

Form F46 Application to vary a modern award

Fair Work Act 2009, ss.157–160

FAIR WORK COMMISSION

Commission use only

Commission Matter No.:

Applicant

Name:	Amnesty International Australia		
	Title [if applicable]	Mr [] Mrs [] Ms [] Other []	specify:
Address:	Locked Bag 23		
Suburb:	Broadway	State: NSW	Postcode: 2007
If the Applicant is a company or organisation:			
Contact person:	Sarah Gray	ABN:	64002806233
Contact details for the Applicant or contact person (if one is specified):			
Telephone:	02 83896 7641	Mobile:	
Fax:		Email:	sarah.gray@amnesty.org.au

Applicant's representative (if any)

Name:		ABN: [If applicable]
Address:		
Suburb:	State:	Postcode:
Contact person:		
Telephone:	Mobile:	
Fax:	Email:	

1. What is the name of the modern award to which the application relates?

[Also include the Award ID/Code No. of the modern award.]

Social, Community, Home Care And Disability Services Industry Award 2010 [MA000100]

2. What is the industry of the employer?

[Specify industry.]

Not for profit charity

3. Variation(s) sought:

[Set out, or attach as a separate schedule, the variation(s) sought.]

Variation is sort to extend coverage of this award as follows:

1. Definition of **social and community services sector** varied to include:

social and community services sector means the provision of social and community services including social work, recreation work, welfare work, youth work or community development work, including organisations which primarily engage in policy, advocacy or

representation on behalf of organisations carrying out such work and the provision of disability services including the provision of personal care and domestic and lifestyle support to a person with a disability in a community and/or residential setting including respite centre and day services

To avoid doubt, organisations which primarily engage in representation on behalf of organisations carrying out such work include suppliers who fundraise or solicit support on behalf of a charity.

2. Schedule B—Classifications varied to include:

B.1 Social and community services employee level 1

B.1.2 Responsibilities

A position at this level may include some of the following inputs or those of a similar value:

- (a) undertake routine activities of a clerical and/or support nature;
- (b) undertake straightforward operation of keyboard equipment including data input and word processing at a basic level;
- (c) provide routine information including general reception and telephonist duties;
- (d) provide general stenographic duties;
- (e) apply established practices and procedures;
- (f) undertake routine office duties involving filing, recording, checking and batching of accounts, invoices, orders, stores requisitions and maintenance of an existing records system;

[B.1.2(g) inserted by [PR995399](#) ppc 26Mar10]

- (g) resident contact and interaction including attending to their personal care or undertaking generic domestic duties under direct or routine supervision and either individually or as part of a team as part of the delivery of disability services;

[B.1.2(h) inserted by [PR995399](#) ppc 26Mar10]

- (h) preparation of the full range of domestic duties including cleaning and food service, assistance to residents in carrying out personal care tasks under general supervision either individually or as part of a team as part of the delivery of disability services.

The minimum rate of pay for employees engaged in responsibilities which are prescribed by [B.1.2\(h\)](#) is pay point 2.

- (i) engaging members of the public to solicit for charitable donations or support

4. Grounds:

[Using numbered paragraphs, set out the grounds upon which the Applicant relies in seeking such variation(s).]

1. The variation is necessary to achieve the modern awards objective (s. 157) to provide a fair and relevant minimum safety net of terms and conditions for employees who, in the absence of the variation, would be award-free.
2. The variation would remove uncertainty about appropriate terms of conditions of employment for employers who may be small business operators with minimal in-house industrial and human resource expertise.
3. The face to face fundraising industry is typically made up of charities who enter into contracts for service with marketing and fundraising suppliers. In some instances these suppliers subcontract out services several times, through both direct employment and independent contracting models. The variation would provide the charity industry with a regulated set of employment terms and conditions which could be enforced throughout its supply chain.
4. Amnesty International Australia has standing to make this application to vary coverage terms of the Social, Community, Home Care And Disability Services Industry Award 2010 because it is an employer that is covered by the modern award.

Date: 30/06/2016

Signature: 

Name: Sarah Gray

Capacity/Position: National Human Resources Manager

Service requirements

The Applicant must seek directions from the Commission as to service of this application.