

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



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Wednesday, 26 August 2009

Prpc102bhc

**Professional Rates of Pay Campaign**



**CATHOLIC SECTOR - CHAPTER BRIEFING No. 14**

**Employers Fail to Commit to Benchmark Professional Rates of Pay  
Application for Protected Action Ballot Made  
Employers Cast Employees as de facto State Government Employees**

Dear Colleagues

Catholic employing authorities have declined to commit to the benchmark professional rates of pay which have been well established across the country.

Catholic employing authorities have in correspondence and at the recent SBU meetings failed to meet the request of Chapter members throughout the state for employers to endorse in substance the professional rates of pay.

Accordingly applications have now been made to Fair Work Australia for the conduct of secret ballots of union members to determine if protected action is implemented from early term 4.

**Background**

Catholic 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 Catholic employers or their employees.

Employers may lack moral courage to stand up for their schools but employees do not.

The benchmark professional rates of pay are essential to attract and retain accomplished teachers in our schools and must be realised.

## Application for protected action ballot

Applications have now been made to Fair Work Australia (FWA) for ballots to determine if members can take protected action in support of their wages claim.

We anticipate a Hearing in the FWA in the next few days. FWA has to determine if orders are issued for the conduct of the secret ballots by the Australian Electoral Commission.

The secret ballots, if orders are issued, will involve union members only.

Employees of each Catholic employing authority will form a separate electorate for the purpose of the ballots.

Union members will be asked to vote on a proposal that various stoppages and bans are authorised.

We have proposed that 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 teacher professional rates of pay.

To be valid the ballot must have 50% of the electorate voting and of those who vote 50% plus one must endorse the proposed actions if these are to be 'protected actions' where members are legally protected in taking the action.

If endorsed by members voting in a ballot, protected actions would occur in late October.

Non members are not legally protected in taking the actions. However, if they join by the date of action they would be legally protected in taking the action.

## Next steps

Chapters will be advised of the outcome of the application to FWA when it is available.

Chapters are requested to convene Chapter meetings and report on these developments. A Fact Sheet is attached for distribution to Chapter members.

Chapters are further requested to consider the attached resolution and then send the faxback to the Brisbane office.

Thank you for your continued efforts in this essential campaign for wage justice and promoting high quality education in our schools.

Kind regards



**TERRY BURKE**  
**BRANCH SECRETARY**

*Attach.*



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# CATHOLIC SECTOR CHAPTER FAX BACK

Wednesday, 26 August 2009

School Name: .....

Town / Suburb:.....

## RESOLUTION

The Chapter at \_\_\_\_\_ notes that Catholic employing authorities have declined to commit in substance to benchmark professional rates of pay and the Chapter endorses the action taken in making application to Fair Work Australia for a protected action ballot consistent with the statewide Chapter resolutions.

**CARRIED / NOT CARRIED**

**PLEASE FAX BACK TO**  
**TERRY BURKE, BRANCH SECRETARY**  
**ON FAX NUMBER (07) 3839 7021**  
**BY 4:00 PM FRIDAY, 4 SEPTEMBER 2009**