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Dear Associate

***Re Applications by the Australian Nursing and Midwifery Federation to vary the Nurses Award 2020 (AM2021/63 and AM2024/11)***

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On 8 July 2024, the Commission directed that issues of classifications, rates of pay, operative date and phasing-in in respect of registered and enrolled nurses in the aged care sector, and any other matters necessary to give effect to the Stage 3 Aged Care decision ([2024] FWCFB 150), be dealt with in a separate hearing on 17 to 19 September 2024.

The ANMF previously filed submissions on 10 May 2024, addressing the operative date and phasing-in of increases for classifications of aged care employees under the *Aged Care Award 2020* and the *Nurses Award 2020* (“**the submissions of 10 May 2024**”). The position adopted by the ANMF in those submissions was that:

“... final minimum wage increases for classifications of "Aged care employee - direct care" under the Aged Care Award and aged care employees under the Nurses Award would operate, in full, from 30 June 2024. In the event that no determination regarding wage increases for aged care employees under the Nurses Award has been made by 30 June 2024, such increases would operate immediately upon a determination being made.”

On 27 June 2024, the Commission published a decision ([2024] FWCFB 298) determining the approach to the operative date and phasing-in of minimum wage increases for relevant aged care classifications, other than registered and enrolled nurses.

Consistent with the Commission’s decision relating to other classifications of aged care workers, the revised position of the ANMF with respect to the operative date and phasing-in of minimum wage increases for registered and enrolled nurses in the aged care sector is that:

1. it would occur in two tranches in accordance with the methodology identified at [18] of [2024] FWCFB 298;
2. the operative date for the first tranche of increases would be 1 January 2025; and
3. the operative date for the second tranche of increases would be 1 October 2025.

This involves some modification of the position articulated in the ANMF's submissions of 10 May 2024, in view of developments after the date of those submissions. The ANMF otherwise continues to rely on its submissions of 10 May 2024 in support of the position outlined above.

The ANMF thought it desirable to indicate its position so that other parties might have the opportunity of addressing it in their submissions to be filed pursuant to Order 2 of the Commission's directions made 8 July 2024. The representatives of other active parties are copied to this correspondence.

Yours faithfully



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