

QUEENSLAND INDEPENDENT EDUCATION UNION  
INDEPENDENT EDUCATION UNION OF AUSTRALIA –  
QUEENSLAND & NORTHERN TERRITORY BRANCH



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Thursday, 11 March 2010

ECE-CB10002js

## *Early Childhood Education*

*your rights at work*  
worth fighting for

## CHAPTER BRIEFING No. 2

# ACSEA Refuses to Update Your Agreement

The Australian Community Services Employers Association (ACSEA) has refused to enter into a new Agreement to reflect the increased DECKAS funding announced by the Queensland Minister for Education.

On behalf of employees in Early Childhood Education your Union wrote to ACSEA in January seeking a meeting to negotiate how the increased wages (flowing from the increased DECKAS funding) could be reflected in a formal Agreement.

There are two areas where changes (which are funded by DECKAS) are required:

- the additional wage increase, 4% increased to 4.5%, operative from 1 July 2009; and
- the new rate for band 2 Step 1, increased to \$2005.30, operative from 22 January 2010.

Whilst ACSEA has stated that they have recommended to their members that the 4.5% wage increase be paid, they have remained resolutely silent on the improved rate for Band 2 Step1. Your Union recognises that most committees will apply the 4.5% wage increase.

**Members' rights are not protected by trusting a committee to do the right thing.  
Members' rights are protected by having a legally enforceable document in place.**

ACSEA has, to date, refused to be a part of achieving that contemporary document.

### ACSEA 'reasons' lack logic

The initial reason put forward by ACSEA for its refusal was the cost of the process. ACSEA did, in a letter received on Friday 26 February 2010, state that it would consider an offer by the IEUA to cover the cost of the process. By way of a letter sent to ACSEA on 5 February 2010 your Union offered to conduct the whole process of achieving the new agreement so that there would be no cost to ACSEA. This offer was inexplicably rejected.

ACSEA also stated that there was “a risk of confusing the membership”. Their letter was silent, however, on whether they were referring to ACSEA members or IEUA/QIEU members. Your Union does not believe that anyone could be confused by a process which ensures that a legally enforceable agreement exists to protect the wages of employees in community kindergartens.

For the sake of completeness we also record that ACSEA also referred to their recommendation that the 4.5% increase be paid, and asserted that there was no precedent for ACSEA members not following such a recommendation. This is the first occasion where we are aware that ACSEA has recommended anything in excess of the legally enforceable minimum.

The absence of an up-to-date agreement could well have adverse consequences when it comes to negotiating the Agreement to apply from 2011 onwards.

<b>Please provide feed-back</b>
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Your Union will be guided in this matter by the views of its members. Therefore, we seek your feed-back on the issue identified in this Briefing. Please complete the attached, and either fax, email or post your completed form to your Union by 5 pm on Friday 19 March 2010.

Following receipt of advice from members, your Union will take steps consistent with that advice, either to ensure employees are covered by an Agreement or to accept the ACSEA position.

Kind regards

**John Spriggs**  
**Senior Industrial Officer**

EARLY CHILDHOOD EDUCATION

FEED-BACK



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Name: .....

Kindergarten: .....

I would like an enforceable Agreement setting wages (including any enhancements beyond the current Agreement) at my centre.

Yes .....

No .....

Please provide any other comments which may be relevant. If you have any question please do not hesitate to contact you Union for advice.

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**PLEASE FAX BACK TO JOHN SPRIGGS AT IEUA/QIEU BY NO LATER THAN  
Friday, 19 March 2010**  
Fax: 07 3839 7021, or email to: [enquiries@qieu.asn.au](mailto:enquiries@qieu.asn.au), or  
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