

Cerebral Palsy Alliance – Re employment guarantee

ADHC bulletin – Copied State Award

Your pay and conditions at the end of 2 years

ADHC Accommodation and Respite staff who have transferred to non-government organisations are covered by two awards. These are the:

1. Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009. Download a copy [HERE](#); and
2. Crown Employees Ageing, Disability and Home Care – Department of Human Services NSW (Community Living Award) 2015 (CLA). The CLA Reviewed Award is dated 17 November 2015. Download copy [HERE](#).

There is a variation to the CLA dated 30 August 2017 that reflects the PSA's win at the Industrial Relations Commission. Download a copy [HERE](#).

These Awards are known as “copied State Award” under Fair Work Amendment (Transfer of Business) Act 2012.

Operation of “copied State award”

The “copied state award” applies during the 2 year employment guarantee period from the date of transfer to a non government organisation. However this does not mean that after the employment guarantee period, the awards will no longer apply.

Your pay and conditions at the end of 2 years

As part of your transfer, you have been given a 2 year employment guarantee. Your pay and conditions will stay the same for up to 5 years.

One of the only ways your pay and conditions will change is if you, the CPSU NSW and the employer (CPA) agree to changes. These changes would be made through an Enterprise Agreement.

Should an enterprise agreement be negotiated in the time between the 2 years and the 5 years you will have the opportunity to vote on whether you agree with what is proposed. If you are a union member, the CPSU NSW will work with you and negotiate for you.

If an enterprise agreement is not made before or after the employment guarantee period of 2 years then the copied State award can exist for a further period of 3 years.

All in this together

The last year has seen enormous change in your sector. New employers, different policies and more uncertainty about how things will be in the future. Together union members have a stronger voice and more say about what happens at work. That's why it's important for everyone to join the union. If your work mates haven't joined, have a chat with them about joining. They can look at our website and then join online [click here](#)

