

# QUEENSLAND INDEPENDENT EDUCATION UNION



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Ref: gra cb008rm

## ALL QUEENSLAND GRAMMAR SCHOOLS



### MEMBER BRIEFING No. 5

## Chapters meet to consider employer response to sector-wide petition to protect employee rights and conditions

Dear Colleagues

Sector-wide Chapter meetings on 1 November 2006

**Queensland Grammar school chapters are called to convene urgent meetings across the sector on Wednesday 1 November 2006.**

The purpose of these chapter meetings are to enable employees to collectively consider:

1. **The adequacy of employers' responses to the sector-wide employee petition** carrying 595 signatures which was forwarded to each Queensland Grammar school Board member and Principal last month; and
2. **Support for further campaign activities from 8 November 2006**, in order to demonstrate employees' resolve to achieve a Deed of Settlement that protects working rights and conditions and enables enhanced provisions collectively negotiated to be secured.

Petition for secure working rights and conditions

The mass employee petition of 595 signatures called on Queensland Grammar school employers to follow the positive lead set by the Anglican, Catholic and Educang education school / sector employers and enter into a Deed of Settlement alternative.

QIEU has provided Queensland Grammar school employers with our legal advice that shows that a Deed of Settlement is an effective civil law mechanism that enabled the entire question of state versus federal industrial relations jurisdiction to be completely set aside.

**The achievement of a Deed of Settlement in Anglican, Catholic and Educang schools followed concerted efforts by members to let their employer know that their working rights and conditions should not to be placed at risk in the federal legislation.**

Employers *do* have a choice to set aside the issue of state / federal jurisdiction and protect employees' working rights and conditions, even when legal advice received is that the federal jurisdiction is applicable.

Employer response

When the Queensland Grammar school Employee Reference Group met on 11 October 2006 to review campaign progress, representatives noted that employers were yet to provide a response to the petition (with the exception of Ipswich Grammar school which declined QIEU's proposal to enter into a Deed of Settlement at that time).

Employee representatives therefore endorsed further correspondence (dated 16 October 2006) to Board members and Principals seeking a response to the petition, in light of the significant time that has now elapsed since it was forwarded.

**QIEU requested a formal response from Boards by Tuesday 31 October 2006, so that chapters could progress the campaign to secure working rights and conditions through a Deed of Settlement alternative mechanism in the sector-wide meetings on Wednesday 1 November 2006.** (Please see attached table of employers' responses to date).

What's wrong with the federal industrial relations laws?

Grammar school employees are right to be concerned about the insecurity of many existing workplace rights and conditions which will result through the application of federal industrial relations laws; including the diminution of issues able to be raised for negotiation in current and future bargaining rounds (whether due to sensitivities inherent in comparable claims between sectors or those newly 'prohibited' matters). This means that many current 'entitlements' would become unenforceable provisions, relying on the future good will of employers to choose to continue to provide.

The maintenance of harmonious workplace environments that best supports the continued provision of quality education to students would also potentially be at risk, should the security of workplace conditions and rights be diminished in such a significant section of the non-government education sector.

**In the event that the employers' response fails to protect employees from the threats inherent in the federal industrial relations laws, the Queensland Grammar school Employee Reference Group authorised consideration of state-wide campaign activities to commence from Wednesday 8 November 2006.**

Chapter executives are requested to advise members that a further chapter meeting will be convened on Wednesday 8 November 2006.

A meeting of the Queensland Grammar school Employee Reference Group has been called to plan campaign activities in support of securing colleagues' rights and conditions on Monday 6 November 2006.

Building a Stronger Union

As union members, we understand that protections and enhancements are achieved by working together. The days when an individual could remain outside their union and still have some industrial protection are effectively gone. The only way to protect our working rights and conditions is to build a strong and active union.

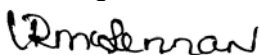
Queensland Grammar school employees who have not yet joined QIEU have now been invited to take up a special membership offer to become part of our union.

**New members who authorise direct debit of their union fees for 2007 will have their membership fees waived until 31 December 2006.** To take up this special offer, new members must return the enclosed membership form by 7 November 2006. Direct debit deductions will then commence in 2007.

More information needed?

Should you require more information, please contact your Organiser or Ros McLennan (Assistant General Secretary) on (07) 3839 7020 or [rmclennan@qieu.asn.au](mailto:rmclennan@qieu.asn.au).

Kind regards



**ROS McLENNAN**  
**ASSISTANT GENERAL SECRETARY**

*Attach*

# QUEENSLAND GRAMMAR SCHOOL EMPLOYERS' RESPONSES TO EMPLOYEE PETITION TO SECURE RIGHTS AND CONDITIONS

At the time of writing this chapter briefing, the following employer responses had been received:

Employing authority	Employer response to employee petition
Ipswich Grammar School	5 September 2006: The correspondence states that the Board did not propose to accept QIEU's invitation to enter into a Deed of Settlement or Memorandum of Understanding. A further letter signed by 55 Ipswich Grammar School employees was then forwarded to Board, in which the benefits of a Deed of Settlement were emphasized as consistent with the Board's stated intentions not to reduce employees' working rights and entitlements and called for the Board's reconsideration of the matter by 31 October 2006. No further response has been received from the employer.
Ipswich Girls' Grammar School	25 October 2006: The correspondence states that the Board is currently obtaining its own legal advice on the issues raised in QIEU's correspondence which it will consider in due course and notes that it has not been provided with a proposed agreement or Deed of Settlement for its consideration
Brisbane Grammar School	19 October 2006: The correspondence states that consideration of the issues raised in QIEU's letter is premature because the legal landscape remains unclear and the current EB does not expire until next year. A commitment to collective negotiation and consideration of arrangements to preserve the status quo will be considered if and when it becomes necessary.
Brisbane Girls Grammar School	23 October 2006 (received 31 October): The correspondence states that the Principal has met with employee representatives to review initial feedback on a log of claims for negotiation and is committed to maintaining rights and conditions for staff.
Toowoomba Grammar School	17 October 2006: The correspondence states that, while this is not to be taken as an indication or pre-emption of any decision the Board may make, several questions regarding the practical operation of a Deed of Settlement were positively raised in concept. (Note: QIEU correspondence in response to the Board's questions was provided the same day).
Rockhampton Grammar School	<i>No written response to QIEU's correspondence has been received by the employer as at 31 October 2006.</i>
The Girls Grammar School - Rockhampton	27 October 2006: The correspondence states that the Board has sought advice regarding the Deed of Settlement proposal and has determined that it would be unwise for the school to follow this course of action. The Deed of Settlement alternative is rejected. The Board indicates that they will honour the negotiated collective agreement to the extent permitted by law until the federal jurisdiction issues have been resolved and an agreement is formalised in the appropriate forum.
Townsville Grammar School	SBU reps and their QIEU Organiser met with the Principal and Board nominee to discuss the Deed of Settlement alternative. It was indicated that the Board's position was unknown as they hadn't had a board meeting in 9 weeks. While several questions about the practical operation of a Deed of Settlement were explored, QIEU's request to meet again on the morning after the next Board meeting to further discuss the matter was not agreed by the Principal without express direction from the Board.



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## **QIEU GRAMMAR SCHOOLS CHAPTER FAXBACK**

SCHOOL NAME: \_\_\_\_\_

1. Members of the QIEU Chapter at \_\_\_\_\_ call on Queensland Grammar school employers to positively respond to the sector-wide employee petition for working rights and conditions to be secured through a legal Deed of Settlement alternative, where they have not already done so.

CARRIED / NOT CARRIED

2. Members of the QIEU Chapter at \_\_\_\_\_ confirm our continued strong support for the campaign to protect working rights and conditions through the concept of a Deed of Settlement.

CARRIED / NOT CARRIED

3. Members of the QIEU Chapter at \_\_\_\_\_ will convene again on 8 November 2006 to initiate a schedule of campaign activities as part of a sector-wide "Day of Commitment" in Queensland Grammar schools.

CARRIED / NOT CARRIED

**PLEASE FAX BACK TO:**

**Ros McLennan (QIEU Assistant General Secretary)  
on fax number (07) 3839 7021 by 2 November 2006**