

CURRENT ANMF WORK VALUE CASES

Introduction

The ANMF is currently running two Work Value Cases at the Fair Work Commission.

This FAQ sets out information about the two cases and what they mean for ANMF members.

Please see our FAQ, *What Are Work Value Cases*, for general information about what's involved in making and running a Work Value Case.

1. What are the ANMF's Work Value Cases currently before the Fair Work Commission?

- The ANMF has two work value proceedings at the FWC to vary Modern Award rates.

The Aged Care Industry Case

- i. The first application is to vary the *Nurses Award*¹, as it applies to RNs, ENs and AINs working in the aged care sector. The application also seeks changes to the *Aged Care Award*², for Personal Care Workers (PCWs). A similar application has been made by other unions which represent direct and indirect care workers covered by the *Aged Care Award* and home care workers in aged care covered by the *SCHADS Award*³. The case is referred to as the 'Work Value Case- Aged Care Industry' matter.

The Nurses' and Midwives' Case

- ii. The second ANMF application seeks to vary the *Nurses Award* for all RNs, Midwives, ENs and AINs who do not work in the aged care sector. This case is referred to as the 'Work Value Case- Nurses and Midwives' matter.

2. What are the Work Value Cases hoping to achieve?

- Both ANMF Work Value Cases seek to vary the *Nurses Award* to increase minimum award wage rates to appropriately reflect the value of nursing and care work. The Aged Care Industry Case also relates to wage rates under the *Aged Care Award* and *SCHADS Award*.

¹ Nurses Award 2020 [MA000034]

² Aged Care Award 2010 [MA000018]

³ Social, Community, Home Care and Disability Services Industry Award 2010 [MA000100]

- The applications seek to:
 - Address the impact of historic, gender-based undervaluation of work,
 - Recognise changes to the nature of the work performed,
 - Value the skill and responsibility required to do the work, and
 - Identify and recognise skills that have previously been ignored and therefore not properly valued.

3. Which workers are covered by these Awards?

- The *Nurses Award* covers RNs, Midwives and ENs working in any setting, including aged care, as the *Nurses Award* is an 'occupational' award.
- The *Nurses Award* covers AINs in all settings, however, as a result of the Aged Care Industry Case, AINs working in aged care will be transferred to the *Aged Care Award*.
- The *Aged Care Award* covers all aged care workers who work in a residential aged care setting. For example, PCWs, recreation and lifestyle officers, chefs, kitchen staff, cleaners, laundry staff, cleaners, gardeners, maintenance workers and administrative services staff.
- The *SCHADS Award* covers a range of workers in different settings, including home care workers in aged care.

4. Wins in the Aged Care Industry Case?

- On 4 November 2022, effective from 30 June 2023, we won an initial increase of 15% to award rates for RNs, ENs and AINs working in aged care. The same interim increase was achieved for PCWs, head chefs and recreation and lifestyle officers under the *Aged Care Award*.
- On 15 March 2024 final increases were decided, ranging from a total of 20.9% to 28.5% (inclusive of the 15% increase) for direct care workers under the *Aged Care Award* and between 17.9% and 23% for AINs under the *Nurses Award* (inclusive of the 15% increase).
- On 27 June 2024, the FWC published a decision setting out that award rate increases for direct care workers and AINs in residential aged care will be delivered in two tranches. The first half of the total additional amount will operate from 1 January 2025 and the second from 1 October 2025. There are some exceptions to this, meaning some employees will receive their entire increase from 1 January 2025. It will be important to see information from your [state or territory branch](#) on how this will work for you.
- We are also waiting for the final wage decision for RNs and ENs working in aged care.

For more detailed information you can go here:

[Work value case – Aged care industry | Fair Work Commission \(fwc.gov.au\)](#)

5. What is happening with the Nurses' and Midwives' Case?

- The ANMF commenced an application on 26 February 2024, to increase award wages for RNs, ENs, AINs and midwives working in all settings except for aged care.
- Some preliminary discussions have been held at the FWC about how the case will proceed, but we are waiting for a timetable to set dates for running the case.

For more detailed information you can go here:

[Work value case – Nurses and midwives | Fair Work Commission \(fwc.gov.au\)](https://www.fwc.gov.au/work-value/work-value-case-nurses-and-midwives)

6. What is the difference between an Award rate and Enterprise Agreement (EA) rate?

- An Award sets the minimum pay rates and conditions you can get for your industry's employment. For example, the *Nurses Award* sets the minimum rate of pay for each nursing classification and pay point within that classification. It is unlawful for an employer to pay an hourly rate that is less than the Award minimum.
- An EA is an agreement negotiated between your employer and your union. An EA will usually include conditions that are better than award minimums, when considered overall. Wage rates in EAs must be higher than each relevant Award rate.

7. How will these current ANMF Award cases affect my EA?

- If you work in direct care in aged care, you should have received an increase in your hourly rate of pay to reflect the 15% interim increase to award wages for aged care workers. This increase may be included in your EA, or have been passed on in addition to any EA increases. The amount received is calculated on the relevant Award rate, rather than the EA rate.
- When your current EA is up for negotiation, any new rates must be no less than the Award rate. This provides an incentive to bargain for better than Award rates, so as to attract and retain staff.
- When there is an outcome in the Nurses and Midwives Case, the process and effect on your EA will be similar to the Aged Care Industry Case. EA rates in the private sector are often set at higher rates than Award rates, so the impact of any Award increase on EA rates will vary.
- There are varied outcomes for different circumstances. You will need to check in with your [state or territory branch](#) to find your particular EA details.

8. How will the outcomes of the Work Value Cases be implemented?

- When the FWC makes a decision to vary an Award rate, it will then make a determination that sets out the amount of the Award increase and when that increase becomes operative.
- Employers will have to ensure that they are paying no less than the minimum rate. Where funding has been provided to meet the increase, that additional funding must be passed on to employees.

- The ANMF will have to inform members of the increase and provide advice and support to members who want more information about the increase, or assistance in ensuring it has been passed on.
- Government will have a role in educating both employers and employees about the changes and where appropriate, funding increases.
- You should look out for information from your employer and the ANMF and check that you have received a pay increase. If you are unsure about anything, contact your branch.
- All parties must work together to ensure any wage increases are implemented correctly.

9. Will I get a pay rise?

- As set out above, if your current rate of pay is less than any increase to Award rates decided as a result of the Work Value Cases, you will receive a pay increase to ensure you are paid the Award rate as a minimum.
- If you are paid above award rates after any increase, you may still get a pay rise as a result of enterprise bargaining negotiations, an agreement between the ANMF and your employer or requirements to pass on additional Government funding to your sector.
- Check in with your state or territory branch to find your particular details and more information.
- If you have any concerns about your pay, contact your state or territory ANMF branch for support.

Remember – bargaining doesn’t happen in a vacuum. It’s nurses, midwives and carers joining together in union that make things happen. The more members at your workplace in the union, the better your bargaining power. Add your voice to over 326,000 nurses, midwives and carers in Australia by joining your state or territory ANMF branch.