Stage 5

Next steps for applying the changes in practice

How the decision applies

The Fair Work Commission's decision varies the **Children's Services Award** and applies directly to employers who pay in accordance with the Award.

Employers covered by an **enterprise agreement** are not required to vary their agreement. However, they must ensure employees are **not paid less than the applicable Award minimum rates** as those rates increase over time.

Award-only employers

Employers who pay employees strictly in accordance with the Children's Services Award should:

- determine the correct **new classification** for each Children's Services Employee by applying the translation arrangements in **Schedule I** of the Award;
- compare current rates of pay against the **varied Award minimum rates** as they apply from **1 March 2026** and across the transition period;
- adjust pay **only where the rate currently paid is below the applicable Award minimum rate**; and
- notify employees of their **translated classification** and any resulting change to their rate of pay.

Who this is for:

Approved Providers, Directors, payroll and HR managers

What this fact sheet is for:

To outline the practical steps services should take to apply the Gender Undervaluation Decision, based on their employment arrangements.

Employers covered by an enterprise agreement or IFA

Employers with an enterprise agreement or individual flexibility arrangement should:

- review agreement or IFA base rates against the **increased Award minimum rates** as they apply from **1 March 2026** and during the phasing period;
- ensure base rates of pay **remain at or above the relevant Award minimum rates**; and
- be aware that where an agreement or IFA rate falls below the applicable Award rate at any point, the employee must be paid **at least the Award minimum rate**, which applies automatically until the agreement or IFA rate again exceeds the Award rate.

All employers

All services, regardless of employment arrangements, should:

- map employees to the **new classification structure**;
- update **payroll and HR systems** to accommodate the new classifications and staged increases;
- communicate clearly with employees about **classification outcomes and pay implications**;
- undertake **forward financial planning** for later stages of the Award increases, and
- keep **clear and contemporaneous records** of classification decisions and pay outcomes.

Further support

For further advice, guidance materials and updates, members are encouraged to contact the Workplace Relations Team on **1300 346 818**, adminWRT@cela.org.au or adminWRS@itav.org.au

This fact sheet provides general guidance on practical steps services may consider when applying the Gender Undervaluation Decision. It is not legal or industrial advice. Services should seek independent advice before making decisions relating to employment arrangements.

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