

Wednesday 7 April 2020

The Hon Christian Porter MP

Attorney-General and Minister for Industrial Relations
PO Box 6022 Parliament House
Canberra ACT 2600

The Hon Stuart Robert MP

Minister for the National Disability Insurance Scheme
PO Box 6022 Parliament House
Canberra ACT 2600

Dear Minister Porter and Minister Robert,

National Disability Services (the peak-body for disability service providers) and the Australian Services Union, the Health Services Union and the United Workers Union (the 'NDIS Unions') have developed a joint proposal on an urgent package of supports for the disability sector workforce during the COVID-19 pandemic.

This targeted proposal has been developed by NDS and the NDIS Unions in a consensual process facilitated by Deputy President Booth of the Fair Work Commission, pursuant to an application made under s. 576(2)(aa) of the *Fair Work Act 2009* (Cwlth).

The parties are seeking an urgent meeting to brief you on the attached proposal – including the best mechanisms to operationalise different elements of package.

In the meantime, we are continuing our discussions in the Fair Work Commission regarding additional measures to adapt to the COVID-19 pandemic that are appropriate to the needs of workers, people with disabilities and providers.

We look forward to your reply.

Sincerely,



David Moody
Chief Executive Officer
National Disability Services



Lloyd Williams
National Secretary
Health Services Union



Robert Potter
National Secretary
Australian Services Union



Mel Gatfield
National Director
United Workers Union

National Disability Services and the NDIS Unions (The Australian Services Union, Health Services Union and the United Workers Union) have today agreed on a proposal for an urgent package of supports from government for the disability sector workforce as it faces COVID-19. Further discussions are occurring regarding additional measures to adapt to the COVID-19 pandemic that are appropriate to the needs of workers, people with disabilities and providers.

A government-funded retention and support package for the disability sector workforce:

1. Retention bonus of \$2,240 to be paid in two equal instalments of \$1,120 (1 May and 1 August 2020) to all disability support workers during the COVID-19 pandemic. The high prevalence of part-time work in the disability sector compared to other healthcare and social assistance sectors warrants that this be a flat payment to all workers (i.e. no pro-rata). It will incentivise part-time workers to continue attending work in essential disability services when JobSeeker payment options could be more favorable otherwise for those working less than full-time hours. The amount of \$1,120 per quarter represents 7.81% of the average disability support worker weekly full-time wage (SCHADS, SACS 2.3); this is the same percentage proportion of the aged care retention bonus for a Level 1 Aged Care Worker.
2. The establishment of a Workforce Capability, Capacity and Support Fund to Respond to COVID-19 in the Disability Sector. Elements of this fund must include provisions for:
 - a. Consistent induction training for new workers entering the industry with no experience of disability services
 - b. Disability-specific COVID-19 training packages for the whole workforce, with providers funded to enable workers to complete these in paid time.
 - c. Specialist training for workers who are going to deliver care and support to COVID-19 infected participants.
 - d. Specialist training for different disability cohorts with unique COVID-19 support needs.
 - e. Sector capacity to provide emotional and psychological supports for workers providing NDIS supports during COVID-19 (including sector wide EAP program, vicarious trauma training and counselling to be made available, measures in place to promote greater supervision, support and debriefing).
 - f. Sector capacity building to coordinate the sharing of staff across providers in local regional areas to retain skilled workers and fill urgent shortages in a safe way.
3. Provision of a COVID-19 Care Allowance for workers who provide support to an NDIS participant who meets the case definition COVID-19 testing and requires isolation and / or quarantine if diagnosed positive. This is in recognition of the higher risk associated with supporting an NDIS participant exposed to COVID-19. The allowance would cover an additional 15% loading on the hourly rate of the support worker for the hours worked with the affected participant.
4. All disability support workers to be provided with special paid COVID leave if impacted by COVID-19 (e.g. through exposure at work or illness). The NDIA must allow providers to make claims for these COVID-related absences (outside of a participant's plan) to cover the costs associated with this leave and so disability support workers can continue to receive an income and do not leave the sector. This must be a minimum of 10 days paid leave per occasion that can be billed directly to the NDIA. This leave can be accessed multiple times.