

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



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Wednesday, 11 November 2009

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Professional Rates of Pay Campaign



**CATHOLIC SECTOR PROTECTED ACTION BALLOT
CHAPTER BRIEFING No. 6**

Chapters to Determine the Next Phase of the Campaign

Onus on Employers to Meet Full Wage Claim

Colleagues

Catholic employing authorities must now meet to negotiate teacher professional rates of pay following the (probable) settlement in the public sector.

The public sector settlement provides a minimum benchmark for those negotiations.

However, the endorsed employee wage position in the Log of Claims tabled in February 2009 clearly set out a claim for benchmark professional rates of pay.

Members now have to determine how they will resolve to pursue our broader claim and seek accessible wage structures which maximise professional rates of pay.

Chapter meetings should be held to consider the next stage in our campaign for professional rates of pay.

Chapters should consider the following issues and thence the draft resolutions which address these matters.

Employers Need to Negotiate

Catholic employing authorities now have no excuse to avoid negotiation of professional rates of pay following the announcement of a (probable) settlement in the public sector.

Their position that they could not negotiate ahead of a public sector settlement was always a nonsense.

Any further refusal to now meet with employee representatives is simply untenable.

Chapters are asked to consider draft resolution # 1.

Nature of our Claim for Professional Rates of Pay

Our wage claim, set out in the Log of Claims tabled on 23 February 2009, has been in three parts:

- an interim wage increase in 2009 consistent with the core public sector offer (i.e. 4.5%);
- a commitment to minimum comparability with any public sector offer; and
- a substantive commitment to benchmark professional rates of pay.

Employers have made the interim wage payment.

Employers can be anticipated to make an offer consistent with the (probable) public sector settlement.

Our challenge is to maximise in negotiations the pursuit of our third element in our claim.

Chapters should take note of the key elements of the public sector settlement (Fact Sheet attached).

There is much to commend in their settlement, especially the establishment of the highest graduate rate (in 2011) in Australia.

We also need to recognise that the settlement introduces an element of a merit (criteria based) pay increment.

We need to factor these and other elements into our further claim.

However, in doing so, we should be very clear that our claim must maximise accessibility and maximise the professional pay levels.

The draft resolution (# 2) would authorise your employee representatives in the negotiations to pursue maximum accessibility and to maximise professional pay levels. Any proposals which might emerge would be subject to Chapter consideration.

Chapters are asked to consider draft resolution # 2.

Single Interest Employer Status

Catholic employers have sought and received authorisation as single interest employers in a Diocesan group (plus St Patrick's College, Townsville) and a second group of Religious Institute Schools.

However, in issuing the Single Interest Employer Authorisation (SIEA) for the Religious Institute Schools, Fair Work Australia (FWA) has excluded Iona, Downlands and St Ursula's (Toowoomba) because they failed to refer to the proper legal entity in making the initial application for a SIEA.

Implications of SIEA Status

The issuing of the SIEA by FWA is in fact of academic interest only.

In a separate Decision, FWA has made it clear that employee representatives are under no obligation in the Fair Work Act to bargain with the combined employer entity and may choose to continue to seek to make a single collective agreement with discrete separate employers.

This is significant in those employing authorities where protected action authorisations exist.

By continuing to seek a separate agreement with each employing authority then the relevant protected action authorisations continue to be valid.

Next Steps

The onus is on employing authorities to negotiate meaningfully on professional rates of pay.

A meeting with your respective employing authority has been sought for Monday, 23 November 2009.

In the event employing authorities do not meet or fail to make an offer which significantly addresses our claim then further member action needs to be considered.

Members in your employing authority are currently not authorised to take protected industrial action.

Chapters are asked to consider the resolution # 3 which directs your union to make application for a further ballot to authorise protected industrial action if your employing authority fails to address the substance of your claim for professional rates of pay.

Such a ballot, if applied for and granted, would occur in the first weeks of Term 1, 2010.

General

The emergence of a settlement in the public sector is a further step in our campaign for professional rates of pay.

Firstly, as our next step we have to get employers back to the table for meaningful negotiations.

Fundamentally, we have to continue a campaign for accessible wage structures which maximise professional rates of pay.

If that is to be achieved it will almost certainly be in the face of employer opposition and if it is to be won, it will be with member support and action.

I look forward to your consideration of the draft resolutions.

Kind regards



TERRY BURKE
SECRETARY

Attach.

1. Agenda
2. Draft Resolutions
3. Fact Sheet – Public Sector Wage Settlement
4. Fact Sheet – Single Interest Employer

Catholic Sector - Chapter Meetings
Catholic Education – Brisbane, Rockhampton and Townsville;
St Patrick’s College (Townsville) and Iona College

AGENDA

1. Attendance and Welcome
2. Report on Developments
 - (a) Public Sector Wage Settlement
 - Background to the Settlement
 - Details of Proposed Settlement
 - (b) Single Interest Employer Declaration
 - Consideration of Fact Sheet
3. Consideration of Draft Resolutions
4. Discussion of any Issues
5. Close



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**CATHOLIC SECTOR AUTHORISED PROTECTED ACTION
 CHAPTER FAXBACK**

**Catholic Sector - Chapter Meetings
 Catholic Education – Brisbane, Rockhampton and Townsville;
 St Patrick’s College (Townsville) and Iona College**

1. That the Chapter at _____ in condemning the employer position on not entering into negotiations prior to a public sector settlement again calls on employing authorities to meet immediately with employee representatives to negotiate a professional pay structure which shows respect for teachers and which recognises their work, dedication and commitment.

CARRIED/NOT CARRIED

2. That the Chapter at _____ in noting the (proposed) wage settlement in the public sector determines that:

- the public sector settlement represents a minimum benchmark for negotiations; and
- negotiations in the Catholic sector should establish accessible wage structures which maximise professional rates of pay.

CARRIED/NOT CARRIED

3. That the Chapter at _____ authorises an application to Fair Work Australia to hold a secret ballot to determine appropriate protected industrial action if our employing authority fails by 4 December 2009 to endorse in substance professional rates of pay.

CARRIED/NOT CARRIED

**PLEASE FAX BACK TO
 TERRY BURKE, SECRETARY, IEUA-QNT
 ON FAX NUMBER (07) 3839 7021
 BY 4:00 PM THURSDAY, 19 NOVEMBER 2009.**