



FACT SHEET

Social and Community Services Employees (State) Award 2006 [NSW] and general Wage-Setting Decision 2008

A number of submissions to the Australian Fair Pay Commission's 2008 Minimum Wage Review sought an exemption from general Wage-Setting Decision 2008 for the preserved Pay Scale derived from the Social and Community Services (State) Award [NSW] (SACS Pay Scale).

An exemption was claimed on the grounds that the SACS Pay Scale retains an increase of 3.5 per cent which took effect on 1 July 2008 as a result of the operation of s. 208(4) of the *Workplace Relations Act 1996*.

The SACS Award includes an agreement between the parties to seek no further increases – 3.5 per cent in 2006, 2007 and 2008 – including increases awarded by the Commission.

“It is a term of this Award that the Union will not pursue any improvements in wages or conditions of employment, including any increases arising from the general increases given by the federal or state industrial tribunals, or the proposed Fair Pay Commission that arise during the term of this Award.”¹

The general Wage-Setting Decision 2006 increase of \$27.36² applied to the SACS Pay Scale in full in addition to any preserved s. 208(4) increase in recognition of any changes to work value.

Consistent with its decision in 2007, the Commission's Decision is that the higher wage increase of either general Wage-Setting Decision 2008, or any increase already received on 1 July 2008 as a result of the operation of s. 208(4), will apply.

Exemption for some SACS Pay Scale employees

To give effect to this intention, the Commission has decided to grant a partial exemption from general Wage-Setting Decision 2008 for the SACS Pay Scale. Employees covered by the SACS Pay Scale whose minimum rates of pay on the first pay period on or after 1 July 2008:

- were not increased, will receive the Commission's general Wage-Setting Decision 2008 increase in full;
- were increased by less than the Commission's general Wage-Setting Decision 2008, will receive an increase equivalent to the difference between the July increase and the Commission's increase;
 - therefore on the first pay period on or after 1 October 2008 their minimum rates of pay will be increased by an amount equal to the Commission's general Wage-Setting Decision 2008 increase when both the July and October increases are taken together; or

¹ Social and Community Services Employees (State) Award (NSW), s. 22.3.

² The 2006 general Wage-Setting Decision provided an hourly increase of \$0.72 to Pay Scales providing rates of pay up to and including \$18.42 per hour and an hourly increase of \$0.58 to Pay Scales providing weekly rates of pay above \$18.42 per hour.

- were increased by more than the Commission's general Wage-Setting Decision 2008, will receive no further increase in their minimum rates of pay.

Need further information?

If you would like more information on wage rates, call the **Workplace Infoline** on **1300 363 264**.

People with a hearing and/or speech impairment can contact the **National Relay Service** on **133 677** or **freecall 1800 555 677**.

If you would like to view the Commission's decision in full, or check other fact sheets in this series, you can visit the **Australian Fair Pay Commission website** at www.fairpay.gov.au.

