

Joint Communiqué: 11 February 2010

Attention: all branch kindergarten teachers and assistants

As you are no doubt aware, our collective agreement was recently approved by Fair Work Australia (FWA). However, whilst the agreement was awaiting approval by FWA, the State Government announced further increases in DECKAS funding. This means that the wage rates included in the agreement from 2009 and 2010 must now be amended to reflect these increases. The process to do this requires a submission to FWA for further approval of the varied agreement.

This process also presents an opportunity to correct/amend a number of items in the approved agreement. These are:

1. **Wage rates:** Replacement of the original wage and allowance figures with figures based on a 4.5% increase from 1 July 09 rather than a 4% increase. In addition, the wage rate for beginning teachers (Band 2 Step 1) will receive a further increase from 22 January 2010. This is in line with teachers employed under the state system.
2. **The consultation clause.** When approving our original agreement, FWA advised that the consultation clause (in Section 28 – Redundancy) did not fully meet the requirements of the Act. Consequently, although the agreement was approved, a ‘model’ consultation clause was taken to be a term of the agreement. We would like to take this opportunity to remove the original clause and insert the model clause in accordance with FWA’s Approval Notice.
3. **Universal Access** – mobile teacher trial provisions. This trial project has now concluded and therefore all provisions for employees of the project can now be removed. (There are no longer any employees working on this project).
4. **Relief Assistant Rate** – during the negotiations, it was proposed that there be one rate for relief teachers and assistants. Unfortunately, the one rate for assistants was omitted from the final document. As with relief teachers, any relief assistants who are currently employed on a higher rate will retain their existing rate and classification. Any relief assistants who are currently employed on a lower rate will be reclassified to the higher relief rate, and any relief assistants employed after the agreement is varied will be employed on the new single rate. The proposed rate for a relief assistant is \$18.2334 per hour (which is equivalent to 1 year qualified, second year of service).
5. **Exempted teachers** – unfortunately a clerical error saw the definitions for assistants inserted into the exempted teacher definitions.
6. **Extra Claims** – the agreement had provision included for additional increases to maintain parity with the state education sector. This has now been achieved with the amendment to 4.5% for wage increases from 1 July 09. As a result, clauses relating to this have been removed. However, the agreed commitment to allow Fair Work Australia to determine further increases to assistant rates has been retained.

A hard copy of the proposed agreement is attached and the variations have been highlighted in yellow (with the exception of the removed universal access provisions – these have simply been removed).

Also attached are ballot papers – can you please ensure all staff (directors, teachers and assistants – excluding casuals) at your centre are provided with a ballot paper envelope. Any spare envelopes should be returned to Central.

The ballot papers must be returned to Central by no later than **5 March 2010**. The ballot papers will be opened by Robyn Fowler (Director C&K Carbrook) and Amber Simpson on Monday 8 March 2010. Please do not hesitate to contact either one of us if you have any queries.

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