

From: Leigh Svendsen
Sent: Thursday, 12 January 2017 12:30 PM
To: Chambers - Lee C
Subject: AM2014/251 Aged Care Award - Draft Report

Dear Commissioner

HSU has reviewed the draft report and makes the following minor comments.

Item 23:

The draft report is accurate to the extent that these are the words the parties agreed needed to be included in the ED. But when these words are used solely to replace the current words they rob the clause of meaning.

The current wording is '15.5 A sleepover must be rostered: (a) to commence...'

HSU believes the clause should read: '15.5 Where a sleepover is rostered it [the sleepover] must be rostered: (a) to commence...'

HSU is not wedded to using 'it' or 'the sleepover'; we think either is fit for purpose and accurately reflects the intent of the parties when agreeing to vary the wording of the clause. We note that Aig proposes 'it'.

Item 28

The draft report refers to the addition of the words 'full time' 'as per the HSU proposal'. We think this should read agreement to the inclusion of the preamble [HSU proposal] with the addition of the words 'full time employee' after 'minimum weekly rate'. The HSU concern was that the preamble is not currently included in the ED.

For clarity HSU thinks the preamble would read: '*An employer must pay adult employees the following minimum wages for ordinary hours worked by the full time employee*'. Although it could read '*An employer must pay adult full time employees the following minimum wages for ordinary hours worked by the employee*'

The HSU agrees with the comments by AiG concerning all the items in their report back, but has included the above comments about Items 23 and 28 for clarity.

Regards.../ Leigh Svendsen

Senior National Industrial Officer | HSU National

