



TAFE Commission of NSW Teachers in TAFE Children's Centres Enterprise Agreement 2016

Your guide to the agreement

June 2016

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, 2016.

To view or download the full list of drafting changes from the 2016 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 2016* (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 14 June 2016 and a further 2.5% salary increase from the first pay period on or after 14 June 2017. The proposed agreement will operate until 13 June 2018.

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

After listening to the concerns of our employees, we have improved our proposal for the new enterprise agreement. The Early Childhood Directors and Teachers in Charge allowance will increase by 2.5% in line with the salary increase for supervision of 1 to 6 employees and 7 employees or more.

The rest of the original offer remains the same.

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
Duration	<ul style="list-style-type: none"> • 2 years
Early Childhood Director and Teacher in Charge Allowance	<ul style="list-style-type: none"> • There will be an increase of 2.5% to this allowance, incorporating a new 2 tier structure: <ul style="list-style-type: none"> ○ Supervision of 1 to 6 employees ○ Supervision of 7 or more employees
Notification of roster changes	<ul style="list-style-type: none"> • Employees need to be given 7 days' notice for changes to roster arrangements
Casual loading rate	<ul style="list-style-type: none"> • A new casual loading rate of 23.3% will replace the current loadings • The proposed casual loading rate includes a payment for all leave entitlements, except for long service or extended leave
Casual workers paid for the hours that are worked	<ul style="list-style-type: none"> • Casual employees will be paid for the hours that are worked • The current agreement provisions for a 'day rate' will be removed • This means that a casual employee working more than 6 hours and up to 7.6 hours will not be paid an automatic 7.6 hours as a 'day rate'
Pay rise date	<ul style="list-style-type: none"> • The first pay increase will be from first pay period commencing on or after 14 June 2016, which is 16 June 2016. Payment will be processed into your pay once the Fair Work Commission has approved the Enterprise Agreement. This sometimes takes a few weeks.

The proposal

Following more than 10 months of bargaining and consultation since August 2015 with the union, TAFE NSW is of the view that this is fair and reasonable.

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 14 June 2016 and again from the first pay period on or after 14 June 2017.
- The allowances for Early Childhood Director (Schedule 2) and Early Childhood Teacher in Charge (Schedule 3) to increase by 2.5% in line with the salary increase for supervision of 1 to 6 employees and 7 employees or more.
- Clause 2 (Date and Period of Operation) has been edited to correctly identify the operational dates of the new agreement and notate the National Employment Standards.
- Clause 3 (Definitions) has been edited to include definitions for 'Human Resources Manager', 'Managing Director', the 'National Employment Standard' and identify an Early Childhood Teacher as an employee.
- Clause 4 (Dispute Resolution Procedures) has been edited to correctly refer to the Fair Work Commission, the National Employment Standard and the Fair Work Act, 2009.
- Clause 6 (No Further Claims) has been edited to identify that the 2017 increase to salary / wages represents the total wage increase for the full 2017 calendar year – similar in form to the previous agreement.
- Clause 8 (Consultation) has been edited to reflect the most recent model clause requirements of the Fair Work Commission.
- Clause 9 (Salaries and Allowances) has been edited to vary rostered attendance of a part-time teacher with provision of a 7 day notice period prior to that change taking effect.
- Clause 9 (Directors and Teachers in Charge Allowance) has been edited to increase by 2.5% in line with the salary increase for supervision of 1 to 6 employees and 7 employees or more. The two higher levels of allowances for supervision of higher staff numbers have been removed.
- Clause 9 (Casual Loading 9.6.1 and 9.6.2) Casual Loading has been set at 23.3% and the casual rate includes any additional employee obligation for all leave (excepting long service leave).
- Clause 9 (Day Rate 9.6.4) provision of a day rate has been discontinued. However, casual teachers will be paid for all hours that they attend and perform work.
- Clause 10 (Rostering 10.1.5 (i)) has been edited to provide a 7 day notice period prior to roster changes taking effect.

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 14 June 2016 and a further increase from the first full pay period on or after 14 June 2017.

Employees will continue to work according to substantially similar conditions of employment as under the 2013 agreement.

The bargaining process

1 June 2015 – The notice of representational rights was issued for this agreement.

6 August 2015 – The first Bargaining Meeting for this agreement was held. There has been a further five bargaining discussions held since then.

12 November 2015 – TAFE NSW confirmed to bargaining representatives in writing the proposal it intended to take to employee ballot.

1 December 2015 – TAFE NSW confirmed that the ballot was not supported by staff.

19 January 2016 – Bargaining recommenced.

31 May 2016 – TAFE NSW confirmed to bargaining representatives in writing the proposal it intended to take to employee ballot again.

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, led by Kerry Penton, Director Workforce Engagement and Institute Director of Riverina Institute
- the Australian Education Union NSW Teachers Federation Branch.

Documents

Ballot materials

- TAFE Commission of NSW Teachers in TAFE Children's Centres Enterprise Agreement 2016
- Guide to the terms of the 2016 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 HR 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
14.3.4 Sick Leave	TAFE Policy – Sick Leave https://detwww.det.nsw.edu.au/media/downloads/intranet/lists/directories/humanresources/tafenswstaff/policy/leave/sickleave.pdf
14.4.3 Special Leave – Jury Service and Emergency Volunteers	TAFE Policy – Special Leave https://detwww.det.nsw.edu.au/humanresources/tafepoli/spelword.htm

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 1 June 2016.• 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 9 June 2016 and will close on 14 June 2016.• 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 14 June 2016 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 2016* 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 [TAFE Bargaining team](#)
- Speak to your HR representative or Manager.