



TAFE Commission of NSW Teachers in TAFE Children's Centres Enterprise Agreement 2018

Your guide to the agreement

June 2018

Overview

The purpose of this document is to provide you with a summary of the TAFE Commission of NSW Teachers in TAFE Children's Centres Enterprise Agreement, 2018.

To view or download the full list of drafting changes from the 2018 agreement, or to access a copy of the agreement and other reference material, visit the [TAFE NSW enterprise bargaining website](#).

The proposed *TAFE Commission of NSW Teachers in TAFE Children's Centres Enterprise Agreement 2018* (the ‘proposed agreement’) covers all teachers and directors employed in TAFE NSW Children’s Centres.

If successfully voted up, the proposed agreement will provide a 2.5% salary increase on the first pay period commencing on or after 19 June 2018 and a further 2.5% salary increase from the first pay period on or after 19 June 2019. The proposed agreement will operate until 19 June 2020.

The proposed agreement maintains key conditions of employment in the current agreement including all leave entitlements, hours of work and job sharing.

The proposed agreement also provides annual 2.5% increases to the Early Childhood Directors and Teachers in Charge allowances in line with salary increases above.

Changes were also made to modernise the language in the agreement. These changes were primarily made to align the terminology with the Fair Work Act, improve the readability of the agreement and fix typographical and numbering errors.

Proposal summary

Proposal	What this means for you
2.5% pay increase	<ul style="list-style-type: none"> A pay rise of 2.5% to wages each year for 2 years
Start date and duration of the agreement	<ul style="list-style-type: none"> Commencing on approval Continuing until 19 June 2020
Early Childhood Director and Teacher in Charge Allowance	<ul style="list-style-type: none"> There will be an increase of 2.5% to these allowances each year for 2 years
Changes to loadings in Lieu of Rostered Days Off	<ul style="list-style-type: none"> Part Time, Temporary and Casual Employees will no longer receive a 5% loading in lieu of being able to access RDOs. Current Employees who have access to this loading will not have their pay reduced as a result of this change.
Casual loading rate	<ul style="list-style-type: none"> The casual loading rate will increase from 23.3% to 25%
Inclusion of Domestic Violence Clause	<ul style="list-style-type: none"> A clause allowing employees to use their personal/carers leave in a range of circumstances related to domestic violence. The clause contains provisions to support employees impacted by domestic violence circumstances.
Inclusion of Lactation Breaks	<ul style="list-style-type: none"> A clause allowing employees to take lactation breaks. The clause contains a range of provisions to support employees who are lactating mothers.
Modernising the Agreement	<ul style="list-style-type: none"> The wording of the agreement has been modernised to update terminology, improve readability and align more closely with the language used in the Fair Work Act.

The proposal

TAFE NSW is of the view that the proposal is fair and reasonable. It ensures our employees have their conditions protected by a new agreement and receive an annual increase to their salaries and allowances as soon as possible.

What's changed?

- An amended salaries schedule reflecting TAFE NSW's salary offer of a 2.5% increase from the first pay period on or after 19 June 2018 and again from the first pay period on or after 19 June 2019.
- The allowances for Early Childhood Director (Schedule 2) and Early Childhood Teacher in Charge (Schedule 3) to increase by 2.5% per annum in line with salary increases outlined above.
- Terminology: "The Employer" has been replaced by "TAFE NSW" throughout the agreement.
- Wording has been simplified throughout the agreement to improve readability and align with terminology contained in the Fair Work Act.
- Clause 2 (Date and Period of Operation) has been edited to correctly identify the operational dates of the new agreement.
- Clause 3 (Definitions) have been updated to reflect current TAFE NSW terminology. Ie removal of reference to institutes and institute managers.
- Clause 9 (Salaries and Allowances) terminology has been updated to improve readability and align with provisions in the Fair Work Act.
- Clause 9 (Casual Loading) Casual loading has been increased to 25%.
- Clause 10 (Hours of Work) (10.1.3) Removal of outdated provisions related to the implementation of the 38 hour week.
- Clause 10 (Hours of Work) (10.1.4) Removal of provisions providing a 5% loading to part time, temporary and casual teachers who are not able to access rostered days off. Inclusion of new clauses to ensure no disadvantage for current employees of TAFE NSW.
- Clause 10 (Hours of Work) The provisions related to RDOs, Make up time and Crib Breaks have been consolidated in the hours of work clause. They were previously dispersed randomly throughout the agreement.
- Clause 10 (Hours of Work) (10.6) A new clause relating to Lactation breaks has been added in terms similar to TAFE NSWs other Enterprise agreements.
- Clause 14 (Leave) terminology has been updated to improve readability and align with provisions in the Fair Work Act.
- Clause 14 (Leave) More detailed annual leave loading provisions have been added to articulate how annual leave loading is currently accrued and paid.
- Clause 14 (Leave) (14.7) A new domestic violence leave clause has been added to the agreement. This allows employees to use their personal leave entitlements in circumstances related to domestic violence.

What are the key benefits of TAFE NSW's proposal?

If the agreement is endorsed through the ballot and approved by the Fair Work Commission; employees currently employed under the agreement will receive a salary increase of 2.5% effective from the first full pay period on or after 19 June 2018 and a further increase from the first full pay period on or after 19 June 2019.

Employees will continue to work according to substantially similar conditions of employment as under the 2016 agreement.

The bargaining process

30 April 2018 – The final notice of representational rights was issued for this agreement.

16 May 2018 – The first Bargaining Meeting for this agreement was held. There has been a further two bargaining discussions held since then.

30 May 2018 – TAFE NSW confirmed to bargaining representatives in writing the proposal it intended to take to employee ballot.

TAFE NSW has carefully considered and responded to all proposals that have been put forward by bargaining representatives during bargaining.

TAFE NSW has provided the union with opportunities to comment on the draft proposed enterprise agreement.

Bargaining representatives

Bargaining representatives who participated in negotiations were:

- the TAFE NSW team, including Donna Wilcox, Head of Workplace Relations and Bernadette Colling, Manager Operations and Regional Support.
- the Australian Education Union NSW Teachers Federation Branch.

Documents

Ballot materials

- TAFE Commission of NSW Teachers in TAFE Children's Centres Enterprise Agreement 2018
- How to vote information from CorpVote
- Summary of the terms in the agreement.

Frequently asked questions?

Who is covered by the agreement?

The agreement covers teachers and directors working in TAFE Children's Centres. The classifications covered by this agreement are; Early Childhood Teachers (Three Year Trained, steps 1 to 11) and Early Childhood Teachers (Four Year Trained, steps 1 to 9).

Where can I find the ballot copy of the agreement?

The ballot copy of the proposed agreement is available on the [TAFE enterprise bargaining website](#). You can also request a hard copy from your People and Safety representative or Manager.

Do I have to vote?

Voting is not compulsory, but participation is strongly encouraged, because the enterprise agreement is the basis of pay and conditions for people employed under it. It's important that you have your say on the proposed agreement.

What does it take to get an agreement approved?

Employees have to endorse an agreement by voting on it. For an agreement to be made, it has to be supported at ballot by the majority of employees who vote. It then goes to the Fair Work Commission for approval. The agreement comes into effect 7 days after approval by the Fair Work Commission.

What does the agreement contain?

The proposed agreement sets out the conditions of employment and rates of pay for all employees covered by it.

Policies referenced in the proposed enterprise agreement

Clause reference	Policy / Procedure / Guideline
14.3.8 Paid Personal/Carer's Leave	TAFE Policy – Special Leave
14.6.5 Family and Community Service Leave	https://staff.tafensw.edu.au/documents/2016/06/special-leave.pdf/

Next steps

1. Employees consider the agreement	2. Employees vote	3. Implementation
<ul style="list-style-type: none">Employees have 7 days to review the proposed new agreement from the day the Managing Director notifies that the formal access period begins 7 June 2018.This gives you the chance to check out the website, ask questions and get the information you need to cast an informed vote.	<ul style="list-style-type: none">Employees are being asked to support the proposed agreement by voting for it.The ballot opens on 16 June 2018 and will close on 19 June 2018.For the agreement to be approved by employees, the majority of employees who vote must vote 'Yes'.That means, $50\% + 1$ vote = 'Yes'CorpVote, an independent company with expertise in managing independent and secure voting processes, is managing the electronic balloting process.	<ul style="list-style-type: none">If the agreement is supported by the majority of employees, then it will be filed with the Fair Work Commission for approval.The new agreement will come into effect 7 days after the Commission approves it.The increase will be paid effective from the first pay period on or after 19 June 2018 following approval of the agreement by the Fair Work Commission.

Want to know more?

If you have any questions about the *TAFE Commission of NSW Teachers in TAFE Children's Centres Enterprise Agreement 2018* or you'd like to get a copy of the ballot copy of the agreement and a full explanation of changes you can:

- Visit the enterprise bargaining [website](#)
- Email the [Workplace Relations Team](#)
- Speak to your People and Safety representative or Manager.