

QUEENSLAND INDEPENDENT EDUCATION UNION



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Monday, 5 October 2009

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LUTHERAN SCHOOLS COLLECTIVE BARGAINING 2009



CHAPTER BRIEFING No. 10

Protected Action Ballots Ordered Teachers in Queensland Lutheran Schools Lowest Paid Lutheran Teachers in Australia Employers Must Negotiate Professional Rates of Pay

Dear Colleagues,

Union members will vote in a ballot to determine if industrial action occurs in Lutheran schools following the issuing of protected action ballot orders by Fair Work Australia (FWA).

Lutheran employers for their part are clambering for credibility in defence of a bizarre wages position.

Lutheran employers are defending a state government wages position and see Lutheran schools facing industrial action while the state government avoids industrial action in dragging QTU members into arbitration.

In the absence of a sensible wages position, ballot authorised protected action would see union members undertaking widespread industrial action in November 2009.

Background

Lutheran employing authorities have asserted that they now operate in the federal arena and that the state jurisdiction does not govern their operations.

However, in a highly problematic position they also assert that they cannot resolve the wage claim until state outcomes are known from the state public sector arbitration.

Their justification for this improbable position is that they 'do not put [state] funding in jeopardy by agreeing to pay rates that are outside those achieved in the state sector'.

Employees are thus being asked to accept that, while we operate in the federal jurisdiction, we cannot negotiate wages in the federal jurisdiction.

Further, employees are being asked to accept that wages will be determined by arbitration in the state jurisdiction in a process which does not involve either the Lutheran employers or their employees.

How do you compare to interstate Lutheran teachers?

Your employer appears willing to see teachers in Queensland Lutheran schools amongst the lowest paid in Australia. Whilst the employee wage claim was predicated on NSW wages as the interstate benchmark rate, other Lutheran employers have seen fit to negotiate wages even ahead of the State (South Australia) so that teachers are remunerated at professional rates of pay (see below).

| Experienced Teacher Wages 2009-2010 | | |
|--|-------------|-------------------|
| | 2009 | 2010 |
| NSW State | \$78,667 | \$81,656 |
| Victorian Lutherans | \$77,740 | Under negotiation |
| Northern Territory Lutherans | \$75,388 | \$79,157 |
| South Australian Lutherans | \$74,148 | \$77,899 |
| Queensland Lutherans | \$71,939 | \$74,816 |

Protected action ballot

Fair Work Australia has now issued orders for the conduct of secret ballots to determine if protected action is authorised in each Lutheran employing authority.

Only union members can vote in the ballot.

Ballots will close on 30 October 2009.

Our union has requested that the Australian Electoral Commission conduct a postal ballot for members in all four employing authorities. Ballot papers will be posted to member's home addresses on 16 October 2009.

An authorisation of protected action requires 50% of members to vote and a simple majority of those who vote endorsing the action.

Protected action questions

Teachers will consider one set of actions and school officers and services staff another set of actions reflecting considerations of solidarity on the log of claims as well as the degree of direct interest each group has in the issue of professional rates of pay.

In both instances we have not limited the number of actions nor specified dates because to do so would mean that if there were to be more actions or actions on a different day a further set of orders for a ballot would have to be made and a further ballot held if the orders were issued by the FWA.

Teachers thus will be asked to authorise full day stoppages and/or half day stoppages and/or unlimited badge wearing.

School officers and services staff will be asked to authorise full day stoppages and/or badge wearing and/or a ban on overtime. This group of employees is rarely paid for overtime and a ban on undertaking unpaid overtime would be a double message to employers.

In all instances, members will be asked to authorise an 'unlimited' number of stoppages for reasons of flexibility outlined above.

Non-members are not legally protected in taking actions. However, if the ballot authorised protected action then a non-member who joins before the day of the action would be legally protected in taking the action.

Next Steps

Lutheran employing authorities have adopted a bizarre, improbable and indefensible wages position.

Chapters will be requested in a briefing in the new week to initiate a petition to go to their employer calling on them to negotiate a wage outcome substantially consistent with benchmark professional rates of pay.

Teachers in Lutheran schools and Lutheran education deserve no less.

Lutheran employers can avoid industrial action in their schools by offering increases that better reflect professional rates of pay; it is in their hands.

This will test the moral courage of the Lutheran employers to stand up and be counted rather than accept that teachers in Queensland Lutheran schools continue to be the lowest paid Lutheran teachers in Australia.

Benchmark professional rates of pay are essential to attract and retain accomplished teachers in Lutheran schools and must be achieved in this round of bargaining.

Lutheran Schools Employee Network

A meeting of the Employee Network will take place on WEDNESDAY, 7 OCTOBER 2009 by teleconference commencing at 4pm.

Please return the attached faxback with details of the Chapter representatives who will be in attendance and their contact telephone numbers.

In the lead up to the ballot the Employee Network will be critical in providing advice to the employee representatives and your understanding of member roles and responsibilities up to and including the protected action ballot and actions subsequent to that.

Kind Regards



**CHRIS SEYMOUR
OFFICER ASSISTING EMPLOYEES AT THE
LUTHERAN SCHOOLS COLLECTIVE BARGAINING NEGOTIATIONS**



yourrightsatwork
worth fighting for

LUTHERAN SECTOR CHAPTER FAX BACK

Chapter Briefing No 10

Monday, 5 October 2009

School Name:

Town / Suburb:.....

Employee Network Teleconference Wednesday, 7 October 2009

Chapter Representatives:

| Name | Telephone contact number |
|------|--------------------------|
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| | |

**PLEASE FAX BACK TO
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BY close of business on TUESDAY, 6 OCTOBER 2009