



DECISION

Fair Work Act 2009

s.602—Correcting obvious errors etc. in relation to the FWC’s decisions

s.157—FWC may vary etc. modern awards if necessary to achieve modern awards objective

Social, Community, Home Care and Disability Services Industry Award 2010

(AM2018/26 and AM2020/100 and AM2022/19)

Social, community, home care and disability services

DEPUTY PRESIDENT CLANCY

MELBOURNE, 29 JUNE 2022

Four yearly review of modern awards – Award stage – Group 4A awards – substantive issues – Social, Community, Home Care and Disability Services Industry Award 2010 – correction to decision PR737905–variation of the award pursuant to s.157.

[1] On 31 January 2022, I issued a decision¹ and determination² (the determination) varying the *Social, Community, Home Care and Disability Services Industry Award 2010* (the Award). Items 1–5 and 7–25 of the determination are due to come into operation on 1 July 2022.

[2] The determination was issued further to the decisions of the Full Bench as part of the 4 yearly review of modern awards (matter numbers AM2018/26 and AM2020/100) on 4 May 2021³, 25 August 2021⁴ and 18 October 2021.⁵

[3] On 15 June 2022, the Expert Panel issued the *2021-2022 Annual Wage Review* decision. The Expert Panel decided to increase modern award minimum wages in the Award from 1 July 2022.

[4] As result of the annual wage review increases, the wage rates set out in a note that is to be inserted into the Award by item A.9 of the determination and the amounts of 4 wage-related allowances that are to be inserted into the Award by items A.13 and A.14 of the determination are incorrect. Accordingly, I have decided to remove the note and the incorrect amounts from the determination pursuant to s.602 of the *Fair Work Act 2009* (Cth) (the FW Act).

[5] An order to this effect will be issued with this decision.

¹ [2022] FWC 198

² PR737905

³ [2021] FWCFB 2383

⁴ [2021] FWCFB 5244

⁵ [2021] FWCFB 5641

[6] For the reasons given in the decisions issued by the Full Bench on 4 May 2021, 25 August 2021 and 18 October 2021, I am satisfied that to ensure the Award meets the modern awards objective it is necessary to insert a note with the correct rates and also to insert the correct amounts of the 4 wage-related allowances into the Award pursuant to s.157 of the FW Act.

[7] A determination to this effect also be issued with this decision and will come into operation on 1 July 2022



DEPUTY PRESIDENT

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