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| Factsheet: Victorian Fair Jobs Code for the Community Services Sector |
| August 2023 |
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#### What is the Community Services Fair Jobs Code?

Community services workers are doing work that matters to deliver critical services for Victorians. To meet Victoria’s current and future needs, community services need to attract and retain highly skilled, professional workers through safe, secure and rewarding jobs.

The Victorian Fair Jobs Code for the Community Services sector (the CS Code) is based on a shared commitment between the Victorian Government and community services to grow and support this critical workforce. It is part of the Victorian Government’s broader commitment to recognise good employers in the organisations it works with.

The CS Code also recognises the unique context in which community services organisations operate. It is intended to enhance community services workers’ rights and job security in a way that is fit-for-purpose, without placing an undue burden on community services organisations.

The CS Code is a series of standards that community services organisations must comply with, as a condition of Victorian Government funding, relating to:

* compliance with applicable workplace obligations;
* promoting secure employment and job security;
* fostering cooperative relationships between employers, employees and their representatives; and
* promoting workplace equity and diversity.

The CS Code’s standards are broadly consistent with an existing Fair Jobs Code[[1]](#footnote-2) that applies to high-value government procurements but are tailored to the specific needs and circumstances of community services.

#### Who is covered by the Community Services Fair Jobs Code?

Organisations who receive more than $2 million per year in Victorian government funding (from any Department) to deliver community services will need to comply with the CS code.

This includes funding from the Department of Families, Fairness and Housing, and the Departments of Health, Education and Justice & Community Safety.

The CS code applies to community services workers who are covered by the scope of the Social Care, Housing and Disability Services Award or an enterprise agreement based on the award.

#### Who is not covered by the Community Services Fair Jobs Code?

Some organisations and workforces will not fall under the CS code, including:

* organisations that are not a CSO such as local governments, public hospitals, health promotion agencies, early childhood education and care services and/or schools;
* services that are not community services, such as early childhood education and care, or acute healthcare
* workforces on other professional or industrial arrangements, such as teachers and medical and allied health practitioners.

#### Why is the Community Services Fair Jobs Code being introduced?

Community services workers are doing work that matters to deliver critical services. They deserve to have safe and secure work conditions and their rights at work protected. Improving job security for workers will help the community services sector attract and retain the workforce it needs to deliver important services.

The code operates alongside the Fair Jobs Code that applies to high-value government procurements. Both codes require organisations that receive significant government funding to be compliant with their workplace obligations, so that government recognises good employers in the organisations it works with.

#### How will government work with the sector to roll out the Community Services Fair Jobs Code?

The Victorian Government understands the increasing cost pressures that CSOs face and the role it plays, as a major funder of community services, in influencing conditions that enable safe, secure and rewarding jobs.

The Victorian Government has committed $15 million over two years in the 2023-24 budget to a Fair Jobs Code Transition Fund, which will be used to support CSOs to comply with the CS code.

The Victorian Government is also investing a further $259 million over four years to increase annual indexed funding. This increased indexation rate will be used as the basis for a consistent formula going forward.

#### How will the CS Code be implemented?

Compliance with the code will be a condition of Victorian Government funding. Oversight of the code will be managed through existing contract and performance management processes already in place for organisations that receive Victorian Government funding.

Government will work proactively with the sector to make sure organisations understand their obligations and support compliance with the code.

A voluntary dispute resolution process for community sector employers, employees and unions will also be part of the code. This process will be separate from and not detract from the rights of employees, unions and employers under existing awards, enterprise agreements or the Fair Work System. It will be available, on the consent of both parties, to resolve disputes under the code that aren’t dealt with by other industrial instruments.

#### When will the Community Services Fair Jobs Code begin?

The CS Code will come into effect on **1 August 2024**.

#### Is this Code part of the new Social Services Regulator?

The Social Services Regulator (SSR) will be a new independent regulator that replaces the current Human Services Regulator. The regulator will be appointed in the second half of 2023 and the new regulatory scheme starts on 1 July 2024.

The CS Code is not a regulatory scheme and is separate from the SSR. The CS Code is a condition of Victorian Government funding focused on good employment practices. The CS Code will be managed through government's contract management relationship with CSOs.

There are also some differences in the scope of organisations that must comply with the code compared to the scope of the SSR.

#### How do know whether my organisation meets the threshold for the Community Services Fair Jobs Code?

Organisations who receive more than $2 million per year in Victorian government funding to deliver community services (from any Department) will need to comply with the CS code.

This threshold will be assessed at the beginning of each financial year, with reference to the amount of funding contracted for that financial year.

#### Where can I find out more?

For more information or to read the CS Code go to <https://www.dffh.vic.gov.au/fair-jobs-code>.

You can also email [CSCode@dffh.vic.gov.au](mailto:CSCode@dffh.vic.gov.au)

### Further information

You can find information on the Fair Work system, rights of employees, unions and employers at the [Fair Work Ombudsman](https://www.fairwork.gov.au/) <https://www.fairwork.gov.au/> and the [Fair Work Commission](https://www.fwc.gov.au/) <https://www.fwc.gov.au/>.

To receive this document in another format email <CSCode@dffh.vic.gov.au>.

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In this document, ‘Aboriginal’ refers to both Aboriginal and Torres Strait Islander people. ‘Indigenous’ or ‘Koori/Koorie’ is retained when part of the title of a report, program or quotation.

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Available at the Department of Families, Fairness and Housing, [Fair Jobs Code](https://www.dffh.vic.gov.au/fair-jobs-code) webpage <<https://www.dffh.vic.gov.au/fair-jobs-code>>

1. https://www.buyingfor.vic.gov.au/fair-jobs-code-suppliers-and-businesses [↑](#footnote-ref-2)