



# SCHADS Award **Explainer Pack**

On-Call rights

Laundry Allowance

Minimum Payments

Changes to the SCHADS Award for community workers from July 2022

# Working On Call? Know your rights

Do you work on call? Or does your employer expect you to answer calls out of hours?

## New rules from July 2022

From 1 July 2022 community and disability sector employees will be entitled to a **minimum payment** each time they are required to perform **remote work**.

‘Remote work’ means work that is not part of your ordinary hours of work and that you are not required to perform at a designated workplace. This usually means **work performed from home**. It doesn’t include your normal roster or agreed pattern of work.

## Minimum payments

The minimum payment period that applies depends on whether you are rostered ‘on call’ and on the time of day:

- On call between 6am-10pm: a minimum of 15 minutes pay
- On call between 10pm-6am: a minimum of 30 minutes pay
- If you are not on call: a minimum of 1 hour pay
- For remote staff meetings: a minimum of 1 hour pay.

A minimum payment period means that you need to be paid for that amount of time **even if you do not work for the complete period**. There is a new minimum payment period **each time you are asked to work**, unless the requests fall within the same minimum payment period.

## Different penalty rates apply depending on the time of day and how much you work:

<b>6am-8pm weekdays</b>	Your minimum rate of pay
<b>After 8pm but before 6am weekdays</b>	150% for the first two hours and 200% for all work after that. (175% and 225% for casuals)
<b>More than 38 hours in a week</b>	Overtime rates in clause 28.1
<b>More than 10 hours in a day</b>	150% for first two hours and 200% for all work after that. (175% and 225% for casuals)
<b>Saturdays</b>	150% (175% for casuals)
<b>Sundays</b>	200% (225% for casuals)
<b>Public Holidays</b>	250% (275% for casuals)

# Working On Call continued

## On Call Allowance

If you are on call, you should also be paid **on call allowance**. The allowance is \$20.63 from Monday to Friday, and \$40.84 on Saturdays, Sundays and public holidays.

You must also provide your employer a time sheet or other record of your remote work.



### EXAMPLE - NOT ON CALL

Corey is a supervisor at a supported independent living home. He works 9 am to 5 pm during the week. He never is asked to be on call. On Saturday night, his manager calls him and asks him to provide some advice to the employee working night shift at the SIL home. Corey speaks to the employee for 5 minutes. All up, Corey worked 15 minutes that night, but he is paid for 1 hour at the 150% Saturday rate. When he is done working, he shoots his manager an email recording when he started and finished work.



### EXAMPLE - ON CALL

Jane is a senior practitioner at a women's service. Jane works a rotating on call roster to provide supervision and support to night shift workers out of hours. On a Tuesday night, Jane is rostered on call. She works between

7.30pm and 7.35pm, 8.00pm and 9.55pm, and between 10.10pm and 10.20pm. Jane keeps a timesheet of her on call work.

Jane is paid for 15 minutes at her minimum rate of pay for her work between 7.30pm and 7.35pm, 1 hour and 55 minutes at 150% of her minimum pay for her work between 8.00pm and 9.55pm, and 30 minutes at 150% of her minimum rate of pay for her work between 10.10pm and 10.20pm.

Jane is also paid the on call allowance of \$20.63 because she is rostered on call during the week.



# KNOW YOUR RIGHTS:

## Laundry Allowance

Following a successful campaign by ASU members, The Fair Work Commission has decided that community sector workers will be entitled to a laundry allowance if their personal clothing becomes dirty while working.

### New Rules from July 2022

From 1 July 2022, the Commission has decided that employees covered by the SCHADS Award will be entitled to a **laundry allowance of 32 cents per shift** if their personal clothing (other than a uniform) becomes dirty while working.

If your personal clothing is damaged at work and needs to be repaired or replaced, the employer must pay to repair or replace the clothing.

In order to claim the laundry allowance or make your employer pay to repair or replace the clothing:

- **Tell your employer as soon as reasonably practicable;**
- If asked, you must provide **evidence of the dirty or damaged clothing** (for example, a timely email or a photo); and
- You must have followed any instructions about wearing **personal protective equipment.**

### What if my clothing is damaged?



If your personal clothing is damaged while you are doing your job, your employer may be required to replace it. Your employer will need to cover the reasonable cost of repairing or replacing your clothing.

### What if I wear a uniform?



If your employer provides you with a uniform and asks that you wash it yourself, you are entitled an allowance of 32 cents per shift or \$1.49 per week (whichever is less).



# UNION WIN!

## New minimum payments

Following a successful campaign by ASU members, the Fair Work Commission decided that community sector workers will be entitled to a **3-hour minimum payment each time they start work** on a day or shift.

### Minimum Payments

From 1 July 2022, casual and part-time workers in Social and Community Services will be entitled to a 3-hour minimum payment each day they work.

A minimum payment means that each time you are rostered to work on a day, you must be paid at least three hours. If you are rostered to work for less than 3 hours on a day you are still entitled to the full 3 hour payment.

### Transitional Arrangements

It's very likely that your organisation will want to change how it organises shifts so that your hours of work match the minimum payment. The Commission has introduced new rules to help employers make these changes, known as Transitional Arrangements.

If your regular hours of work include shifts that are less than 2 hours, then your employer can ask to make an agreement with you to change your normal hours of work.



### EXAMPLE

Jane works part-time. Her regular pattern of work is 20 hours each week in 5 shifts of 4 hours. Jane's employer has told her they are changing her hours because of the new minimum payment periods. They say she can't say no because of the transitional arrangements. They are wrong. The transitional arrangements don't apply to Jane, because she always works more than 3 hours.

# New minimum payments continued

## Your circumstances

Your employer must consider your circumstances (for example, your caring responsibilities, medical issues etc.) and must genuinely try to reach an agreement with you. **The ASU can support you to talk to your employer about your hours of work.**



### EXAMPLE

Sally is negotiating with her employer about change to her regular pattern of work. Sally's employer wants her to work on Tuesdays and Thursdays, but Sally can't work on those days because she is looking after her children and doesn't have childcare. Sally's employer needs to consider her needs and try to find a solution that fits both her needs and the needs of the employer.

## Reaching an agreement

You should try to reach agreement with your employer. If they have genuinely tried to seek agreement, they can change your hours of work to fit the new minimum payments on 42 days (6 weeks) notice. These changes are not limited to shifts that are less than the 'minimum payment' period - your employer can completely change your hours of work.



### EXAMPLE

Cam's employer has just told them that their regular hours of work are changing from next week. Their employer say it's because of the 'transitional arrangements', and Cam just needs to accept it. Cam's employer is wrong. They need to try to reach an agreement with Cam about new hours of work. They need to listen to Cam's needs and try to reach agreement. If that doesn't work out, they can change Cam's hours of work, but they need to give Cam six weeks' notice.

