

IEU REPS UPDATE

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CATHOLIC SYSTEMIC SCHOOLS

Negotiations between the Union and the Catholic Commission for Employment Relations (CCER) have reached a critical point as we await a response from the employers on significant elements of the IEU claim for teachers and support staff.

As members would be aware, as well as seeking to finalise the content of a new Enterprise Agreement, the Union has also been meeting with individual dioceses to discuss work intensification and workloads and to pursue improvements to each Work Practices Agreement (WPA).

The employers have agreed to back pay rises for teachers and support staff but there are still other outstanding issues.



Teachers and Support Staff

- **Disputes Procedure**

For many years, the IEU has had a right of arbitration to resolve industrial disputes, that is we could refer disputes to the Fair Work Commission (and before them the NSW Industrial Relations Commission) who had the power to resolve the dispute. In the transition to the federal system in 2010 and during subsequent negotiations (including in 2015), the Catholic employers agreed with the Union that disputes about the content of an enterprise agreement and/or work practice agreement could be resolved, that is arbitrated, by the Fair Work Commission.

Notwithstanding this history, Catholic employers now hold the view that there is no right to arbitration under the Disputes Procedure clause of the Enterprise Agreement (EA) unless the employer agrees.

The right to arbitrate is essential in ensuring that disputes can be resolved and members' conditions are upheld. It is our experience that where this right does not exist, Fair Work Commission recommendations in relation to a dispute can be (and are) ignored by employers. A failure to maintain the right to arbitrate will render our EA much harder to enforce and the Union considers this issue must be resolved.

- **Fair Procedures**

The Union is seeking to ensure members' rights in child protection investigations are maintained and protected, including in relation to the right to access files and the timing of access.

This issue is subject to ongoing discussion.

TEACHERS

- **Teacher Performance and Development**

The Union has sought that release time be provided for peer observations (including planning, observation and post-observation) as part of Teacher Performance and Development. The Union has also called for teachers who may not meet maintenance of accreditation requirements and timelines to be advised of this by the employer and supported in meeting the requirements.

The Union has made some progress on this issue.

- **Pre 2014 Teachers**

The Union is concerned about the disparity between the pay of pre 2014 teachers who commenced work with a Catholic diocese, for example in 2012 or 2013, and the rate of pay applicable to teachers who commenced work in a Catholic diocese in 2014 and are therefore progressing more quickly up the new standards pay scale.

The IEU has urged the dioceses to rectify this situation by paying an additional increment to the affected teachers so that their pay catches up with their colleagues who commenced employment later.

The Union has not yet received a response on this claim.

- **Recognition of Service**

The Union has sought the recognition of child-rearing and overseas teaching service for both teachers who are on the incremental scale (or transitional scale) and the new standards scale, in line with the recent agreement in Department of Education schools. Child-rearing would count on the basis of one increment for every three years of child-rearing to a maximum of four steps.

We have also sought a new provision as part of the standards pay structure that would allow teachers employed from overseas or interstate to be paid on Band 2 based on their years of teaching service for a limited period, whilst they attain Proficient Teacher status. At the moment, such teachers are deemed to be on Band 1 because they do not have Proficient Teacher status.

The Union expects these issues to be resolved.

- **Locality Allowances**

The Union has claimed allowances for those teachers working in schools in locations where government teachers receive allowances for working because the location is considered to have a harsh climate or be isolated.

This remains an issue in most affected dioceses.

SUPPORT STAFF

- **Overnight Camps**

The employers have agreed to payment of an overnight attendance allowance of \$45 per night where support staff attend a camp.

- **First Aid Allowance**

The employers have not at this stage agreed to the Union's claim for an increase in the first aid allowance.

- **Improvements in permanency for support staff currently employed in recurring fixed term appointments**

The employers have offered a minor improvement in the operation of the deemed permanency provision contained in the EA, that is a reduction from four years to three years (in terms of calculating core permanency). The IEU is also seeking to broaden the application of the clause by removing the reference to specific purpose programs. Discussions are continuing.

- **Improved Long Service Leave**

CCER has not at this stage agreed to the Union's claim for an increase in long service leave for support staff.

WORK PRACTICES AGREEMENTS (WPAs)

A Union priority for this round of negotiations has been to address the escalating number of issues around work intensification and workloads for teachers. The following issues emerged as priorities in our feedback from members:

- **Reducing class sizes**
- **Email policy**
- **Management of data collection**
- **Maximum of 10 hours of non school hours meeting time in primary and secondary schools per term**
- **Maximum hours of face to face teaching and guaranteed two hours RFF per week in primary schools**
- **Emergency support for children with challenging behaviours**
- **Teacher Performance and Development – release time to be provided for peer observations of other classrooms, planning and feedback**
- **Explicit release time to support teachers to achieve Proficient status**
- **Reduced prac class sizes in secondary schools.**

The Union has commenced negotiations with all dioceses on these claims and we have also sought to improve and update WPAs so that they are easier to enforce.

Progress varies from diocese to diocese. Most employers have agreed to provisions about emails and data collection. Many of our other proposals have been agreed in principle in some dioceses, but not in others.

The Union is particularly concerned about difficulties in advancing negotiations in Bathurst, given the slow start to our discussions. The Union is also concerned about the progress in the Parramatta Diocese, as recent proposals from that employer have rejected our claims on the basis that decisions should be simply made by collaboration at the school level. Even their proposals regarding emails and data collection are written in such a way as to be detrimental to our members. Class sizes in the Sydney Archdiocese and RFF in Lismore remain an issue.

Specific updates on the progress of diocesan discussions will be forwarded to members in each diocese.

A FINAL WORD

The Union will be advising all members of the outcome of the central negotiations in the next fortnight. If we do not have a satisfactory resolution, the Union Executive will consider whether protected action should be initiated across all dioceses.

The Union will at the same time advise members whether there has been a satisfactory resolution of the diocesan workload negotiations. Depending on the outcome of these negotiations, the Union may call for protected action on a diocese by diocese basis to ensure a satisfactory resolution of our claims.

Union Organisers are available to attend Chapter meetings as required.



Authorised by John Quessy, Secretary, Independent Education Union of Australia NSW/ACT Branch