



News^eextra

NSW/ACT Independent Education Union

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2011 Federal Agreement for Support and Operational Staff A first for NSW Independent Schools

The IEU has finalised negotiations with the Association of Independent Schools (AIS) on a proposed Multi Enterprise Agreement (MEA) covering non teaching staff in a large number of NSW independent schools. This MEA achieves comprehensive coverage of staff in independent schools thereby providing industrial security for an unprecedented number and range of employees across the independent school sector.

The agreement, which will be known as the Support and Operational Staff MEA, will apply in those schools where it is approved by a majority of votes. **We are recommending a YES vote on this Agreement.**

Why is this MEA important?

This Multi Enterprise Agreement maintains salaries and conditions well in excess of the federal modern award. Employers are required to meet the salaries and conditions established in the new modern awards. MEA salaries are, on average, 35% higher than relevant modern award rates. Similarly, the MEA will protect the leave and other conditions negotiated in previous state awards that would otherwise be lost if employees are only covered by the modern award.

The Multi Enterprise Agreement approach ensures fair, consistent and secure outcomes to employees in independent schools across NSW. This is in stark contrast to school by school 'enterprise bargaining' approaches that have resulted elsewhere in a loss of salary and conditions.

Salary Outcomes

The new MEA contains salary increases of 15% (compounded) over four years (3.2%, 3.6%, 4% and 4%). Allowances will also increase by 15% with the exception of expense related allowances that have been increased in line with CPI movements since they were last adjusted.

For support and maintenance and outdoor staff, and some other staff already covered by a federal agreement, these increases retain the nexus with salary increases received by teachers at their school. For many employees who have not previously been covered by the support staff or maintenance and outdoor staff awards/agreements, this may represent the first time that salary increases have been in line with the percentage increases received by teachers in their schools.

The Federal Government recently foreshadowed compulsory employer superannuation increases to take effect in 2013 and 2014. As with the proposed Teachers agreements, if these increases of 0.25% in 2013 and a further 0.25% in 2014 proceed, the Agreement allows a slight reduction of 0.2% to the 2014 pay rise.

Protection and Improvement of Conditions

The proposed agreement protects the conditions of non-teaching staff previously employed under state awards and federal agreements applying to support staff, maintenance and outdoor staff and boarding house staff. Paid parental leave effectively increases to 15 weeks' paid leave owing to the accrual of annual leave while on 14 weeks of paid leave. This paid parental leave is in addition to the paid parental leave scheme of 18 weeks pay (at the rate of \$569.90 per week) funded by the Federal Government from 2011.

For those employees new to this agreement, their conditions are not only protected but in a number of important areas they are greatly improved. Nurses and general operational staff will have the provisions of the relevant state awards protected under the Agreement, and they, along with other employees who may previously have been award-free, will see improvements in areas such as the paid parental leave and their long service leave. Long service leave for these employees will increase to a rate of accrual equivalent to 10.5 weeks after 10 years, and the leave will now be payable on termination after 5 years of service, for any reason other than misconduct.

Expanded Agreement Coverage

Since moving to the federal system support and maintenance and outdoor staff have generally been covered by separate agreements reflecting the state awards that had previously applied to them. In 2009 the IEU negotiated a Multi-Enterprise Agreement (MEA) that covered:

- Support staff, being clerical and administrative staff and school assistant;
- Maintenance and outdoor staff;
- School nurses;
- Childcare workers in Out of Schools Hours childcare services, and Preschools and Long Day Care Centres attached to schools; and
- Cleaners.

The 2009-2010 MEA was put in place in approximately 46 schools. Many other schools were covered by single enterprise agreements or remained in the NSW state industrial relations system. Now with the expiration of many single enterprise agreements, the 2009-2010 MEA and the state awards, the proposed MEA for 2011-2014 will see approximately 186 independent schools covered. In many cases the new MEA will replace both an existing support staff and an existing maintenance and outdoor staff agreement. In limited schools it may also replace an existing boarding house staff agreement.

The proposed MEA for 2011 to 2014 will again extend the coverage of the agreement, this time to include:

- boarding house staff previously covered by separate agreements;
- wellbeing services staff such as youth workers, welfare officers, counselors and psychologists;
- general operational staff previously covered by the Miscellaneous Workers Independent Schools and Colleges (State) Award including cooking/catering, housekeeping, laundry and caretaking staff.

In addition to the new classifications, the MEA will clarify that certain types of support staff are covered, such as archivists and information technology staff who are not appointed as teachers.

OVER-AGREEMENT SALARIES

The Union recognises that some schools pay salaries in excess of those contained in the agreement. Accordingly the Union has negotiated the inclusion of a savings clause that will ensure that no member's salary or conditions are reduced as a result of the making of the MEA. While this does not guarantee the payment of further over-agreement increases, nothing has changed in this respect, since over-award increases were not guaranteed under the system of state awards. In short, as with the state awards that previously applied, there is nothing that prevents employers from paying salaries that exceed those contained in the MEA.

Where a member is appointed as a teacher to do the work of employees covered by the Support and Operational Staff MEA, that employee will continue to be covered by the Teachers' agreement.

Historically the Union has not pursued the inclusion of specific salary scales for certain classifications (such as archivists, IT staff and non-teacher counselling staff) due to the wide range of salaries paid across the diverse independent school workplaces, out of the concern that it could result in the lowest common salaries being established as the benchmarks, leading to a reduction in the market rates paid. Now, however, with the inclusion of many such classifications in the federal modern award, there is a need to carefully and clearly identify that all such staff are covered, since MEA salaries are generally much higher than the relevant modern award rates. Similarly, the MEA will protect the leave and other conditions negotiated in previous state awards that are otherwise lost if employees are only covered by a modern award.



Next Steps

Over the next few weeks members are asked to meet to discuss the MEA. IEU officers are available to provide assistance and attend meetings. Organisers can be contacted on 9779 3200 or toll free 1800 467 943.

The MEA, when finalised, will be proposed by the schools to their employees. A final agreement must be circulated at each school by the employer, before the vote. We anticipate that following circulation of the final Agreement, voting will occur towards the end of this term.

If your school does not intend to offer the MEA to staff you should contact your IEU Organiser immediately.

The vote at each school is crucial – if staff at your school vote against the Agreement, the name of your school is removed from the MEA. If your school is not covered by the MEA it will mean that your employment may be subject to an out-of-date federal agreement or the modern award, meaning that salaries and conditions could remain stagnant or reduce over time.

The IEU thanks reps and members for their support of the Union's effort to secure significant agreements in independent schools throughout NSW.

The Union will recommend that members vote YES for the Agreement.