Our sector under attack:
Teachers locked out for wearing badge
NAIDOC Week 2019 invites you to walk in a movement for a better future. For generations, Aboriginal and Torres Strait Islander peoples have sought recognition of our unique place in Australian history and society today as the oldest continuing culture on the planet.

Let’s work together for a shared future.

Early dawn light rises over Uluru, symbolising our continued spiritual and unbroken connection to the land. Our message, developed through generations, is echoed throughout the land: hear our voice and recognise our truth.

Artwork: Awaken by Charmaine Mumbulla

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The core of our IR system is rotten

Collective bargaining provisions are at the core of our industrial relations system. The Fair Work Act (FWA) has the clear intention that it is through collective bargaining that workers gain wage increases and improvements in conditions.

The old central wage fixing of a commission, as an independent third party, is essentially gone; reserved only for the non-government education sector. The employer needs to seek no independent authorisation to do so – an employer can just do it. A disproportional action like this is an employer right under the Act. Even where an employer is disposed to negotiate and not threaten reversion to the Modern National Awards or lock out employees, the collective bargaining process provides little encouragement. Lethargy and inaction stretching over months can characterise negotiations with a talkfest at best ventilating negative impact on the quality of education in schools. Real issues in the workplace require real resolutions. In the absence of industrial laws which facilitate that resolution, a resolution to those real issues requires real leadership.

Our union and its members are there and ready to provide that leadership – sadly we await the employers.

Terry Burke
Branch Secretary

The campaign also called for the continual contracts or long-term employment. Workers experience through the casual status. These workers are vulnerable due to their status which again reduces their ability to negotiate improved working conditions. It is essential that the re-elected Coalition federal government address these concerns and although re-elected, they certainly have no mandate for a diminution of the industrial laws. Although the laws around collective bargaining are expensive, time-consuming and combative, we have dedicated and passionate members who will continue to fight for our working conditions to enhance our profession and provide a fairer and just society. Our union and the broader Australian union movement should be proud of the campaign. Although we are disappointed that the industrial rules will not change yet, we are resolute that the campaign goes on.

Andrew Elphinstone
President

Reaching a resolution.

Differing views – but not actually facilitation that resolution, a resolution to any class issues. Most significantly, they were not paid for the time they were locked out or able to accrue leave.

IEU-QNT Branch Secretary Terry Burke said the employer’s decision to lock out its own employees was only made possible by Australia’s current broken industrial laws. “The rules and regulations that are in place for our members to simply wear a badge as part of protected industrial action are incredibly onerous. Yet, the rules which allow an employer to lock their employees out for wearing a badge are incredibly straightforward and simple. This is the clearest example we have seen yet as to just how much the current laws favour employers and give them too much power. We need to rebalance the system otherwise, what happened at Langports could happen anywhere.”

Mr Burke said the second lockout not only caused financial and emotional stress for the members affected, but also disrupted students learning.

What happened at Langports could happen anywhere

Mr Burke said the employer’s ability to take such disproportionate and shameful action against its own employees was only made possible by Australia’s current broken industrial laws. “The rules and regulations that are in place for our members to simply wear a badge as part of protected industrial action are incredibly onerous. Yet, the rules which allow an employer to lock their employees out for wearing a badge are incredibly straightforward and simple. This is the clearest example we have seen yet as to just how much the current laws favour employers and give them too much power. We need to rebalance the system otherwise, what happened at Langports could happen anywhere.”

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Joining with more than 60,000 fellow unionists across Queensland and the Northern Territory over the Labour Day and May Day long weekend, IEU members united in celebration of our union’s centenary.

Labour Day and May Day are an opportunity to celebrate the many wins of the union movement, but are also an important time to focus on fighting for fairness into the future.

IEUA-QNT Branch Secretary Terry Burke said the varied achievements of our union – from benchmark setting bargaining outcomes to the many school-level battles fought and won by IEUA-QNT Chapters – were testament to our collective strength.

“As a union we have achieved so much and that is primarily due to members’ passion, resilience and commitment.

“It is something to be very proud of and something that should be celebrated.”

Terry Edwards, Life Member and Former President of our union in the late 70s, attended the Labour Day march in Brisbane and reflected on the significance of Labour Day.

“Labour Day is simply to remember what has been put forward by workers before us and to continue to work to get freedom and equality for all people.”

“Union means community, joining together, it’s strength, it’s the future. Without it, we’re nothing.”

For more on our union’s centenary visit www.qieu.asn.au/100years
See pages 14-15 for a special 100 Years Union Strong liftout poster for your Chapter’s IEU noticeboard.
Queensland Catholic members unite with one voice as employer fails to understand key concerns

IEU members in the Queensland Catholic sector look set to escalate their campaign to win significant improvements in a new collective agreement as it becomes clear the employer has limited understanding of the key issues employees are facing in their schools.

Branch Secretary Terry Burke said several bargaining meetings had now been held where employee representatives had tabled elaborated clauses seeking to address key workplace concerns of those working in Queensland Catholic schools.

“Despite this, and the fact the employers were provided with our bargaining issues over six months ago, they appear unwilling or unable to provide a meaningful response to the substance and detail of our issues.

“If this continues members will have little choice but to consider escalation of our campaign to have key workplace issues addressed.”

Priority bargaining claims:

1. Striking a better work-life balance
2. Careers that you can count on for school officers
3. Measures to address insecure work
4. Positions of Senior Leadership and Middle Leadership
5. Fair pay for all school staff
6. Reclaim, protect and promote the teaching profession

Status of our key employee claims

1. Striking a better work-life balance
   
   **Employee claim:** Employee representatives have tabled our claim for increased preparation and correction time for teachers. Teachers also have a clear need for additional time to tackle such matters as Nationally Consistent Collection of Data (NCCD) administration workloads that are being imposed on school staff.

   **In total we have provided thirteen proposals identified by members to help ease workload pressures in schools.**

   **Employer response:** At the time of publication of this edition of the IV members were still awaiting the employers’ response to these matters.

2. Positions of Senior Leadership and Middle Leadership
   
   **Employee claim:** The employers have had several years now to develop a plan to address inequitable and out-dated middle and senior leader salaries. Employee representatives have tabled seven bargaining principles to underpin the creation of new leadership pay scales. The employers are now giving consideration to these principles which would underpin any negotiated position.

   **This issue is not new and it is not going away.**

   Members are resolute in their campaign to win greater recognition for leadership positions.

   **Employer response:** At the time of publication of this edition of the IV members were still awaiting the employers’ response to these matters.

3. Careers You Can Count On for School Officers
   
   **Employee claim:** Members have put forward a raft of clauses aimed at addressing the many issues facing our schools officers across the sector including: the nature of the current school officer classification structure and access to meaningful career paths, fighting back against insecure work and putting an end to fluctuating hours; and, the provision of quality professional development opportunities.

   **Employer response:** The employers have so far failed badly in their response to our claims to address school officer issues.

   The employers have now rejected these member claims:

   - **Claim 1.7** Professional school officer support and additional work opportunities
   - **Claim 2.1** Minimum annual entitlement to professional development
   - **Claim 2.3** Professional duties to be paid for all school officers
   - **Claim 2.4** Locality allowance to be paid to school officers and services staff
   - **Claim 2.5** Best practice annualisation of wages model extended to all employers
   - **Claim 5.2.2** Superannuation paid to all employees regardless of income

   The employers also want to push out to next year (2020) any consideration of a revised classification structure despite members’ clear readiness to begin such a review immediately.

4. Measures to address insecure work
   
   **Employee claim:** Our employee representatives have spoken at length on this issue at the bargaining table, telling the stories of our members whose professional and personal lives are filled with uncertainty, anxiety and stress due to the insidious spread of insecure work in our sector.

   **Employer response:** The employer response remains very vague and would potentially be a backward step for all employees.

   However, they have confirmed they will further consider our proposed changes to limit the use of fixed-term contracts.

   Overall, at the time of publication of this edition of the IV, employers have so far failed to grasp the significance of this issue and the devastating effect that insecure work can have on their employees.

**Time to add your voice!**

The collective voice of all members is essential to resolve our priority bargaining claims.

It’s important to remind the employers that their employees look to these negotiations to provide hope that real and pressing issues of concerns to those working in Queensland Catholic schools will be addressed and that the employers will provide the leadership needed.

For all the latest information on this round of Queensland Catholic school collective bargaining and the Bargaining with One Voice campaign, go to www.qieu.asn.au/colb9
Our collective voice must be heard for school officers

We must challenge an employer mindset that school officers will just accept this situation.

Career recognition and updated pay classifications
The school officer classification structure that is used to determine pay rates and career progression was developed over 20 years ago. The classification descriptors and characteristics have not kept pace with rapid change in our schools. The time has come for a wholesale review of the classification system.

We need a contemporary structure that better reflects the complex and diverse school officer roles in a modern school. This claim is critical if we are to win Careers You Can Count On for school officers.

Bargaining with one voice can deliver
Our collective negotiations will only be as successful as the collective strength of our Chapters. All members are urged to talk with their school officer colleagues about these issues and add their voice to our campaign for real change.

Together we can win a better future for school officers and a better future for Catholic schools.

Priority school officer bargaining issues
• Greater promotion of continuing jobs instead of insecure, fixed term positions;
• Certainty of hours for part-time school officers from year-to-year;
• Updated wage and classification structures;
• Guaranteed annual entitlement to quality professional development; and
• Locality allowance for school officers in rural and remote schools.

NCCD:
The identification, collection and moderation of data for the Nationally Consistent Collection of Data on School Students with Disability (NCCD) should not be permitted to result in increased workloads for an already burdened teaching staff, as IEUA-QNT Assistant Secretary/Treasurer Paul Giles writes.

From 1 January 2018, the Australian Government has used the NCCD to calculate the students with disability loading in recurrent funding for schools.

The introduction of the NCCD marks a significant alteration in the way schools receive funding to support inclusion of students with additional needs.

The data required is significant in quality and quantity and is onerous upon the school. Where there are workload issues these can – and have been – successfully dealt with through the school’s IEU Chapter and Organiser. High demands on teachers
A significant source of concern for teachers is the fact that the processes and procedures used to identify and document the level of adjustment provided for each student with disability can be audited. Teachers are rightly concerned that any oversight or omission in planning and documenting teaching adjustments could result in a loss of funding for their students and their school.

It is therefore imperative for schools to have clear and consistent processes for recording and monitoring changes in teaching and learning practices. However, it is unacceptable for classroom teachers to be solely responsible and/or unsupported in meeting the demands of these requirements.

Any requirement to create or develop individual education plans (IEPs) attend meetings for students with special needs; or develop alternative teaching and assessment materials, must come with provision of additional time.

Realistic provisions
Employers must take a proactive approach and meet NCCD demands by implementing adequate infrastructure and realistic time provisions for teachers.

This should be distinct from usual planning, preparation and correction time (PPCT) and general, regular or scheduled staff meetings.

It is not fair or reasonable to expect a teacher to develop IEPs, or make teaching and learning adjustments for all (or most) students in their class without significant extra resourcing.

School leadership at many sites has responded effectively and positively when these issues have been raised by the IEU Chapter at the school.

We commend those school Principals who have already intervened with measures to ameliorate the increased demands.

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We encourage IEU Chapters to read through the NCCD resource pack developed by our union to assist in seeking support which includes information on the NCCD and students with disability, NCCD related workload issues and auditing processes as well as letter templates to Principals regarding NCCD support.

These resources can be accessed by contacting our union on FREECALL 1800 177 938 or via email to enquiries@qieu.asn.au

NCCD enables schools, education authorities and governments to better understand the needs of students with disability and how they can be best supported at school.

However, it also has direct relationship to the quantum of funding a school receives for the adjustments they have made to educate students with a disability.

For a student to be included in the NCCD, the school must have evidence of adjustments provided to meet ongoing, long-term specific needs associated with disability that have a functional impact on the student’s schooling.

The significant volume of data needed to be documented is causing severe workload issues in some schools which need to be addressed by employers.

We encourage IEU Chapters to read through the NCCD resource pack developed by our union to assist in seeking support which includes information on the NCCD and students with disability, NCCD related workload issues and auditing processes as well as letter templates to Principals regarding NCCD support.

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Data gathering should be fully resourced

Nationally Consistent Collection of Data on School Students with Disability (NCCD) should not be permitted to result in increased workloads for an already burdened teaching staff.
Chapters in action

Northern Territory Chapters are demanding answers from employers crossing questionable ethical boundaries and refusing to come to the bargaining table, as IEUA-QNT Organiser Jengis Osman writes.

CCTV Cameras installed to allegedly ‘monitor performance’
A Catholic school has installed CCTV cameras in shared learning areas called ‘Learning Foyers’ to allegedly monitor and manage the performance of staff. The school’s IEU Chapter has raised serious concerns over the ethical boundaries being crossed, particularly in relation to privacy. As a result, the Chapter resolved to ascertain from their employer:
• The primary purpose, objective and rationale of the surveillance footage
• A copy of Catholic Education Northern Territory’s Privacy Policy
• Whether the footage is being recorded, and if so how it is stored and for how long
• If the storage protects the privacy rights of students and staff
• How the storage is secured

• Who has access to the footage and any recordings
• What procedures are in place to safeguard privacy, and
• If audio is included in the recordings

The Chapter is seeking to ensure:
• CCTV footage will not be used as evidence in any future disciplinary action against staff or used as a performance management tool
• That staff are aware of how many optical surveillance devices are installed, their locations and when they are operational
• The employer does not install, use or maintain an optical surveillance device to monitor, record visually or observe a private activity to which the person is not a party, and
• The employer knows that any devices installed, used or maintained are without the express or implied consent of each party to the activity.

Our union believes that CCTV recordings should only be used for security purposes and not for performance management of staff.

IEUA-QNT Chapters are encouraged to check if their school has a CCTV policy in place and to contact our union for advice should the Chapter have any concerns.

FREECALL 1800 177 938 or via email to enquiries@qieu.asn.au

STEPS Darwin
Members of the STEPS Darwin Chapter are attempting to enter collective bargaining, but their employer is refusing to come to the bargaining table.

STEPS is a private Registered Training Organisation (RTO) that delivers the Australian Migrant English Program (AMEP). STEPS Darwin Chapter is currently delivering the program, to negotiate for a group of teachers from separate federally funded, it is currently not legal to form AMEP because collective agreement negotiations are required to be with individual employers.

Despite the fact the program is federally funded, it is currently not legal for a group of teachers from separate employers, who have won tenders to deliver the program, to negotiate for their working conditions collectively.

STEPS Darwin Chapter is currently seeking a commitment from their employer to resolve their concerns about excessive workload, such as staff working 60-70 hours per week.

First Gender Equality Framework for Northern Territory

The Northern Territory (NT) Government is developing the territory’s first Gender Equality Framework this year with the help of individuals, community and advisory groups, and interested organisations in urban, rural and remote parts of the NT.

The Office of Gender Equity and Diversity is undertaking consultations until Thursday, 1 August 2019 to develop the Gender Equality Framework.

The four key focus areas of the consultation are: safety, health and wellbeing; economic security; and, leadership and participation.

Territorians can provide input to the consultation by responding to questions outlined in the consultation document released by the Office of Gender Equity and Diversity.

Submissions and comments can be made through the NT Government’s ‘Have Your Say’ website, or through face-to-face consultations – a schedule of which can be found on the Office’s website: https://territoryfamilies.nt.gov.au/

Using our collective voice
Our union encourages all IEU members in the NT to take part in the consultation as it is an important territory-wide conversation about how gender inequities manifest in the community and the ways to address them from both local and government levels.

Using our collective voice will ensure the framework truly reflects the lived experiences of Territorians and can be used to design tailored, relevant and sensitive approaches to gender-based inequalities in the NT.

IEU Organiser and Equity Committee Convenor Caryl Davies said it was important that NT members provide feedback on the consultation document.

“Everyone will have different contributions to make towards gender equality which is why it is critical the Framework is informed with localised knowledge and experiences.

To read the consultation paper, visit https://territoryfamilies.nt.gov.au/
To comment on the development of the Framework, email if.oged@nt.gov.au
You can contact the Office of Gender Equity and Diversity on (08) 8999 8373
Submissions close Thursday, 1 August 2019.

“Our union uses our collective voice and power to work towards gender equality as it significantly impacts the education sector which has a majority of female employees.

“In Australia, working women are more likely to be in insecure work, still suffer from a gender pay gap, will retire with 47% less super than men and are very likely to experience sexual harassment in the workplace.

“We will continue to support the conversations and collective action needed to address discrimination, gender-based violence, biases and harmful stereotypes,” Ms Davies said.

Why a Gender Equality Framework is important
Taking meaningful action on gender inequality is essential to creating a culture that values and upholds equity in all its forms and ensures all people feel safe and respected as equals.

“Achieving gender equality benefits everyone as it can lead to communities with better quality of life, lower levels of depression and violence as well as stronger economies,” Ms Davies said.

The Northern Territory Gender Equality Framework aims to address the gender inequities occurring in the NT which include the highest rates of domestic, family and sexual violence in Australia, high levels of ill health and chronic disease and the second highest gender pay gap in Australia.

The Framework will also focus on long-term strategies to challenge systemic gender inequalities, build evidence-based approaches, share responsibility and strengthen community partnerships.

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Empowering our beginning educators

IEU member Clare Gilliland is one of our union’s active staff reps and is approaching her last year as part of our beginning educators’ network (BEnet).

Clare originally trained and worked as a research scientist before starting her teaching career. “A graduate diploma in teaching) seemed like a great way to continue to be involved in science, and also a chance to grow professionally,” she said. Clare first joined our union as an associate member while studying and has been an IEU staff rep at her school since 2017.

“Before you walk into that role, you have to consider whether it suits your lifestyle and skills, or you should be able to find something even helps build new skills,” she said. “I wanted to be an IEU staff rep because I respected the staff reps at my school and I wanted to help them.”

They worked incredibly hard during our last collective bargaining negotiations, keeping staff informed and supported and reminding us why we are union.

“As a result, they were recognised with the John (Max) MacDermott Award [in 2016] and I wanted to make sure they were supported in continuing their work.”

What does the role of staff rep involve?

“I love the diversity of being a staff rep – whether it’s recruiting new members, investigating and keeping staff informed about issues, or just simply ask and do what needs to be done.”

Clare explained the easiest way to become a more active member is to start asking questions when no-one else will.”

Chapter achievements

Clare said being active is especially empowering for newer members of our union.

“Firstly, you tap into the collective wisdom of our union – you learn your rights, our history and the value of our union in your life and the lives of every employee.”

“Secondly, our union teaches you how to use your voice effectively.”

“Finally, you have a support network like no other.”

“Being an active union member gets you known as someone to be taken seriously and who takes our union seriously.”

Becoming an active member

Clare explained the easiest way to become a more active member is to simply ask and do what needs to be done.

“Just ask – ask your staff reps if they need help sharing the workload or your Chapter’s IEU Organiser about professional development to help build your confidence in being a staff rep,” she said.

“Our union has plenty of work to do, and across a diverse range of roles, so you should be able to find something that suits your lifestyle and skills, or even helps build new skills.”

Bargaining commences for C&K members

IEU members have commenced collective bargaining negotiations with Queensland’s largest early childhood education provider, C&K (Cârêche & Kindergarten Association).

Employee representatives first met with the employer in early May 2019 to begin new negotiations, as the existing agreement was due to expire on 30 June 2019.

IEU Senior Industrial Officer John Spriggs said any outcomes achieved in these negotiations would fundamentally provide the benchmark standard for conditions across the early childhood education sector.

“C&K have a proud history of recognising the importance of early childhood education, the current round of bargaining provides a further opportunity for C&K to demonstrate educational leadership through the professional recognition of its teachers and assistants,” said Mr Spriggs.

C&K operates 140 kindergartens across Queensland, making it a key stakeholder in early childhood education in the state.

“During a recent survey of members in C&K centres, a majority of members endorsed the possibility of a ‘roll-over’ twelve month of the current collective agreement,” Mr Spriggs said.

“If this concept is adopted by the employer, there will be a much shorter bargaining process leading to greater certainty regarding the wage increase proposed for 2019.”

“A ‘roll-over’ agreement would, however, delay employees the ability to seek key enhancements to conditions, such as more release time for Directors,” he said.

At time of publication, our union was still waiting for the employer’s response to the concept of a twelve month ‘roll-over’ agreement.

“Further, and perhaps more importantly, C&K has not yet identified a proposed wage increase which is due to occur on 1 July 2019,” Mr Spriggs said.

“In the absence of the employer’s concurrence with a short ‘roll-over’ of the current agreement, and a reasonable wage offer for 2019, then a full bargaining process will be pursued by members,” Mr Spriggs said.
Celebrating 25 years of collective solidarity

Assistant Secretary Rebecca Sisson writes as another cohort of members celebrates 25 years of being part of the IEU.

In May, we recognised and celebrated 183 members who have reached the milestone of 25-year membership of our union.

These members join with more than 1,600 members who have already been recognised for their longstanding membership and commitment to our union.

Below are profiles of some of the members who have been recognised this year as 25-year members.

### Elizabeth Chapman
Chisholm Catholic College, Cornubia

Elizabeth Chapman currently teaches Year 7, 8 and 9 mathematics and science after a long career in primary teaching.

“I always wanted to be a teacher to work with children and have a positive impact on the future,” she said.

“Ensuring students succeed in school and feel school is a safe and happy place.

“In my first year of teaching, the principal of the school handed me a membership form and told me it was a smart idea to be part of the union.

“I have remained a member of our union to protect my employment rights and protect my profession.

“I believe that as a collective, there is strength.

“Elizabeth said that our union has made a difference in her career by assisting in collective bargaining negotiations.

“I have felt support and protection if there was an issue of which I was unsure and there are always opportunities available for professional development.

“I have also enjoyed the benefits of an industry super fund, health care and union shopper”

### Greg Williams
St Peters Lutheran College, Indooroopilly

Greg Williams has been at St Peters Lutheran College for over 25 years and has also taught in England and in the Queensland state system.

He is currently the Co-ordinator of Academic Operations which involves among other responsibilities: managing timetables for Years 7-12, allocating staff to cover staff absences, managing supply teachers, recording students’ subject, and, timetable changes and rooming.

He also teaches a Year 9 science class.

The attitudes of a previous principal encouraged Williams to join our union.

“Being a part of our union has given me access to specialist advice and support when I have needed it,” said Greg.

“More importantly, given our union is the united body of members and is defined by their motivation and determination, it has provided a vehicle for teachers to support each other, defend and extend the conditions we inherited, and to pursue fairness and equity in the workplace.”

### Susan O’Leary
IEU Organiser

Susan O’Leary was a teacher in the non-government sector for 16 years.

She was first motivated to teach because she had inspiring teachers in secondary school, as well as a passion for English and the Humanities.

Susan said she joined our union because it was “the right and only thing to do.”

“I worked in a school that had a strong IEU Chapter and it was made clear that to be a teacher was to be a member, and to be a member meant to be part of the Chapter and its activities,” she said.

“The strength from being part of the collective was as important to me as the security of being a member.

“The three schools I worked in over 16 years were all strong union schools and that influence shaped my development as a teacher, a colleague and as a member.

Susan became an IEU Organiser for our union because of her personal values of fairness, dignity in work, transparency, accountability and the importance of the collective – aligning with a commitment to creating optimal conditions for teaching and learning in our schools.

“I was part of effective IEU Chapters during my teaching career and had some great role models out in those schools,” she said.

“I was fortunate to be on IEU Chapter Executives, SBIUs and our union’s Council and it was these experiences that led me to see that being part of our union as an Organiser was the right place for me.

“It allows me to work to create better schools and kindergartens for our members, and ultimately, for students.

“I am fortunate in that I have always worked in places whereby my personal values about the role of the collective were able to be realised, and I have countless examples of how our union makes a difference,” Susan said.

### Elizabeth Chapman
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“I always wanted to be a teacher to work with children and have a positive impact on the future,” she said.

“Ensuring students succeed in school and feel school is a safe and happy place.

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“I have remained a member of our union to protect my employment rights and protect my profession.

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“I have felt support and protection if there was an issue of which I was unsure and there are always opportunities available for professional development.

“I have also enjoyed the benefits of an industry super fund, health care and union shopper”

### Diana Cameron
St Aidan’s Anglican Girls’ School, Corinda

Diana Cameron has been in the education sector for 35 years and is currently a Year Co-ordinator and science teacher.

“My motivation to start teaching was my love of learning and the belief that I could make a difference in the lives of the young people in my care,” she said.

“Teaching is a unique career requiring buy-in from all areas of the school community.

“I believe in the union movement and the role we play in protecting the rights and conditions of staff.

“Our union offers support to teachers and school staff to ensure fair conditions are experienced by all members.”

### Kathy Ellis
St Edward the Confessor, Daisy Hill

Kathy Ellis had the desire to teach from the time she was ten years old.

She would teach her siblings how to swim and write before they started school and wanted to grow up to be a teacher like her inspiring Year 4 Teacher.

Kathy started her teaching career in 1977, she currently teaches Year 4 and is a teaching inspiration in her own right.

“[When she started her family] there was no paid maternity leave and if it was a case of having twelve weeks’ leave or resign,” she explained.

“I resigned.”

When Kathy came back to teaching she did part-time and contract work while also completing a Bachelor of Education through James Cook University and a Graduate Diploma in Education, Early Years.

“In 1994, I joined our union as I began a permanent job in Mount Isa, which is part of the Townsville Catholic Diocese.

“When I relocated to Brisbane I was very fortunate in securing my future by beginning my employment with Brisbane Catholic Education.

“I believe that being part of our union is very important for fair working conditions and I value the support our union gives employees, especially women.

“I know that I have the support of my union – whether it is for fair wages, fair conditions in our workplace or whether it is to support individual employees: our union can assist.”
 Called to a meeting: What you need to know

It is common to feel anxious when called to a meeting with your employer, especially if the meeting concerns a serious issue such as allegations of misconduct or poor performance.

Understanding how to appropriately respond to such meetings and how to exercise your rights is essential to ensuring a successful outcome is more achievable and less painful.

Meetings can take various forms and can be arranged between many different stakeholders such as members of leadership, other colleagues and/or parents.

Each situation is different, however, our union generally advises that meetings should be managed at the lowest appropriate level to avoid escalating issues, as this can cause more negative impacts.

The most important things to remember are that employers must give members:
- reasonable notice,
- details of what the meeting is about,
- the names of people attending, and
- the opportunity to arrange a support person of their own choosing.

Responding with professional integrity and courtesy will ease the process and any issues arising should be formally noted and followed up.

The role of your support person

A support person may also request a break in the meeting to enable the member to seek further advice from our union or to regain composure if needed.

In some circumstances, it may be appropriate or necessary for a union organiser or industrial officer to act as a support person particularly if the issues are serious or complex in nature.

A union officer has significant experience in attending meetings about industrial or employment matters and a thorough understanding of employees’ rights and responsibilities.

A colleague or friend can act as a support person but they should be aware of their role and be able to assist members in achieving a positive outcome.

If an employer indicates that a support person can only act as an observer and not as a representative, a union organiser or industrial officers can provide advice and assistance about the member’s (and support person’s) rights and responsibilities.

Responding to allegations

If a member has been advised of allegations against them, they should contact our union as soon as possible.

A member services officer will be able to provide initial advice and determine whether an industrial officer should provide further assistance.

A member might receive notification of allegations in a number of different ways such as via formal letter or verbally during a meeting.

You should not feel pressured to verbally respond to allegations straight away.

In fact, it is strongly recommended that you request all details of the allegations in writing and a reasonable time period to ensure an accurate and comprehensive response can be prepared.

A support person may also request a further response.

If any further or new allegations are raised in such a meeting, we recommend deferring a response to allow a reasonable opportunity to consider the new information, request further details if necessary, and prepare a further response.

Next Steps

- Employers need to provide reasonable notice, details of what the meeting is about and the names of people attending.
- You have the right to be given the opportunity to arrange a support person.
- A support person should understand your rights and help you achieve a positive outcome.
- Your IEUA-QNT organiser or an industrial officer can help arrange an appropriate support person or can accompany you to the meeting if the situation is serious or complex.
- Details of any allegations should be provided in writing to enable you to properly respond.
- Draft a reply to the allegations and seek advice on it from our union before submitting it to your employer.

When drafting a response, identify each allegation clearly.

Outline whether each allegation is factually correct and provide a rationale for any actions that were taken.

Employees should indicate if any allegation is too vague or was not brought to their attention in a timely manner.

The final response should be in the form of a letter and checked by your union organiser or an industrial officer before submission as they can provide additional industrial and legal considerations for member protection.

If you are supplying your response during a meeting, organise a support person to attend.

Your rights @ work:
Do what I say, not what I do: Workers' compensation fails to cover teacher participating in activity with students

The Queensland Industrial Relations Commission (QIRC) handed down a decision on 7 March 2019, which will impact the availability of workers' compensation for teachers who sustain injuries while participating in activities with students, as Rachel Drew and Rose Sanderson of Holding Redlich write.

Summary

The QIRC held that a teacher, the appellant, was not entitled to workers' compensation for an injury she sustained while taking a turn on a rope swing activity during a school camp with 11 students and a number of other teachers.

Despite the fact that the appellant was at the location with all of the students and other teachers at the time of her injury, the QIRC found that the appellant made a voluntary decision to take a swing on the rope and that the injury she sustained did not arise out of or in the course of her employment.

This raises concerns for teachers claiming workers' compensation for injuries sustained on school camps, school excursions and even potentially at school, while participating in an activity with students.

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This raises concerns for teachers claiming workers' compensation for injuries sustained on school camps, school excursions and even potentially at school, while participating in an activity with students.

For example, a teacher who sustains an injury while playing a game of soccer with students, which is not part of the school's planned activities, may now face difficulties in having a workers' compensation claim accepted.

The facts

The appellant was employed by Brisbane Catholic Education as a maths and marine studies teacher.

In November 2016, the students and teachers attended an educational trip to Vanuatu.

On 24 November 2016, in accordance with the approved itinerary, the students were scheduled to visit the Mele Cascades waterfalls in Efate.

Due to weather conditions, it was decided that the Mele Cascades activity was not appropriate.

As a result, the teachers sought an alternative activity for the students to undertake.

The teachers consulted with the staff of the resort they were staying at and decided to replace the Mele Cascades waterfalls visit with a visit to the Rentapao waterfalls and the Blue Lagoon.

The Blue Lagoon was a popular tourist attraction.

One of the activities at the Blue Lagoon was a large rope swing activity. The rope swing activity involved swinging from a ground level platform using a large rope into the middle of the Blue Lagoon.

The rope swing activity was operated by the Blue Lagoon staff who provided instructions and demonstrated how to use the rope swing.

The water was assessed as being deep enough to avoid injury and the teachers ascertained that the rope was fit for purpose.

The teachers determined that the risk of injury to students from participating in the rope swing activity was low.

Teacher A, who had previously attended the Mele Cascades waterfalls on a past trip to Vanuatu, determined the risk to students was comparable to, if not less than, the risk posed by hiking up the Mele Cascades waterfalls.

The teachers supervised the students at all times.

The students took turns on the rope swing, as did the appellant and another teacher.

The appellant injured her shoulder on the rope swing.

The appellant lodged a claim with WorkCover Queensland for her injured shoulder.

WorkCover rejected the claim on the basis that the injury did not arise during the course of her employment.

The matter proceeded to hearing before a Commissioner in the QIRC.

The law and submissions

Section 32 of the Workers' Compensation and Rehabilitation Act 2003 (Qld) (the Act) provides that compensation is payable for an injury sustained by a worker.

The Act defines injury as a personal injury arising out of, or in the course of employment if (for an injury other than a psychiatric or psychological disorder) the employment is a significant contributing factor to the injury.

The appellant argued that compensation is payable because:

a. She is a worker; and
b. The injury she sustained on 24 November 2016 is a personal injury arising out of, or in the course of, her employment; and

c. The employment is a significant contributing factor to the injury.

The decision of the Regulator relied on the common law on intervals.

The Regulator's submissions included that the appellant's decision to swing on the rope was an interval in her employment.

The Regulator submitted that deciding to swing on the rope was a voluntary action, and that she was not induced or encouraged to swing on the rope by her employer.

The appellant's legal team submitted that the law of intervals did not apply because the appellant was present with students at the time of her injury, rather than undertaking a private activity like dining alone or taking a shower.

The appellant's legal team proposed an alternative argument that if the QIRC found that the appellant's injury was sustained during an interval, she was induced or encouraged to take part in the rope swing activity because a member of the College Leadership Team was present at the Blue Lagoon, and did not provide any direction to the effect that teachers could not participate in the activity.

Concluding remarks

Teachers may no longer be able to rely on workers' compensation when participating in activities with students, unless that activity is required to be performed in undertaking teaching duties.

We recommend that schools take out travel accident insurance policies for staff to cover this gap in workers' compensation coverage; however, the QIRC's decision does put a major question mark over whether school staff participate in such activities at all in the absence of insurance protection.

The QIRC decision on this case was published on 13 March 2019 and can be accessed at: https://www.sclqld.org.au/caselaw/QIRC/2019/46

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From sunny Brisbane to snowy Canada

"Within six months of making my decision, I arrived in Toronto to minus 32 degrees and the worst snow event they had seen in years.

"Having come from Brisbane, where the sun was shining and the sweat was literally pouring down my face, it was a big shock to the system but I was lucky to have the support of my exchangee’s family who were there with coats and all the necessities I’d need to get started.

"My first day of school saw me driving in a snow storm on a 7 lane highway, with everything being on the opposite side to Australia.

"I adopted the mentality that if I can survive day one, I can do anything.

"From then on, there were lots of funny moments of learning that no one could have prepared me for – Australian English being as far from Canadian English as it could possibly be.

"People would often stop to tell me how brave I was for deciding to move halfway around the world, to a place where I knew no one.

"But this experience, above all others, has prepared me for – Australian English being as far from Canadian English as it could possibly be.

"I’ve learnt so much about the person I am and have only come to love my profession even more.

"I could not have done it all without this experience.

In 2018, IEUA-QNT member Melissa Chorazyczewski packed up her life and moved halfway across the world to Ontario, Canada as part of our union’s Teacher Exchange Program.

Melissa said that she had always wanted to teach overseas so she could continue to travel the world and experience education in different countries.

NAIDOC Week:

NAIDOC Week celebrations are held in July every year across Australia.

The week is an opportunity to recognise and celebrate the history, culture and achievements of First Nations people.

This year, NAIDOC week falls during the school holidays and takes place from 7-14 July.

Schools usually hold NAIDOC Week activities in the First week of Term 3 (14-20 July) and IEU Chapters are encouraged to hold NAIDOC events to support this year’s theme: Voice. Treaty. Truth. Let’s work together.


For generations, First Nations people have sought recognition of their unique place in Australian history and society.

Voice, treaty and truth were three key elements to the reforms set out in the Uluru Statement from the Heart.

As this year’s theme, it calls for reforms to secure and underpin rights for First Nations people and ensure that these rights can be exercised.

This will require a First Nations Voice to Parliament enshrined in the Constitution and a Makarrata Commission to supervise treaty processes and truth-telling.

Makarrata is a word from the language of the Yolngu people in Arnhem Land. It captures the idea of two parties coming together after a struggle and healing the divisions of the past.

It is about acknowledging that something has been done wrong and seeks to make things right.

When Europeans settled in Australia, sovereignty was never ceded by First Nations people. There were no treaties, formal settlements or compacts.

Australia remains one of the few liberal democratic countries who do not have a treaty or other formal acknowledgement with their Indigenous minorities.

Let’s work together

A treaty has always been the primary aspiration of Australia’s First Nations people.

However, to be lasting and effective we need to have a shared understanding of the nature of the dispute, the history, and how we got to where we stand.

The truth of colonisation must be told, heard and acknowledged before there is true reconciliation and healing from both sides.

This is not just the history of our First Nations people – it is the history of all of Australia and we need to own it.

Then we can move forward together to a shared future.

Our union, our voice and our support is important to add to the collective action occurring Australia-wide.

IEU Chapter Action

IEU Chapters have resolved to demonstrate support for First Nations people and communities by marking NAIDOC Week.

Chapters will hold celebratory workplace events such as morning teas or school assemblies for staff and students.

Members who want to take further action should consider joining our union’s Yarning Circle or Reconciliation Action Plan Working Group and contribute to the renewal of our Reconciliation Action Plan (RAP).

To find out more about NAIDOC Week, visit https://www.naidoc.org.au/

To become involved in our union’s RAP contact Adele Schmidt via aschmidt@qieu.asn.au

Please send photos of your Chapter’s NAIDOC Week celebrations to communications@qieu.asn.au for inclusion on our website, social media and publications.

Members of our union’s RAP Working Group at a meeting in May.
Member action leads to secure jobs

Following the action of IEU members, teachers at a large Queensland Catholic school have secured permanent positions after being employed on rolling contracts for a number of years. The outcome was achieved after members at the school approached their principal collectively and sought conversion to continuing positions. While fixed-term contracts should only be used in circumstances where there is an identifiable short-term need, such as extended leave of another staff member, but many members have reported being stuck on rolling, indefinite contracts.

IEU-QNT Assistant Secretary/Treasurer Paul Giles said the outcome achieved by members in this instance was significant.

“The insecure nature of contract work means that employees are often reticent to speak up due to fear of not receiving further work,” Mr Giles said. “In this instance, the collective action from members was crucial in achieving a positive outcome and taking an initial step in our broader campaign to address insecure work in our schools.”

Insidious spread of insecure work

It is not just the education sector which is impacted by insecure work. 40% of Australian workers are employed in casual, contract or other forms of insecure work. While fixed-term contracts should only be used in cases of an identifiable short-term need, the recent feedback from members, both teachers and school officers, includes shameful rates of the use of such contracts rolling over multiple year periods,” Mr Giles said. “Meanwhile, for those school officers with continuing status, many are employed on a term-time basis and have their hours varied at the beginning of each year with no guarantee of how many hours they will receive the following year.

“Having secure employment that allows you to plan for the future is a foundation of Australian workplaces, yet this has been sadly eroded over time.”

Member action makes a difference

Mr Giles said members in this case were to be commended for securing an early win in our union’s broader campaign to address insecure work.

“These members are to be congratulated for working collectively to secure ongoing positions.

“Through their collective action they have made a significant difference to the future professional and personal lives of these members,” Mr Giles said.

NGS Super welcomes its new members

On 6 May 2019 QIEC Super merged with NGS Super. NGS Super is the leading industry super fund for those working in non-government education, and community-focused organisations.

With QIEC Super’s 30 year history looking after the superannuation needs of employees in the non-government education sector, NGS Super was identified by QIEC Super as a larger, like-minded education and care industry fund with a similar heritage and values. The QIEC Super Board identified that QIEC Super and NGS Super would benefit from the merger which would strengthen and enhance the interests of members.

The merger saw the combined fund’s assets increase to above $11 billion and membership increase to around 120,000. This merger is a positive and exciting step for all members. The larger Fund will now have a stronger presence in the superannuation industry with greater bargaining power with service providers, and it is expected to gain benefits from the merger that will underpin new products and services that can be offered to members in future.

Members’ interests were at the core of QIEC Super and now with NGS Super the alliance represents continued and welcomed growth to secure the financial futures of all members. NGS Super has low fees, award-winning insurance and affordable financial planning services.
“I get to use my TUH extras for physio treatments.”

- Mark, Brisbane school principal and TUH member since 1996

We’ve proven ourselves to Mark when he needed us most.

That’s why we’re Australia’s most recommended members-owned health fund.*

Join the health fund that’s proven to care for Queensland teachers today.

1300 360 701 | tuh.com.au/ieua-qnt