



## QUEENSLAND INDEPENDENT EDUCATION UNION

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Friday, 25 September 2009

ECE-CB09013js

### *Early Childhood Education*



### **CHAPTER BRIEFING No. 13**

## **Modern Award Outcomes**

Dear Colleagues

The AIRC has now issued an "Exposure Draft" of the Modern Award for Teachers and Assistants in Early Childhood Education (ECE). A copy of that part of the AIRC decision which deals with ECE is available on our website.

The content of the Exposure Draft represents the initial views (following hearings in August 2009) of the AIRC in relation to the proposed Award. The parties will have a final opportunity to influence the content of the Award, through written submissions which are due by 16 October, and a final hearing before a Full Bench of the AIRC during the week beginning 26 October 2009. We will be using these opportunities to make further submissions on behalf of members.

A forum has been arranged for members on Friday, 2 October to discuss the content and the implications of the Exposure Draft.

#### **Teachers**

The AIRC has determined that all teachers will be covered by the Educational Services (Teachers) Award 2010. This even includes teachers who are employed in childcare centres. This is a very pleasing component of the decision.

#### **Assistants**

The AIRC has determined that assistants will be covered by the Award which covers children's services. There are two parts of that proposed Award which need to be noted. Firstly, employees can be employed on a term time basis. Such a basis of employment would result in assistants being paid only for the weeks during which they are employed.

Secondly, the proposed Award contains a provision where an employee who would have their take home pay reduced as a result of the new award provisions can apply to Fair Work Australia (FWA) for an Order protecting their take home pay. Your union will make such an application on behalf of any member who may find themselves in this type of threatening situation.

We take this opportunity to remind members that our original submissions on behalf of assistants had argued (in part) that the AIRC must include:

*"a specific provision, in whichever Award covers such Assistants, that continues to provide the existing entitlement. To do otherwise would result in unjustified and unnecessary hardship and financial loss for such employees."*

## **Forum for ECE members**

A forum for QIEU/IEUA members employed in ECE will be held on Friday, 2 October 2009 at the O'Shea Centre, 19 Lovedale Street, Wilston. This forum will consider the AIRC decision, its implications for the employment conditions of employees, and the responses necessary on behalf of employees.

We will need to make further submissions to the AIRC, both to protect the proposed coverage for teachers, and to mount further arguments on behalf of assistants.

Please RSVP to Di Hurst by telephone (38397020) facsimile (38397021) or email (dhurst@qieu.asn.au) by 4 pm on Thursday 1 October if you would like to attend this forum. An RSVP is essential to ensure seating is available at the venue.

## **Protection of existing conditions**

Regardless of the AIRC decision, employees can have all of their existing terms and conditions of employment protected by a new Certified Agreement. Consequently, the negotiations currently taking place with the C&K and the ACSEA assume even greater importance.

Your union has, and will continue to, argue that all existing conditions of employment must be protected.

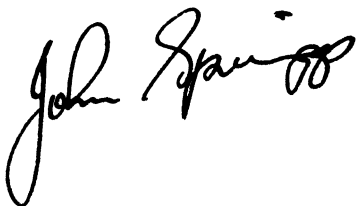
Any deficiency (compared to existing industrial entitlements) in the proposed Modern Awards can be overcome by your employer agreeing to reflect your existing conditions in the new Agreement.

## **Certified Agreement update – Centres represented by ACSEA**

Following our request to the Queensland Industrial Relations Commission (QIRC), a Conference was held on Wednesday, 23 September. The QIRC will now chair a series of Conferences to explore the areas of agreement, and disagreement, between employee and employer representatives, with a view to achieving a replacement Certified Agreement.

The next Conference will take place on Monday, 12 October. QIEU looks forward to constructive negotiations to protect and enhance your wages and conditions. Further, we will continue to keep members informed of developments.

Kind regards



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