

# NewsExtra

10 November 2017

# VOTE NO

## TO THE EMPLOYERS' ENTERPRISE AGREEMENT

### What do the Catholic employers say?

The Catholic Commission for Employment Relations (CCER) has advised of their intention to circulate their proposed Enterprise Agreement (EA) to staff on 14 November for a vote soon after. In order to sell their document, the Catholic employers persist with their tired and misleading arguments.

- **The Catholic employers say: the dispute procedures clause is the same one that you have now and it has worked for seven years.**

This suggests that an employer veto on arbitration has always been in place, but look what CCER Executive Director Tony Farley wrote in 2010 and reiterated in 2015:

Tony Farley said: "The employers have agreed that disputes about the content of an agreement and/or Work Practice Agreement may be arbitrated by Fair Work Australia" (letter from Tony Farley to then IEU Secretary, Dick Shearman 10 June 2010).

The right to arbitration was only denied by employers in March 2017 during a dispute with the Archdiocese of Canberra and Goulburn. There was also a legal decision in June 2017 in another industry that changed the interpretation of the clause. **Employers know that the clause hasn't changed, but the interpretation certainly has.**

- **The Catholic employers say: the disputes resolution clause has resolved every dispute brought to us.**

This only occurred until March of this year.

- **The Catholic employers say: this is the same clause that the IEU approved for 450 AIS schools.**

AIS schools lost the right to arbitration in 2006 during WorkChoices when all the cards were in the employers' hands. The IEU has tried to restore arbitration ever since. The Catholic employers claim that the clause works well, but conciliation in the Fair Work Commission (FWC) fails in many AIS school disputes. With no guaranteed arbitration and non-binding recommendations in conciliation, the employers can just walk away.

- **The Catholic employers say: if you vote 'yes' for the enterprise agreement, you'll get your pay rise as soon as possible and we'll work to get your back-pay by Christmas. They also say that the pay rise is contingent on approval by the Fair Work Commission.**

The Union and employers know that there is a large backlog of work at the FWC and there is little chance of approval in time for Christmas irrespective of the vote. The Union has called on employers to pay staff their overdue pay and back-pay now to allow negotiation of all outstanding matters in the EA and Work Practice Agreements.

- **The Catholic employers say: the agreement contains pay rises and benefits including increased opportunities for salary progression.**

The Union has negotiated all benefits, but there are still significant problems with the EA.

The Work Practice Agreements (WPAs) are yet to be finalised and recent drafts in many cases are inadequate or include employer 'backsliding'. Outstanding issues include limits on meeting times, email protocols, class sizes, guaranteed release time and support for early career teachers.

## VOTE NO TO THE CATHOLIC EMPLOYERS' EA



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