

13 December 2023

Mr Grant Connolly
Employment Relations Specialist, Lawyer
Catholic Employment Relations
Level 7, 123 Pitt Street
SYDNEY NSW 2000

Dear Grant

MODEL A, B AND C CATHOLIC INDEPENDENT SCHOOLS

I am writing concerning the negotiations for new multi-enterprise agreements (MEAs) for teachers and support staff employed in Catholic independent schools. Although the MEAs differ, I understand a common problem has emerged in the drafting of the MEAs.

CER has sought to amend the Term and Operation clause that would have the effect that back pay would not be payable for employees who are not employed at the time the MEAs commence operation. CER has advised the union that the MEAs will not be put to the vote until Term 1 2024 and therefore, the commencement date is likely to be sometime in March 2024 at the earliest. Consequently, employees who finish up at the end of 2023 school year would not be entitled to their pay increases. As you would be aware, significant back pay was a factor in most of the MEAs. For teachers employed in Catholic Independent Model A schools, 2% is due to be back paid from fpp 9 October 2023. For teachers employed in Model B and C schools, their rates are matched with the NSW Department of Education from fpp 9 October 2023 and those in Model B schools will also receive an additional 1.5%. Also, there are significant numbers of support staff in Models A, B and C schools who were due to receive pay increases from July 2023.

The union is aware that some schools have already paid these increases, but the union understands that is not the case for all schools.

The combined effect of the last-minute change sought to the Term and Operation clause of the MEAs and the failure by some schools to implement the pay increases for staff before the end of the year mean that some employees may miss out on the pay increases that have been achieved through negotiations.

The union notes that these issues have been raised with you in several emails, but we have not received a satisfactory response.

Further, the union is also concerned about the failure of Model B and C schools to agree to match the new casual rate for proficient teachers introduced in the NSW Department of Education of \$548.95 per day. The union has put several options of how these rates may be implemented in these schools. The union is not satisfied that administrative arrangements would be in place instead of set rates in the MEAs.

I seek an urgent response on these issues. Alternatively, the union will need to advise our members of these problems that may jeopardise the in-principle agreement. Given the urgency of the matter and the time of the year, the union will notify a dispute to the Fair Work Commission if we do not receive a satisfactory response by midday 14 December 2023.

Yours sincerely

CAROL MATTHEWS
Secretary