



Australian Government
Department of Social Services

Ms Michelle Lindley
Deputy Director
Legal Section
Australian Human Rights Commission
GPO Box 5218
SYDNEY NSW 2001

Dear Ms Lindley

I am writing in response to your 1 September 2015 request for further information regarding the Department of Social Services' application for temporary exemption under section 55 of the *Disability Discrimination Act 1992* (DDA), in relation to the Business Services Wage Assessment Tool (BSWAT).

1. The temporary exemption application is sought on behalf of the Commonwealth.
2. The Secretary may make the application on behalf of the Commonwealth and Australian Disability Enterprises (ADEs).

The Department of Social Services has asked ADEs which were paying wages using the BSWAT on the date of the exemption application and which are not members of National Disability Services, to join the Commonwealth's application for a temporary exemption.

3. The \$173 million funding package consisted of three components, of which \$141 million was set aside for wage supplementation. Wage supplementation will be provided to ADEs moving from a competency-based wage to the Supported Wage System (SWS) to cover wage increases. Once the new wage assessment tool is determined through the Fair Work Commission process, supplementation will be extended to cover this tool as well.

No wage supplementation has been paid as yet as the implementation approach is still being finalised. Payments are expected to commence before the end of the 2015 calendar year.

Should you wish to discuss the additional information provided, please contact me at warren.pearson@dss.gov.au or on 02 6146 5720.

Yours sincerely



Warren Pearson AM
Branch Manager
Disability and Employment Sector Reform Branch

3 September 2015