



DIRECTIONS

Fair Work Act 2009

s.158—Application to vary or revoke a modern award

Application by Health Services Union & Others

(AM2020/99)

Application by Australian Nursing and Midwifery Federation

(AM2021/63)

Application by Health Services Union

(AM2021/65)

JUSTICE HATCHER, PRESIDENT

SYDNEY, 2 AUGUST 2023

Applications to vary modern awards – work value – Aged Care Award 2010 – Nurses Award 2020 – Social, Community, Home Care and Disability Services Industry Award 2010.

Further to the mention and directions hearing held on 25 July 2023, the following directions are made:

1. For the purpose of these directions:
 - (a) ‘Wage adjustment issues’ are issues 17 and 18 in the revised Stage 3 Issues summary published on 2 August 2023.
 - (b) ‘Classifications and allowance issues’ are issues 1-16 in the revised Stage 3 Issues summary published on 2 August 2023.

Wage adjustments issues

2. The applicants and other interested union parties shall file evidence in chief and submissions in relation to the wage adjustment issues by **5:00 pm (AEST) on Friday, 15 September 2023**.
3. Interested employer parties shall file evidence and submissions in response in relation to the wage adjustments issues by **5:00 pm (AEST) on Friday, 27 October 2023**.
4. The Commonwealth may file submissions in response to the material filed pursuant to item 1 of these directions by **5:00 pm (AEST) on Friday, 27 October 2023**.
5. The applicants and other interested union parties shall file any evidence and submissions in reply to the material filed pursuant to items 2 and 3 of these directions by **5:00 pm (AEST) on Friday, 17 November 2023**.

6. The Commonwealth may file submissions in reply to the material filed pursuant to item 2 of these directions by **5:00 pm (AEST) on Friday, 17 November 2023**.
7. The above applications will be listed for hearing before an Expert Panel for pay equity in the Care and Community Sector in relation to the wage adjustments issues from **Monday, 4 December 2023 to Friday, 8 December 2023**.

Classification and allowance issues

8. Any party proposing a variation to award classification and pay structures, classification descriptors or allowances shall file a draft determination setting out its proposed variations by **5:00 pm (AEST) on Friday, 15 September 2023**.
9. Each interested party shall file a document setting out its position with respect to each of the classification and allowance issues by **5:00 pm (AEST) on Friday, 15 September 2023**.
10. Any party which has filed a draft determination pursuant to item 8 of these directions shall file evidence and submissions in support of its draft determination, as well as any other evidence in chief and submissions concerning the classification and allowance issues, by **5:00 pm (AEST) on Friday, 27 October 2023**.
11. Any other party may file evidence and submissions in response to material filed pursuant to item 10 of these directions or in relation to the classification and allowance issues by **5:00 pm (AEST) on Thursday, 23 November 2023**.
12. The Commonwealth may file submissions in response to the material filed pursuant to items 10 and 11 of these directions by **5:00 pm (AEST) on Wednesday, 6 December 2023**.
13. The above applications will be listed for hearing before an Expert Panel for pay equity in the Care and Community Sector in relation to the classification and allowance issues from **Monday, 11 December 2023 to Friday, 15 December 2023**.
14. The above applications will be listed for directions by video, using Microsoft Teams, at **9:30 am (AEST) on Friday, 24 November 2023**.
15. Liberty to apply is granted.



PRESIDENT

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