness Test

59. The continued use of the *Greenacres Tool* is not unlawful because, consistent with section 6(3) of DD Act, it is reasonable having regard to the circumstances.

60. Whether a requirement is reasonable is an objective test and a question of fact. In *Catholic Education v Clarke*²², it was observed:

"[115] ..the principles are now well settled: see *Victoria v Schou (2004) 8 VR 120* at [25] per Phillips JA (with whom Buchanan JA agreed). They include the following:

- (i) The person aggrieved bears the onus of establishing that the condition or requirement was not reasonable in the circumstances: *Commonwealth Bank of Australia v Human Rights and Equal Opportunity Commission* (1997) 80 FCR 78 at 111, per Sackville J (with whom Davies and Beaumont JJ agreed), and the authorities cited there;
- (ii) The test of reasonableness is an objective one, which requires the Court to weigh the nature and extent of the discriminatory effect, on the one hand, against the reasons advanced in favour of the condition or requirement, on the other: *Secretary, Department of Foreign Affairs and Trade v Styles (1989) 23 FCR 251* at 263, per Bowen CJ and Gummow J; *Waters v Public Transport Commission* at 395-396 per Dawson and Toohey JJ; at 383, per Deane J. Since the test is objective, the subjective preference of the aggrieved person are not determinative, but may be relevant in assessing whether the requirement or condition is unreasonable: *Commonwealth v Human Rights and Equal Opportunity Commission* (1995) 63 FCR 74 at 82-83, per Lockhart J;
- (iii) The test of reasonableness is less demanding than one of necessity, but more demanding than a test of convenience: *Styles* at 263. It follows that the question is not whether the decision to impose the requirement or condition was correct, but whether it has been shown not to be objectively reasonable having regard to the circumstances of the case: *Australian Medical Council v Wilson* (1996) 68 FCR 46 at 61-62, per Heerey J; *Commonwealth Bank v HREOC* at 112-113, per Sackville J; and
- (iv) The Court must weigh all relevant factors. While these may differ according to the circumstances of each case, they will usually include the reasons advanced in favour of the requirement or condition, the nature and effect of the requirement or condition, the financial burden on the alleged discriminator of accommodating the needs of the aggrieved person and the availability of alternative methods of achieving the alleged discriminator's objectives without recourse to the requirement condition: *Waters v Public Transport Corporation* at 395, per Dawson and Toohey JJ (with whom Deane J agreed on this point, at 383-384). However, the fact that there is a reasonable alternative that might accommodate the interests of the aggrieved person does not of itself establish that a requirement or condition is unreasonable: *Commonwealth Bank v HREOC* at 88, per Beaumont."

61. The continued use of the Greenacres Tool is reasonable having regard to the following:

- a. Supported employees are assessed on factors that are relevant to the work tasks actually being undertaken;
- b. Supported employees are assessed as they perform the task under normal work conditions;
- c. The assessment is based on three streams, Task Skills, Underpinning Work Skills and Productivity to take into account the difficulties faced by those with intellectual impairment;
- d. By assessing all three elements, the work value of this type of work is reasonably assessed; and

²² *Catholic Education Office v Clarke* [2004] 138 FCAFC 121

- e. Employees are not penalised for performing more complex tasks which may result in a lower productivity level. The minimum wage level is set dependant on the complexity of the task performed. The employee's productivity affects the banding at which they are paid.
62. Conversely, if the Commission were to Order a variation to the Award that requires employers covered by the Award to implement the SWS Tool only, this would not be reasonable for Endeavour having regard to its circumstances, in particular that a majority of its supported employees have intellectual impairment.
63. For Endeavour, the provision of the SWS Tool as the only wage assessment tool available would be unreasonable because:
- a. It only measures productivity over a set time thereby producing an impure result.
 - b. The productivity rate assessed does not reflect the actual level of production. For example an employee who is assessed as being able to paint 5 pegs in one hour, should therefore produce 35 pegs over a 7 hour shift. The actual levels of production do not match the assessment figures.
 - c. Productivity does not take into account other factors experienced by intellectually disabled employees which affect their production levels.
 - d. The cost of implementing SWS would increase Endeavour's wage bill by a staggering \$18,511,951.
 - e. Endeavour is not in a position to absorb an increase in labour costs of this magnitude.
 - f. An increase of this size would inevitably mean:
 - i. many of Endeavour's ADEs would close as they would not be sustainable; and
 - ii. the ADEs which remain open would encompass significant job losses.
 - g. This would in turn have significant, negative impacts for supported employees at Endeavour and their families.

Section 153(3) of the Fair Work Act

64. The continued use of the Greenacres Tool does not offend section 153(3) of the FW Act.
65. Relevantly, section 153(3) of the FW Act says:
- “A term of a modern award does not discriminate against an employee merely because it provided for minimum wages for:*
- (a)..*
 - (b) all employees with a disability, or class of employees with a disability;*
 - (c)..”*
66. Clause 14 of the Award provides for the minimum wage for each grade set out in clause 14.2.
67. Supported employees receive a percentage of the Level 2 wage rate. Level 2 being the relevant level to the jobs undertaken by the supported employees.

68. The minimum wage is currently \$18.81.
69. Clause 14.4 of the Award provides that employees with a disability are paid a percentage of this minimum wage.
70. The percentages are determined by appropriate wage assessment tools.
71. The use of different wage assessment tools is necessary having regard to the different tasks undertaken by supported employees at various ADEs across Australia.
72. The use of different wage assessment tools is also necessary having regard to the different nature of impairments of supported employees at those ADEs.
73. There cannot and should not be a “*one size fits all approach*”.
74. The Minimum Wages Objective does not support such an approach. The objective requires the Commission to establish and maintain a safety net of fair minimum wages taking into account (amongst other things) promoting social inclusion through increased workforce participation²³ and providing a ***comprehensive range of fair minimum wages*** (*our emphasis*) to employees with a disability.²⁴
75. The Greenacres Tool is not discriminatory under section 153 merely because it provides for minimum wages for disabled employees.
76. The Greenacres Tool provides for a fair and reasonable assessment for Endeavour having regard to all of the circumstances.
77. The Greenacres Tool should remain an approved wage assessment tool under clause 14(4) of the Award.

14 November 2017

²³ Section 284(1)(b)

²⁴ Section 284(1)(e)

APPENDIX A

Relevant sections of the Disability Discrimination Act 1992

Section 6 Indirect disability discrimination

- (1) For the purposes of this Act, a person (the *discriminator*) *discriminates* against another person (*the aggrieved person*) on the ground of a disability of the aggrieved person if:
 - (a) the discriminator requires, or proposes to require, the aggrieved person to comply with a requirement or condition; and
 - (b) because of the disability, the aggrieved person does not or would not comply, or is not able or would not be able to comply, with the requirement or condition; and
 - (c) the requirement or condition has, or is likely to have, the effect of disadvantaging persons with the disability.
- (2) ...
- (3) Subsection (1) or (2) does not apply if the requirement or condition is reasonable, having regard to the circumstances of the case.
- (4) For the purposes of subsection (3), the burden of proving that the requirement or condition is reasonable, having regard to the circumstances of the case, lies on the person who requires, or proposes to require, the person with the disability to comply with the requirement or condition.

15 Discrimination in employment

- (2) It is unlawful for an employer or a person acting or purporting to act on behalf of an employer to discriminate against an employee on the ground of the employee's disability:
 - (a) in the terms or conditions of employment that the employer affords the employee; or
 - (b) by denying the employee access, or limiting the employee's access, to opportunities for promotion, transfer or training, or to any other benefits associated with employment; or
 - (c) by dismissing the employee; or
 - (d) by subjecting the employee to any other detriment.'

IN THE FAIR WORK COMMISSION

4 yearly Review of Modern Awards

Supported Employment Services Award 2010

FWC Matter No.: AM2014/286

STATEMENT OF SCOTT REED

I, Scott Reed of [REDACTED] state as follows:

Employment History

1. I am employed by the Endeavour Foundation (**Endeavour**) as a Senior Business Services Manager based in Maryborough, in regional Queensland. In this role I am responsible for the overall management and operations of Endeavour's Australian Disability Enterprise (**ADE**) located in Maryborough. I have been an employee of Endeavour since December 2007 and in my current role for approximately seven years.
2. I have spent my entire working life, some 36 years, working in the timber industry and have an in depth understanding of the industry and the manufacture of timber products. I have completed a Certificate 4 Front Line management, Diploma of Management, Certificate 4 in Workplace Health and Safety as well as other industry based training.

Maryborough ADE

3. There are currently 49 supported employees who work at the Maryborough ADE. These employees produce a range of timber products depending on customer orders, however the production of timber stakes and pegs is the primary commercial operation undertaken at the site.
4. The site produces wooden stakes and pegs of assorted sizes ranging in length from 15 centimetres to 2.4 metres. The products are sold to surveyors, real estate agents, builders and property developers, the mining industry and other miscellaneous customers who require wooden stakes or pegs.
5. At the time of preparing this statement there is a State election campaign underway in Queensland and we are supplying wooden stakes and A frames to many candidates to be used to support candidate's corflute signs.
6. Maryborough is a regional Queensland town approximately 225 km north of Brisbane. The major industries are tourism, railway rolling stock manufacture and maintenance, sugar and

3467-9859-5590v1

Lodged by: **Endeavour Foundation**

Telephone:

Address for Service: PO Box 3555
Tingalpa QLD 4173

Fax:
Email:

Scott Reed

Witness:

timber. The town has a population of approximately 28,000 and has high levels of unemployment, particularly younger job seekers.

7. In addition to the 49 supported employees, there are 7 non supported employees employed at the site including production supervisors and managers, employment coaches, a customer service manager and myself.
8. Of the 49 supported employees employed at the Maryborough site, 46 have their wage rates assessed using the Greenacres Association Competency Based Wages System (**Greenacres Tool**) and three Supported employees have their rates of pay assessed using the Supported Wage System (**SWS Tool**).

Overview of Production

9. The production process at the site commences with the delivery of packed sawn timber product. These products are docked one piece at a time and cut into set lengths. The docked pieces of wood then go through the multi rip machine where the wood is split into individual pieces of specific thickness, depending on the individual product being produced.
10. **Attached and marked SR-1** is a copy of the Job Register for Maryborough, detailing all the job and the tasks required to complete each job.
11. Depending on the size and product requirement, the docked lengths are either left rough sawn or planed smooth through the moulders and then placed into stock ready for pencil pointing. That is, one end is sharpened by an employee placing the stake or peg into a sharpening machine to sharpen the end. The products are sharpened with either a pencil or a square point, depending on the product. The stakes or pegs may then be painted or packed unpainted into bundles, packed into set quantities, strapped and wrapped ready for delivery.
12. Throughout the production process, safety and the checking of the quality of the product are emphasised and are critical challenges for our supported employees. This involves grading and checking the wood and docking off imperfections so that they do not end up in the finished product. We use up cut dockers or a semi automatic optimising docker for this process.
13. For supported employees who commence working at the site, there is an initial assessment process to familiarise them with the site and the safety procedures, as well as to commence getting used to working in a production environment and with other people.
14. Following the initial assessment process, the first job employees undertake is stacking pegs into packs or onto pallets. During this stage, employees commence working as part of a team with their peers and begin getting used to the routine of working in a production environment. From my experience, it is not unusual for some supported employees to take up to three months to get used to working as part of a team and to understand the relevant steps for the task.
15. The next stage of a supported employee's development involves stacking cut product from the optimiser docking line. This is a higher paced production environment involving the grading and stacking of docked timber. At this stage, employees get used to working as a group, grading and stacking docked timber. Employees are also trained in grading of the wooden product. This involves checking the cut product for any knots or other imperfections. The final step of this stage of development is having employees being able to grade and stack the docked wooden product.

3467-9859-5590v1

Scott Reed

Witness:

16. With our supported employees, each step of learning the stacking process can be a big step. It can take six months to a year for some employees to progress from one stage to another. By constantly encouraging and providing training, our supported employees improve their skills to progress to the next job while ensuring that we do not place them under stress or pressure.
17. For employees who progress through the stacking and grading stage, the next stage in their development involves becoming more involved in the production process including commencing to operate machinery at the site. These tasks may include operating the up cut docking machine, peg saws, pointing the pegs and stakes, grading of product, operating the routing machine, painting and dipping of product and packing products for bulk orders using the bundling strappers.
18. The next stage of development for our higher functioning supported employees involves operating more intricate production machinery such as planer and rip saws and forklifts, assisting with stock management and control. At the site we have seven supported employees who have obtained national accreditation to operate a forklift as well as supported employees who are licenced to operate a 5 tonne heavy ridged truck. It is expected that six supported employees will shortly commence a nationally accredited FWP 30316 Certificate 3 in Sawmilling and Timber Products Training accreditation through RTO – TABMA Australia.

Greenacres Tool Assessment

19. As the Senior Business Service Manager, I approve the assessment of our employees under the Greenacres Tool Assessment.
20. The assessment process is set out in our policy. A copy of the policy is **attached and marked SD-2**.
21. The policy sets out each step of the assessment process that the supervisor//training officer must follow.
22. Not all supported employees have the capacity to progress through each stage, however all supported employees are encouraged and provided the opportunity to develop the range of tasks then can undertake.
23. Goals are set at least annually with all supported employees learning and developing skills in the tasks they can perform. It is not uncommon when a new supported employee commences working at the site that they are withdrawn and have difficulties openly communicating with others. I have seen many supported employees grow as their confidence and the range of tasks they undertake grows. In essence, they blossom and become much more open and comfortable communicating with other employees. They start to form friendships and are welcomed by their peers, as well as gaining more confidence to try new tasks.
24. A major challenge we have is ensuring the products produced are within specification and meet our quality standards. This is an issue which we need to constantly engage with our supported employees about. The quality of the product produced is equally important as the rate at which employees can produce products.
25. As an example, the site recently lost a major customer over quality issues. The customer was hammering a peg into the ground and it split, due to a knot in the wood, resulting in the customer being injured by the split peg. On investigation I was able to track down (by reference to the batch number and date) the supported employees who would have produced

3467-9859-5590v1

Scott Reed

Witness:

the pegs supplied to the customer. Two of these supported employees are highly productive at operating the pointing machine to sharpen the pegs, however when focussed on output only, they were not taking the time to look for faults in the wood, check the point or the quality of the finished product but were concentrating on how many they could do. This simply illustrates one of the challenges of supported employment.

26. As stated above, of the 49 supported employees who work at the site, 46 have their wages assessed using the Greenacres Tool. This tool assesses an employee's rate of pay having regard to both the employee's productivity capacity as well as the employee's competencies.
27. The Greenacres Tool is most suited to Endeavour's particular circumstances because:

a. Productivity is measured across a specific time it does not account for distractions.

We have supported employees who can be highly productive for shorter periods during the day undertaking tasks, such as pointing stakes and pegs. If these employees were assessed for a limited period, having regard to productive output alone whilst undertaking the task, they would rate highly and, in my view, disproportionately.

An example of this was an assessment conducted on an employee who was aware he was being timed. When he was advised that he was no longer being timed, he was observed by the assessors walking away from his work station and turning off machines being operated by other employees to play tricks on them, generally mucking around and not staying focussed on his work. Conduct such as this is not uncommon.

b. Productivity does not include an assessment for quality

Assessing productivity alone fails to have regard to the importance of having employees check the quality and the specifications of the product being produced. For our site, the quality of the product produced is critical and one of our biggest challenges is to have supported employees focus on quality rather than just the quantity of product produced.

c. Moving to the SWS model would increase wage costs to unsustainable levels

In the event the site was required to move to a wage assessment system which had regard to productive output alone, it would be unlikely the site would be able to continue to operate in its current form. I would anticipate there would be substantial increases in the rates of pay for our supported employees and it is unlikely we would be able to pass these costs on to our customers as we compete with other timber product producers, which are not ADEs and which are highly automated, commercial businesses.

To remain viable, we would need to invest substantial capital to automate our operations and, in so doing, dramatically reduce our supported employee numbers.

We would need to become near to fully automated.

A comparable plant with non-supported employees could be operated by 8 to 10 employees at the most. In the event capital to invest in automation was not available, it would be unlikely the site would be able to remain open

d. Social and Community impact

In the event the site closed, the nearest ADEs are located at Gympie, which is approximately 120 km from Maryborough. It is unlikely any of our current supported employees would travel this distance each day for supported employment. Likewise, the prospects for our supported employees being able to find work in open employment in Maryborough are poor. Maryborough and the Fraser Coast have high levels of youth unemployment.

e. Employees choosing less challenging tasks and being paid more

Another problem with moving to a wage assessment tool for supported employees which is solely based on productive output, is employees undertaking the less challenging tasks may be paid a higher hourly rate than employees doing the more complex tasks.

At our site, a supported employee pointing stakes and pegs may be assessed as having a higher productive output than an employee operating our larger production machinery, for example operating the up cut docker, where grading of product and checking the quality are very important requirements.

Such an outcome would act as a disincentive for supported employees to train and acquire new skills as well as being a potential source of conflict at the site.

28. In my view, the current Greenacres tool which has regard to both productivity and competencies is a more appropriate tool to assess wage rates for our supported employees.

Sworn by the deponent)
at Brisbane)
in Queensland) Signature of deponent
on)
)

Before me:

.....
Signature of witness

Full name of witness:

Qualification of witness:

3467-9859-5590v1

Scott Reed

Witness:

SR-1 “Job Register for Maryborough”

JOB REGISTER - Maryborough

Department	Customer	Job	Task Analysis	Stage	Skill Level	Task Skills required to complete job	Related SWP	Agreed Productivity
		Operating Strapper	Operate auto strapper	1	B	1.6.2.4.5.	SWP2	√
		Painting peg by dipping	Pick up peg, dip in paint, put in drying racks	1	A	1,2,,8	SWP107	
		Painting by dipping and counting for order	Dip peg and continue until order is complete	1	B	1.3.6.7.4.5.	SWP107	
		Painting coloured tops freehand	Dip peg into colour paint until reach correct level	1	B	1.3.6.7.4.5.	SWP108	
		Outfeed stacking onto pallet/frame and counting	Remove timber from outfeed, check quality	1	B	3.6.7.4	SWP1c	√
			Stack timber, to correct pattern and count	2	B	1.3.6.7.		
		Outfeed stacking onto pallet/frame no counting	Remove timber from outfeed	1	A	1.2.8.	SWP1c	√
			stack timber onto pallet	2	A	1.2.4.5.8.		
		Operate Dimter Opticut	Operate Dimter control panel	1	C	1.2.4.7	SWP100	√
		Infeeding timber on Dimter Opticut	Pick up a piece of timber to be docked	1			SWP1b	
			Check for quality	2	B	3.5		
			Mark the defect to be removed	3	B	3.5.6		
			Feed timber into in infeed belt	4	B	1.3.7.		
			Adjust machine as nessasary	5	B	1.3.6.7.2.4.5		
		Pointing pegs on sliding table saw	Ensure timber is available	1	B	1.6	SWP3	
			Start up machine	2	B	3.2.4.5.		
			insert peg into guide to be pointed	3	B	1.2.4.5.		
			remove peg and place on pallet	4	B			
		Loading timber from holding device	place it onto the in-feed table for the operator to assess.	1	A	1.4.8.	SWP5	√
		Stacking docked to length into holding device	Evenly spread out the timber across the width of the frame.	1	A	1.2.4.5.8.	SWP13	
			Both ends must be level across the width of the timber being stacked, continue this till complete.	2	A	8		
			Minimum of 3 packing strips equally apart across the length of the pack are required every fifth row.	3	A	4.5.8.6.		
			Once the required amount is reached remove and replace frame.	4	A	1.8.		
		Stacking random length into holding device	Evenly spread out the timber across the width of the frame.	1	A	1.2.4.5.8.	SWP14	
			Both ends must be level across the width of the timber being stacked, continue this till complete.	2	A	8		
			Minimum of 3 packing strips equally apart across the length of the pack are required every fifth row.	3	A	4.5.8.6.		

JOB REGISTER - Maryborough

Department	Customer	Job	Task Analysis	Stage	Skill Level	Task Skills required to complete job	Related SWP	Agreed Productivity
			Once the required amount is reached remove and replace frame.	4	A	1.8.		
		Stacking timber onto pallet	stack timber on pallet	1	A	1.2.5.8	SWP15	
		Stacking timber onto pallet and counting	Select pallet and place on frame	1	B	1.3.6.7	SWP15	
			stack timber to supervisors instructions	2	B	1.3.6.7		
			insert 3 packing strips every 5th row	3	B	1.3.6.7		
			continue stacking until required amount	4	B	1.3.6.7.		
			wrap with cling wrap to secure,	5	B	1.3.6.7		
			move pallet to area for forklift	6	B	1.3.6.7		
		Forklift operation	Operate forklift (supervised)	1	E	1.2.4.5.7.8.	SWP33	√
		Out Feed of Holy-Tek and Full Power planers	Check for quality	1	B	6.7.5.	SWP101b	
		Outfeed Holy tek	Stand to the side of the table and wait for the timber	1	A	8	SWP101a	
			Move piece of timber to designated place	2	A	1.2.4.8.		
		Pencil Pointing	Ensure timber is available	1	B	1.6	SWP104	√
			Start up machine	2	B	3.2.4.5.		
			insert peg into guide to be pointed	3	B	1.2.4.5.		
			remove peg and place on pallet	4	B			
		Pop Up docker	Ensure timber in available	1	B	1,6	SWP115	√
			Start up machine	2	B	3,2,4,5		
			Dock timber, remove from saw	3	B	1.3.6.7.2.4.5.		
		Docking pegs using sliding table saw	Ensure timber in available	1	B	1,6	SWP136	
			Start up machine	2	B	3,2,4,5		
			Dock timber, remove from saw	3	B	1.3.6.7.2.4.5.		
		Operating semi auto pencil pointer	Ensure timber is available	1	B	1.6	SWP151	√
			Start up machine	2	B	3.2.4.5.		
			insert peg into guide to be pointed	3	B	1.2.4.5.		
			remove peg and place on conveyor	4	B			
		Operating full power planer infeed	Supervisor set control panel				SWP138	√
			Infeed timber and adjust control panel as nessasary	1	C			
		Operating full power planer outfeed	Outfeed, check quality and stack	1	B	1.3.6.7.5	SWP1c	√

JOB REGISTER - Maryborough

Department	Customer	Job	Task Analysis	Stage	Skill Level	Task Skills required to complete job	Related SWP	Agreed Productivity
		Pencil pointer conveyor quality stacker	Check quality and place on correct pallet	1	B	1.3.6.7.5.	SWP150	√
		Pencil pointer conveyor stacker	Place pointed pegs onto correct pallet	1	A	1.2.4.5.8.	SWP15	
		Truck operating procedure	As per SWP	1	E		SWP119	√
		Operating Holytek 5 sided planer	Start cutter heads one at a time If timber jams, follow SWP	1	C	3.2.4.	SWP112	
				2	C	1.2.4.6.		
		Quality control 5 sided planer	Check quality of timber	1	B	6.7.	SWP101b	
		Infeed 5 sided planer	Feed into machine	1	A	1.2.4.8.9.	SWP5	√
		strapping for sale and dispatch	Strap required amount and prepare for dispatch	1	B	1.3.6.7.2.4.5.	SWP20	√

SR-2 “Greenacres Wage Assessment Tool Policy”

QP 2025: Greenacres Wage Assessment Tool Procedure

1.0 PURPOSE

An integral element of the Australian Federal Governments Employment Assistance Program through which we employ Supported Employees, is the Wage Assessment process. This procedure provides a detailed description of the process used to enable a fair and equitable wage result for people in supported employment by Endeavour Foundation Industries (EFI).

This procedure aligns with the Greenacres Competency Based Wage Assessment Tool currently used by Endeavour Foundation to determine the Supported Employee Wages.

To meet the requirement of National Standard 6: Service Management. 'The Service has effective and accountable Service Management & Leadership to maximise outcomes for individuals.'

Key Performance Indicators:

- KPI 9.1 The service provider ensures that people with a disability, placed in open or supported employment, receive wages according to the relevant Australian Pay and Classification Scale (APCS), special Federal Minimum Wage (SFMW), award, order or industrial agreement (if any).
- KPI 9.2 The service provider ensures that, when people with a disability are placed in employment, their conditions of employment are consistent with general workplace norms and relevant Commonwealth and State Legislation.
- KPI 9.3 The service provider ensures that, when people with a disability are placed in supported employment, they, and if appropriate, their guardians and advocates, are informed of how wages and conditions are determined and the consequences of this.

2.0 SCOPE

This policy applies only to:

The administration of the Wage Assessment process and the implementation of the report findings for people with a disability working within Endeavour Foundation Industries who are employed through the Employment Assistance Program.

3.0 ACCOUNTABILITY/ACCOUNTABLE OFFICER(S)

All staff at service level, including Supervisors, Training Support Officers (TSO), Training Development Officers/Managers (TDO/M), Customer Service Managers (CSM), Foreman/Production Managers (PM) and Endeavour Foundation Industries Managers (EFIM).

QP 2025: Greenacres Wage Assessment Tool Procedure

Staff at Head Office level including Business Employment Officers (BEO) and Wage Implementation Team (WIT) members, Business Employment Coordinator (BEC), National Program Manager (NPM), Commercial Managers (CM), Executive General Manager - Business Solutions (EGM-BS) and HR Manager (HRM).

4.0 KEY CONTROLS

- EFI Internal Audit process
- External Audit process
- FaHCSIA Funding Agreement – Disability Employment Assistance Services
- Greenacres Competency Based Wage Assessment Tool

5.0 PROCEDURE

5.1 General

A Wage Assessment is required:

- When a Supported Employee completes their Trial Employment of 13 weeks (Initial Wage Assessment).
- Every year after the Initial Wage Assessment (Annual Wage Assessment).
- When there are significant task changes (Review Wage Assessment).
- When there is a significant and permanent improvement in a Supported Employee's competency or productivity (Review Wage Assessment). This can be at the Supported Employees or EFI's request.

5.2 Endeavour Foundation Industries Wage Assessment Flow

5.2.1 Pre Assessment Tasks

5.2.1.1. Site specific ***Job Register (QF 2025.05)***

5.2.1.1. Allocate Skill Level to each task on site utilizing ***Safe Work Practice (SWP 4141.04)*** and ***Skill Level Task Skills and Underpinning Work Skills (QF 2025.01)***.

5.2.2 Assessment Tasks

QP 2025: Greenacres Wage Assessment Tool Procedure

- 5.2.2.1. TDO and Supervisor work together to begin collecting banding timings using **Productivity Banding Calculator (QF 2025.04)** and work on **Productivity Assessment (QF 2025.03)**.
- 5.2.2.2. TDO & Supervisor complete the **Underpinning Work Skills (UWS) (QF 2025.02)** independently and then meet to agree on UWS level.
- 5.2.2.3. TDO and EFI Manager work together to finalise work on **Productivity Assessment (QF 2025.03)**.
- 5.2.2.4. TDO completes and submits web based Wage Assessment Results (**WATAPP**) <http://watapp.endeavour.com.au/>

5.2.3 **Post Assessment Tasks**

- 5.2.3.1. Appropriate BEU WIT member identifies results, collates **Individual Impact Summary (IIS) (QF 2025.07)** and **Wage Assessment Report (QF 2025.08)** and sends to EFI site for action.
- 5.2.3.2. TDO then delivers wage assessment results to SE and their Substitute Decision Maker if applicable.

5.3 **Endeavour Foundation Industries Wage Assessment Preparation**

5.3.1 **Pre Assessment Task 1 - Job Register**

Each EFI site will have a comprehensive **Job Register (QF 2025.05)** that identifies all current and ongoing jobs. The **Job Register (QF 2025.05)** is maintained (created, monitored and updated as required) by the appropriate BEU WIT member and will list every stage of a job.

A **Safe Work Practice (SWP 4141.04)** must be used to chronologically detail each stage listed on the **Job Register (QF 2025.05)**.

5.3.2 **Pre Assessment Task 2 – Allocate Skill Level to each task on site utilizing SWP and Skill Level Task Skills and Underpinning Work Skills**

The BEU WIT member will assign the Skill Level according to the Task Skills identified within each **SWP (SWP 4141.04)** to ensure uniformity across all EFI sites. Once the Skill Level is determined by the BEU WIT member using the Greenacres methodology **Skill Levels, Task Skills & Underpinning Work Skills (QF 2025.01)**, EFI Manager approval is sought.

NOTE: New tasks require the following:

QP 2025: Greenacres Wage Assessment Tool Procedure

- Notification of the new task to the BEU WIT member using **SWP (SWP 4141.04)**.
- BEU WIT member updates the sites **Job Register (QF 2025.05)**
- BEU WIT to allocate skill level and work with the site to develop and finalise the SWP in conjunction with WHS and ensure both consistency across the organization and within the wage assessment process.

5.4 Endeavour Foundation Industries Wage Assessment Tasks

5.4.1 **Assessment Task 1 – Productivity Banding Calculator (QF 2025.04) and Productivity Assessment (QF 2025.03) outlining the tasks (TDO)**

TDO fills out the Supported Employees details using **Productivity Assessment (QF 2025.03)** including date assessment commenced and task names. **Productivity Assessment (QF 2025.03)** is then given to the Supervisor for completion and allocation of task timings and observations. Once completed the Supervisor returns the **Productivity Assessment (QF 2025.03)** to the TDO for their observations and sign off.

NOTE: To complete task timings the TDO's & Supervisor's should work together using **How to Calculate Productivity (WI 2025.01)** and **Productivity Banding Calculator (QF 2025.04)**.

NOTE: It is only necessary to time the productivity of the tasks that match the Supported Employee's highest skill level.

e.g. If a Supported Employee does 2 Level A tasks, but spends over 50% of their time on a Level B task, it is then only necessary to time the productivity of that Level B task.

5.4.2 **Assessment Task 2 - TDO & Supervisor each complete the Underpinning Work Skills Assessment (QF 2025.02) independently and then meet to agree on UWS level.**

As the Task Skills and UWS form parallel streams by which the Supported Employee is assessed, we now need to look at the Supported Employee's UWS demonstrated in the workplace. UWS are those general vocational skills necessary to maintain successful employment.

Like the Task Skills, these skills are also generic in nature and include seven dimensions:

- 5.4.2.1 Independent Work Practice
- 5.4.2.2 Consistency

QP 2025: Greenacres Wage Assessment Tool Procedure

5.4.2.3	Flexibility
5.4.2.4	Quality Control
5.4.2.5	Health & Safety
5.4.2.6	Workstation
5.4.2.7	Teamwork

To assess these skills the **UWS Assessment (QF 2025.02)** is used and is completed by the Supervisor and the TDO independently. The TDO has accredited Workplace Assessor qualifications and at least one of the staff members involved in the assessment must have completed the Greenacres Disability Enterprises Competency Based Wages System (CBWS) course.

The **UWS Assessment (QF 2025.02)** is a checklist of the UWS for each dimension included for each Skill Level in the CBWS as determining factors of a Supported Employee's work performance. To illustrate, a Supported Employee who meets 100% performance criteria of the **SWP (SWP 4141.04)** for his Level B job yet leaves his workstation 17 times per day and is often rude to staff does not meet the criteria for UWS in Level B.

For a Supported Employee to be assessed as performing at a particular Skill Level they must:

- Meet the job requirements as per SWP(s)
- Work at that Skill Level (as assessed against Task Skills) for a minimum of 50% of work time over a 6 month period (unless being initially assessed at the end of the 3 month Work Trial) and
- Demonstrate competent performance of 100% of the UWS for each Skill Level below that one the job(s) has been assessed at plus
- Demonstrate competent performance of 80% of the UWS for the current Wage Level the job(s) has been assessed at.

Completing Underpinning Work Skills

Both the Supervisor and the TDO that work with the Supported Employee on a regular basis are to independently complete the **UWS Assessment (QF 2025.02)**.

Tick the skills the Supported Employee exhibits and mark with a dash those that require support. If you place a dash you must write a comment.

QP 2025: Greenacres Wage Assessment Tool Procedure

The TDO will then compare the two **UWS Assessments (QF 2025.02)** and where results do not match the TDO is to discuss with the relevant Supervisor. If an agreement cannot be met between the Supervisor and the TDO the discrepancies are to be raised with the EFI Manager to determine a result.

If the two forms do not match in a way that changes the result, the following discussion and or mediation with the EFI Manager needs to be recorded only by ticking the box marked final result on the **UWS Assessment (QF 2025.02)** reflecting the end decision.

Apply the 80% rule to determine which Skill Level the Supported Employee should occupy. The rule being, that a Supported Employee must meet a minimum of 80% of the UWS for the Skill Level of the job being undertaken and 100% of the UWS for any lower Skill Level(s) in order to be paid at that level.

For example; a Supported Employee working on a Skill Level B job with advanced level of productivity on a full time basis must meet 80% of the UWS for Skill Level B and 100% of the UWS for Skill Level Training & Support (T&S) and Skill Level A to receive Skill Level B pay rates. If the Supported Employee does not meet the UWS for level B they can only be paid at Level An Advanced (17.5% of Grade 2), regardless of completing skills at a skill level B.

The above example only applies to Supported Employees that have never been assessed by any assessment tool whilst employed in EFI's. For existing Supported Employees that have been assessed using the Business Service Wage Assessment Tool (BSWAT), the highest Skill Level (that takes up 50% or more of work time or as deemed so by EFIM) they are currently working on will be the Skill Level they are paid at. The UWS will only be used to identify areas of training to support progression to the next skill level.

For example; a Supported Employee who has previously been assessed using the BSWAT assessment tool and is working on a Skill Level B job on a full time basis and meets 100% of the UWS for Skill Level Training & Support (T&S) and only 80% of Skill Level A, will still be paid at Skill Level B. The completion of the UWS will identify areas of training required to bring them up to the Skill Level B that they currently work on.

Skill Level Determination

Once the Task Skills and UWS have been completed you are ready to decide what Skill Level the Supported Employee meets.

Before you do, make sure you have;

- Compiled relevant SWP (with skill level) and Training & Assessment Record/s

QP 2025: Greenacres Wage Assessment Tool Procedure

- Completed documentation for the ***Underpinning Work Skills Assessment (QF 2025.02)*** for the Supported Employee
- If the Supported Employee has never had a BSWAT, ensured they meet the rule regarding 100% of UWS for lower Skill Levels and 80% of current level PLUS meeting all requirements of tasks/jobs undertaken as per the relevant SWP.
- If the Supported Employee has had a BSWAT, ensured you have recorded the highest skill level only
- Ensured the Supported Employee is working on tasks/jobs at the Skill Level for a minimum of 50% of their time at work over 6 month period (unless being initially assessed at the end of the 3 month Work Trial).

NOTE: If the Supported Employee is working at a higher level less than 50% of their time, it is at the discretion of the EFI Manager to record the higher level task at a higher percentage to ensure the assessment encompasses the higher skill base.

e.g. If a Supported Employee works on 2 A level tasks for 60% of their time and drives a forklift only 40% of their time the EFI Manager can choose to acknowledge this contribution by increasing the recorded percentage to ensure the forklift driving is included in the assessed skill level.

5.4.3. **Assessment Task 3 - TDO and Site Manager work together to finalise work on *Productivity Assessment (QF 2025.03)*.**

By this time the TDO will have the information ready to complete the assessment and can then complete the remaining sections of the ***Productivity Assessment (QF 2025.03)*** and forward to the EFI Manager for their sign off, indicating their approval.

If the EFI Manager rejects the results, TDO to email BEU WIT member requesting mediation to reach agreement.

5.4.4. **Assessment Task 4 - TDO completes and submits web based Wage Assessment Results *WATAPP (Web Application)***

Once the relevant SWP/s and training records have been compiled along with the completion of the ***UWS Assessment (QF 2025.02)*** and ***Productivity Assessment (QF 2025.03)***, the TDO is ready to submit the assessment information.

TDO inputs the data collated throughout the assessment period and submits to the BEU WIT member. <http://watapp.endeavour.com.au/>

QP 2025: Greenacres Wage Assessment Tool Procedure

The web application has been designed based on rules that will allow you to submit only if;

- The list of task percentages adds up to 100%
- The skill level and UWS are equal or there is an explanation attached
- The site has ticked to indicate they have completed the appropriate documentation evidencing the assessment (UWS Documentation Complete).

NOTE: Ensure you print screen prior to pressing submit.

Once this step is completed, the documentation (**including the printed screen of the WATAPP page**) held on site should be placed in a clear document sleeve and placed into the Supported Employees Green File in the Employment section.

5.5 Endeavour Foundation Industries Post Assessment Tasks

5.5.1. Post Assessment Task 1 – Appropriate BEU WIT member identifies results, collates report and sends to EFI site for action.

Once results have been submitted the appropriate BEU WIT member is automatically notified by email and will compile the **Individual Impact Summary (QF 2025.07)** and forward to payroll to verify hourly rate and determine if any back pay is to be applied. The IIS is completed by payroll and returned to the BEU WIT member to then compile the **Wage Assessment Report (QF 2025.08)** and send to the EFI site for action along with the **Individual Impact Summary (QF 2025.07)**.

5.5.2. Post Assessment Task 2 - TDO then delivers wage assessment results to SE and their Substitute Decision Maker if applicable.

The TDO will need to finalise the report by adding in the individual details using **Task Skill and Underpinning Work Skills Details for Report (QF 2025.09)** and any other information required in the spaces provided.

The TDO then contacts Supported Employee and Substitute Decision Maker if applicable to organise a time that the Wage Assessment Report can be delivered. If a Substitute Decision Maker (SDM) is unable to attend the Report & IIS can be sent home once meeting has been conducted for signing and retention. All contact and arrangements are documented using the **Communication Log (QF 2004.05)**.

Ensure that all the information required for the meeting is prepared prior so that you are ready to respond to any concerns or queries the Supported Employee and/or SDM may have regarding the results. This will include a copy of the Individual Impact Summary for the Supported

QP 2025: Greenacres Wage Assessment Tool Procedure

Employee and the Substitute Decision Maker to sign along with two copies of the Wage Assessment Report, one to take home and one which will be kept in the Supported Employees Green File in the Employment section as *per Quality Administration (QP 0007)*.

At the meeting:

If the Supported Employee is independent in their decisions follow the Informed **Decision Making (QP 8022)** process and proceed with the meeting as per the following dot points:

- It is important that the Supported Employee and their Substitute Decision Maker if applicable are taken through the process of the assessment and given a detailed understanding of the results.
- If the Supported Employee is going to receive an increase involving back pay, they will receive the Individual Impact Summary (IIS) detailing the new pay rate, the date to which it will be backdated and instructions about the implications of this payment. It is important that you read through IIS at the meeting prior to giving the Supported Employee a copy. The IIS will have an area for the Supported Employee & Substitute Decision Maker (if applicable) to sign acknowledging that they have received this information. It is important that they sign this during the meeting and once signed must be photocopied and placed on the SE's file.
- If the Substitute Decision Maker is unable to attend the meeting but willing to have a discussion over the phone (document this call using **Communication Log (QF 2004.05)** proceed by explaining:
 - the process behind the assessment
 - the results of the assessment
 - the contents of the IIS
 - if they verbally approve the hourly rate, explain that you will send the letter home for information only as the change will be implemented based on the Supported Employee's signature using Informed **Decision Making (QP 8022)** process.

Once this has been completed send the Substitute Decision Maker the **Wage Assessment Report and IIS**.

If either the Supported Employee or Substitute Decision Maker is unhappy with the result:

they are to be directed to the BEU WIT member (contact details are available on the report). The report will clearly detail the process to be undertaken should a person wish to make a complaint.

QP 2025: Greenacres Wage Assessment Tool Procedure

- Do not send the **IIS** to Human Resources and Payroll for processing until approval is attained through:
 - the complaints process
 - verbal approval by Substitute Decision Maker who is unable to attend the meeting or
 - a signed IIS

Once the IIS's have been signed by the Supported Employee and/or Substitute Decision Maker (if applicable) they are to be individually scanned and emailed to Payroll, Human Resources and the relevant WIT member for processing.

.All changes in hourly rates are to be recorded in the sites Wage Spreadsheet and forms.

6.0. PROGRESSION TO SUPPORTED WAGE SYSTEM (SWS)

When the TDO identifies that a Supported Employee has been assessed as performing E level tasks to an Advanced level, this is to be brought to the attention of the EFI Manager for approval to progress to a SWS assessment. The TDO is to arrange a meeting with the Supported Employee and Substitute Decision Maker if applicable to discuss the SWS process.

In the first instance progression to the SWS is at the discretion of the EFI Manager, however once the Supported Employee has been assessed once at this level they automatically progress to the SWS.

7.0. DOCUMENTATION

Procedures

- Quality Administration Procedure (QP 0007)
- Supported Employee Training and Development (QP 2005)
- Greenacres Wage Assessment Tool Procedure (QP 2025)
- Informed Decision Making (QP 8022)

Forms

- Skill Levels, Task Skills & Underpinning Work Skills (QP 2025.01)

QP 2025: Greenacres Wage Assessment Tool Procedure

- Underpinning Work Skills Assessment (QF 2025.02)
- Productivity Assessment (QF 2025.03)
- Productivity Banding Calculator (QF 2025.04)
- Job Register (QF 2025.05)
- Agreed Productivity (QF 2025.06)
- Individual Impact Summary (QF 2025.07)
- Wage Assessment Report (QF 2025.08)
- Task Skill and Underpinning Work Skills Details for Report (QF 2025.09)
- Wage Assessment Results (WATAPP) <http://watapp.endeavour.com.au/>
- Safe Work Practice (SWP 4141.04)
- Informed Decision Making (QP 8022)
- Communication Log (QF 2004.05)

Work Instruction

- How to Calculate Productivity (WI 2025.01)
- How to complete an Individual Impact Summary (WI 2025.02)

External

- National Standards for Disability Services (NSDS) <https://www.dss.gov.au/our-responsibilities/disability-and-carers/standards-and-quality-assurance/national-standards-for-disability-services>

IN THE FAIR WORK COMMISSION

4 yearly Review of Modern Awards

Supported Employment Services Award 2010

FWC Matter No.: **AM2014/286**

STATEMENT OF ANDREW DONNE

The Statement of Andrew Donne was removed from the this submission and refiled by the Endeavour Foundation on 2 February 2018 in [Correspondence - order - redacted statement - A Donne](#).