

Current Employment Conditions for Employees Engaged on a NSW State Enterprise Agreement

NSW SACS Industry is in the National Industrial Relations System.

From 1 January 2010 the NSW SACS Industry was referred into the National Industrial Relations system (the referral). This means that your Agreement still exists in the National Industrial Relations System in its entirety.

Wages and Classifications

Wages are based on the classification of your job. The criteria for classifying positions will be included in your agreement.

Your wages and classification will continue to apply as they currently are in your Agreement.

Overtime and Penalty Rates

Overtime is an additional loading paid on your hourly rate, for hours worked beyond the ordinary hours of work specified in your agreement. Penalty rates apply when you work certain shifts.

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Generally your Agreement will have a provision to apply penalty rates when you work:

- An evening shift
- A Saturday shift
- On a public holiday
- A night shift
- A Sunday shift

The overtime and penalty rates will continue to apply as they are currently in your Agreement.

Allowances

An allowance is a payment that you receive in addition to your normal hourly wages.

Generally Agreements provide for the following:

- Sleepover Allowance
- On Call Allowance
- First Aid Allowance
- Motor Vehicle Allowance

Your allowances will continue to apply as they are currently in your Agreement.

Non-monetary Conditions

Your Agreement also outlines many other non-monetary conditions of your employment. These include breaks, hours of work and leave.

All of your non-monetary employment conditions continue as they are currently in your Agreement.

The National Employment Standards (NES)

The NES apply to all employers in the National industrial relations system.

As your agreement is now in the National Industrial Relations system (due to the referral) the NES apply. The NES outline ten minimum standards of employment. The NES deals with the following:

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1. Maximum weekly hours
2. Requests for flexible working arrangements
3. Parental Leave
4. Annual Leave
5. Personal / Carer's Leave and Compassionate Leave
6. Community Services Leave
7. Long Services Leave
8. Public Holidays
9. Notice of termination and redundancy
10. Fair work information statement

The conditions of the NES that are superior to the provisions of your Agreement (e.g. parental leave, and community services leave) will apply to you.

The conditions of the NES which are less generous than provisions of your agreement do not apply and the agreement continues.

2010 Wage Increase

In mid 2010 Fair Work Australia will hand down a minimum wage decision which will be applicable from 1 July 2010. This decision will award a percentage wage increase that will apply to all employees engaged on an Award in the National system. If your agreement is expired, or it does not have a provision to provide a wage increase for 2010, then **you will not automatically receive a wage increase in 2010**. However this can easily be addressed. **We recommend that employers in this situation commit to pass on Fair Work Australia's wage increase to the *Social, Community, Home Care and Disability Services Industry Award 2010* to all of their employees.**

Additional Conditions

If your organisation offers any other additional conditions that are not included in your agreement (e.g. study leave) then these conditions will continue to apply.

Largely your conditions remain the same

Except for where the NES provide a more generous entitlement than the provisions of your agreement, all of your wages and conditions will remain the same under your agreement.

WHAT YOU NEED TO DO

Your current wages and conditions are protected under your Agreement. You need to do the following things to secure a 2010 wage increase

1. Organise a union meeting in your workplace
2. Invite the ASU and decide how you will approach your employer to request a fair wage increase for 2010 only

We recommend that employers in this situation commit to pass on Fair Work Australia's wage increase to the *Social, Community, Home Care and Disability Services Industry Award 2010* to all of their employees