



# DETERMINATION

*Fair Work Act 2009*

s 158—Application to vary or revoke a modern award

## **Australian Nursing and Midwifery Federation—Work value case—Aged care industry**

(AM2021/63)

### **NURSES AWARD 2020**

[MA000034]

Health and welfare services

JUSTICE HATCHER, PRESIDENT  
VICE PRESIDENT ASBURY  
DEPUTY PRESIDENT O'NEILL  
PROFESSOR BAIRD  
DR RISSE

SYDNEY, 11 SEPTEMBER 2024

*Applications to vary modern awards – work value – aged care industry – Nurses Award 2020 – stage 3.*

A. Further to the Expert Panel decision issued by the Fair Work Commission on 11 September 2024 [[\[2024\] FWCFB 367](#)], the above award is varied as follows:

1. By renumbering clauses 4.4 to 4.7 as clauses 4.5 to 4.8.
2. By inserting a new clause 4.4 as follows:

**4.4** This award does not cover employees working as nursing assistants as defined in clause A.1 who provide care services to aged persons in either the aged care industry or the home care sector.
3. By deleting the words ‘–other than aged care employees’ appearing in the title of clause 15.1(a).
4. By deleting clause 15.2(a).
5. By renumbering clauses 15.2(b) to 15.2(d) as clauses 15.2(a) to 15.2(c).
6. By deleting the words ‘–other than aged care employees’ appearing in the title of clause B.1.1.

7. By deleting clause B.2.1.
8. By renumbering clauses B.2.2 to B.2.4 as clauses B.2.1 to B.2.3.
9. By updating the table of contents and cross-references accordingly.

B. This determination comes into operation on 1 January 2025. In accordance with s 165(3) of the *Fair Work Act 2009* (Cth) this determination does not take effect in relation to a particular employee until the start of the employee's first full pay period that starts on or after 1 January 2025.



PRESIDENT

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