

(Email to Sector Representatives, Carolyn Grantskalns, Dr Neil McGoran and John Proeve, Friday 13 March 2020)

Hi Carolyn, Neil & John,

Having had some preliminary discussions I am now in a position to respond on behalf of the IEU and its members.

I do recognise that the current situation is unprecedented and “normal” industrial approaches, whilst they may be technically available, are not necessarily completely satisfactory.

I acknowledge that employers will have to balance their public health, WHS and industrial responsibilities. Public health advice is a moving feast and will need to inform proactive and reactive responses.

I am seeking agreement from each employer group as to the industrial treatment of employees, particularly during employer-enforced exclusion and for casual workers.

It is in the interests of the general containment of the virus that there are no disincentives for employees to not disclose risks or self-isolate.

To go to the bare industrial minimum of the use of accrued personal leave for enforced absences will disadvantage people who are not actually sick or have limited or no personal leave (eg casuals).

Our EAs usually contain an infectious diseases clause which applies to people who have actually contracted a disease in the workplace. The principle could easily be extended to apply to those who are at risk of contracting the COVID-19.

Most EAs will also contain a clause whereby if the school is closed on a day that an ESO (however called) would have worked, that ESO will not lose pay or have to make up the time.

The use of accrued annual leave is problematic for teachers and ESOs on averaged pays as annual leave does not accrue.

Casual employees do not have access to personal leave.

The IEU supports the ACTU call for employees excluded from the workplace due to the COVID-19 virus (actual or potential) be provided with at least 10 days ex gratia special leave to be utilised ahead of any other leave entitlements.

Interstate some Catholic employers (such as Wollongong & EREA) and corporations (such as Woolworths and Telstra) are committing to such arrangements.

Industrially there are minimal approaches that can be invoked. I am seeking employer agreement to go beyond the minimum and provide a fair response to the continuity of employee wages (including casuals).

I appreciate that there are multiple separate employing authorities which may be beyond your direct control, but that should not prevent a coordinated approach at the sector level.

The IEU will be publishing member information today making such calls on the employers. I would like to be able to communicate a positive employer response in a follow up communication.

School employers are in a fortunate economic position in that income is not dependent on normal operation, and to continue to make salary payments will not adversely affect budgets.

Regards

Glen

Glen Seidel
Secretary



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