

**From:** Mary Walsh [mailto:marywalsh6@bigpond.com]

**Sent:** Sunday, 28 January 2018 12:55 PM

**To:** 'Noni Lord'; Chambers - Hatcher VP; AMOD

**Cc:** 'KEMP, James'; Stephen.bull@unitedvoice.org.au; Leigh Svendsen; fogarty@denmanchambers.com.au; 'Kairsty Wilson'; cainpaul@icloud.com; craig.rawson@ags.gov.au; abigail.cooper@ashurst.com; 'Nigel Ward'; chris@greenacres.net.au; MarkW@greenacres.net.au; pfrench@disabilitylaw.org.au; samanthaf@pwd.org.au; Anthony.rohr@maiwel.com.au; Smith\_c1@optusnet.com.au; Steve.burgess@flagstaffgroup.com.au; Roy.rogers@flagstaffgroup.com.au; lmooney@dsa.org.au; mlcinitaly@gmail.com; mjbuck2@telstra.com; estelleshields@hotmail.com; hdickens@dsa.org.au; kerrie.langford@nds.org.au; bree.willsmore@dss.gov.au; johnharvey@greenacres.net.au; mpatrick@disabilitylaw.org.au; Skillsmaster275@outlook.com; cnewbold@actu.org.au; Rowena.Freeland@dss.gov.au; 'Joe Murphy'; cwatts@actu.org.au; robk@accessindustries.com.au; Chris.D'SOUZA@dss.gov.au; 'Emily Slaytor'; 'Paul Musso'; 'Claire Bratney'; jzadel@hwle.com.au; sryan@hwle.com.au; 'Sina Zevari'; mlcinitaly@gmail.com

**Subject:** RE: AM2014/286 - SUPPORTED EMPLOYMENT SERVICES AWARD

Dear Associate

We would welcome this addition to the already scheduled Hearings of AM2014/286 – even at such short notice – provided the witness was available for cross examination as a natural part of these proceedings. .

We formally object to this requested late inclusion, if cross examination – for whatever reasons - is denied to Our Voice Australia as a participating party representing our ADE workers and their family carers.

We thoroughly support the work done by Wise Employment, Clean Force, and associated social enterprise ventures – but the public debate on social enterprise v Australian Disability Enterprises is ongoing-especially as the NDIS is being rolled out nationally.

That debate is ongoing because social enterprises with higher levels of investment from diversified sources can spend more on supporting employees, and have a “blended” work-force . The general population of ADE workers – and certainly those we represent – have permanent, (not episodic) intellectual and/or dual disability – and more often than not lack self- advocacy and legal capacity skills.

They are also the majority of the ADE workforce – nationally.

We question whether the current Fair Work Review into the Supported Wage System is the appropriate forum for this ongoing Social Enterprise v ADE debate .

If so – then all other parties are entitled to appropriate time and notice to prepare their response. Cross examination is a critical part of any response – by interested parties.

AED Legal is a resourced rights-based centre whose stated aim – in these proceedings - is to embed the Supported Wage System into the Modern Award as the compulsory – *and only*- industrially legislated wage assessment tool under the Supported Employment Services Award- on the basis of rights – not outcomes.

AED Legal have resources – and have had years- in which to introduce this ongoing social enterprise debate as an example of successful use of the SWS system.

They have also had more than ample time – with their associated and nationally funded advocacy organisations – to provide a typical ADE (using SWS) site for inspection/or as a witness to these proceedings .

As the national winner of the 2014 Social Enterprise of the Year – Clean Force (WISE employment), with their “blended” work-force is an a-typical example of the successful use of the SWS. It bears little relativity to the typical Australian Disability Enterprise – especially nationally. . Should the Commission acquiesce to this late request – we formally request cross-examination rights.

Sincerely  
Mary Walsh  
Our Voice Australia  
Regional Representative.