

QUEENSLAND INDEPENDENT EDUCATION UNION



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Management seeks employer collective agreement despite positive enhancements made under past union collective agreements



BRISBANE GIRLS GRAMMAR SCHOOL - STAFF BRIEFING

Dear Colleagues

Brisbane Girls Grammar School (BGGGS) management has indicated its preference for a federal employer collective agreement for staff.

While the commitment to negotiate collectively is welcomed, the proposal to implement an employer agreement poses significant long-term risks for employees.

The proposal also comes despite the fact that for the last 10 years, BGGGS staff have been covered by a collective agreement negotiated with your union's assistance which has well served the school community.

These collective agreements have provided significant enhancements to working rights, wages and conditions – the benefits of which have been gained by all employees (including non-union members).

Given the significant achievements gained under these union assisted collective agreements and the fact that the majority of BGGGS staff have chosen to be members of their union, there should be no question as to the type of agreement negotiated.

Furthermore, the vast majority of Queensland Grammar schools have committed to negotiate with union representatives a collective agreement within the federal jurisdiction.

An employer agreement would only serve to diminish the collective voice of employees and limit their negotiating rights and ease of representation by their union chapter and union officers.

An employer agreement also establishes a different workplace culture where issues become matters of individual 'discussion' with an employee rather than one dealt with collectively.

It is therefore important for staff members to assert their legislative right to be represented in the collective agreement negotiations by their union representatives together with those staff representatives which have been determined.

Length of agreement

BGGGS management has also indicated its preference to implement a 5-year agreement, as opposed to the traditional 3-year agreement (as was the standard under the state jurisdiction).

While the increase to 5 years is allowable under the federal act, the acceptance of such an increased length of agreement by staff would mean they lock themselves out of the negotiation of provisions for a greater length of time than is the current standard within the non-government education sector.

The majority of non-government education employees continue to be covered by 3-year agreements. If these employees were to win enhancements on their 3-year cycle of negotiations, then BGGGS staff would have to wait for another 2 years before they could start to negotiate on these matters - putting them behind the majority of employees in the sector.

It will be important for the school to clarify in negotiations how it would propose to consider emergent community/sector standard conditions under a 5-year negotiation cycle, especially with regard to wage movements.

Prohibited matters

In negotiating an agreement within the federal jurisdiction, it remains unclear what the school proposes to do in regard to the prohibited matters (as outlined under the federal act), except to leave them out of the agreement as is required under the law.

For staff, the loss of these formally protected working rights and conditions (including protection from unfair dismissal) is an especially important issue because once lost these protections and conditions will become much harder to negotiate later - especially if an increased in agreement length is implemented.

Given the significance of these working rights and conditions, the matters ought be agreed to and protected in a Memorandum of Agreement complementary to a collective agreement.

Negotiation of a complementary Memorandum of Agreement is being agreed in principle within other Grammar schools and has been earlier endorsed by the BGGGS chapter.

Award provisions

As yet, the school has not advised what it proposes to do with the current award provisions which are not included (in writing) in the current agreement.

As indicated to BGGGS members in earlier briefings, unless these award conditions are included word by word in to a federal agreement before 27 March 2009, then they will be lost as per the federal government's legislation.

Given the current date, the inclusion of these conditions is critical if staff are to retain them in the future whether a 3 or 5-year agreement is negotiated.

Without the inclusion of the award provisions, staff will not have any right to access the conditions contained within these after 27 March 2009.

Staff meetings this week

Given the significant issues raised by the school's proposal, QIEU officers have met with BGGGS staff representatives to discuss the implications for staff and the steps needed to be taken to ensure a positive outcome.

A meeting of BGGGS staff has been scheduled for this Thursday at 12.45 pm in the Gehrman Theatre (with an alternative meeting for those staff unable to attend the Thursday meeting scheduled on Friday at 12.45 pm – venue to be advised).

Staff representatives will conduct the consultation meetings and QIEU Assistant General Secretary Ros McLennan will also be in attendance to provide industrial and legal advice.

The attendance of all staff at the meeting is encouraged, as it will enable staff to fully explore the issues raise by the school's proposals and to determine what measures can be taken to ensure proper protection of employee working rights and conditions.

The school's proposals have significant long term implications for staff.

It is important that specific steps are taken to protect current working rights and conditions into the future and those agreement provisions are achieved which are at least as good as the other Grammar schools and the non-government sector more broadly.

Kind regards



TERRY BURKE
QIEU GENERAL SECRETARY