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Congratulations on becoming an IEU(SA) Sub-Branch Rep.

The Sub-Branch is the most important part of the IEU's structure as it is the vital link between the members, the IEU office and the workplace.

The Sub-Branch has the option to structure the Rep role in a way that best suits the membership, school or organisation.

Whether you are a new Rep starting out, or you've been it for years, this handbook is designed to assist you with the information and tools to undertake the role.

We can provide other resources including FAQ sheets and posters to share with your members. Let your school Organiser know any suggestions you think will help fulfil your Rep's role.

Claim a space on your staff notice board for IEU information and materials. Put information into pigeon holes and keep a copy for yourself as a reference for when issues arise.

Thank you for stepping up to take on this vital role.

The IEU(SA) is here to support you and answer all your questions, so don't hesitate to contact us.

Yours in solidarity

Tim Oosterbaan

Tim Oosterpaan

Branch Secretary



IEU(SA) Structure

The IEU is an association of members formed for mutual support and representation both industrially and professionally.

Our vision is to be The Organising Union that people working in our sector seek out and play an active role to improve their working life.

The core work of the IEU is advancing members' interests, rights, conditions and representing the profession and non-government education. Members' interests are broad and diverse and extend to matters such as workplace health and safety, education policy and funding, equity issues, social justice, industrial and legal matters.

Members are the fundamental unit of the IEU structure. Working through elected work site Reps, the IEU staff collectively strive to achieve better schools, better jobs and a better society.

Members exercise control of the organisation through the election processes, the Annual General Meeting and other Special Meetings as required.

In SA there are two legally distinct IEU Entities which operate symbiotically to cover members' interests in both the state and federal jurisdictions—IEU(SA)Inc. and IEU(SA)Branch.

IEU(SA) Inc.

IEU(SA) Inc. is a state-registered union operating under the state *Fair Work Act*. The IEU affiliates with the local trades and labour council *SA Unions* and

- is the SA employee shareholder in our industry super fund (NGS Super) currently with one active board position and,
- appoints two members and two deputy members to the Teachers Registration Board of SA, and,
- interacts with the state government and its departments and agencies.

IEU(SA) Branch

IEU(SA) Branch is the South Australian branch of our federal union, *Independent Education Union of Australia*, and is represented on the IEUA Federal Council, Executive and various committees. All of our industrial legislation, awards and agreements originate in the federal jurisdiction and the IEU(SA) Branch is set up to operate in that arena.

IEU(SA) Executive

The State (Branch) Executive of 12 elected members, known as the Branch Executive, is responsible for the management of both entities. Under the rules the elected Branch Executive is also the executive of the state organisation. As much as the executive members are the same, the two entities conduct different business, have separate financial transactions and reporting requirements. Each organisation operates on a different set of rules. The members of the Branch Executive are elected by IEU(SA) members in a ballot conducted by the Australian Electoral Commission every three years. The position of Branch Secretary and Deputy Secretary are elected executive positions, as are the other senior roles of President, Treasurer and two Vice Presidents. The organisers and other staff are employees and are not elected.

Sub-Branches

Each school or work site is a 'Sub-Branch' and elects at least one 'Representative' (Rep). The elected Reps distribute information from the IEU to members as needed. Reps assist with the recruitment of new members and organise meetings of the Sub-Branch from time-to-time. Reps can also undertake low level advocacy or negotiation within their experience, training and confidence level.

IEU Reps are pivotal to our core work.

The IEU(SA) will provide professional learning for new Reps and update sessions for experienced Reps. An Organiser will be assigned to each work site to provide the technical, advocacy and practical support needed by Reps and members at that work site.

The IEUA (and therefore the SA Branch) affiliates with the national peak union body, the Australian Council of Trade Unions (ACTU).

The ACTU is made up of thirty six affiliated unions who together represent about 1.8 million workers and their families.

Political Affiliation

The IEU takes an issues-based approach to political and social issues. The IEU is not affiliated with any political party.



The IEU Reps are the Union's direct contact with members and non-members alike in the workplace.

IEU(SA) rules allow for multiple Reps at a work site.

Working as a team with your Organiser enables tasks to be shared. This enables each Rep to use their strengths or knowledge of the work site or employees.

Roles of IEU Reps:

- promote a positive image of the IEU to workplace participants
- approach new staff and non-members about joining the IEU
- pass on Union information to members
- identify and organise around workplace matters in conjunction with the Organiser
- call and run Sub-Branch meetings of members
- take issues of Sub-Branch concern to IEU Organisers
- may be ex-officio on Consultative Committee (see individual Enterprise Agreement (EA) clause)
- support members in meetings with management (in conjunction with Organiser)
- attend training events such as conference and union Professional Learning sessions

As Reps develop in the role, they will be able to handle more and more issues locally. IEU Organisers are only an email or a phone call away if any Rep needs to talk through any matters.

The Rep is vital to the Union's work to protect members' rights and entitlements and, as such, the role comes with certain rights and responsibilities.

Rights of the Rep

As an IEU Rep for your workplace, you have the right to expect the support of the IEU and its membership, and the cooperation of management. The IEU members at your workplace also have a responsibility to support you in your role.

It is unlawful for your employer to discriminate against you because of actions you lawfully take in your role as an IEU Rep.

When meeting with management as an IEU Rep, you are representing the views of IEU members at your workplace, not your personal views, and your employer should recognise this.

Many EAs, such as the Catholic and Lutheran EAs, contain clauses that legitimise and support the role of both the IEU and an IEU Rep. For example, the Catholic EA specifies that a Rep is permitted to meet with the Principal on Union business and that IEU notices are permitted to be posted in locations where they can be accessed by staff.

If your agreement does not contain clauses such as these, consider making it a part of your claim when negotiating a new agreement.

Responsibilities of the Rep

Communication

The IEU communicates with its members in a variety of ways and relies on you, as the Rep, to forward emails and flyers to members or to draw members' attention to pertinent articles in our email newsletter *Class Action*. Your Organiser relies on you as the Rep to let them know if something is happening at your school. Though your school management should consult the IEU on changes in your workplace, don't assume they have.

Advice and support to members

This Rep's handbook contains information which will help you to answer members' questions or support and/or represent them in meetings with management. But, if in doubt, call your Organiser for assistance. In any case, it is helpful for your Organiser to know the types of issues you are dealing with at your workplace.

Making sure members have a say

The IEU provides Professional Learning (PL) to assist you in your role, through on-site sessions at our city office or online through our preferred online partner *Teachers Learning Network (TLN)*. These courses are advertised on the IEU website and form a significant part of our PL program.

Many EAs specify that your employer must provide paid leave for Reps to undertake training. In addition, the IEU will provide assistance in the event that you don't have paid leave from your workplace and can provide travel assistance for country members. Contact your Organiser for further details.

Recruiting new members is an important part of your role.

When you introduce yourself to any new staff, encourage them to join by offering a membership brochure, form or the online joining form (web page address or QR Code) to scan (see below). Your Organiser is always on hand to help you with strategies to identify the potential members in your workplace.



SCAN THE QR CODE or go to:

ieusa.org.au/join-the-ieusa

The IEU can only be effective at your workplace – and ensure that members have some control over their working conditions – if they have the strength that comes with numbers.

IEU Sub-Branch meetings

Holding regular Sub-Branch meetings is a good way to get members together to talk about the things that are important to them at work and to work together to resolve problems.

Your Organiser can attend your Sub-Branch if required, contact them to organise a suitable day and time.

(See Running a Sub-Branch meeting at right)



Running a Sub-Branch meeting

Building an empowered Sub-Branch requires collective commitment and discipline, as well as a sound understanding of the role of the Sub-Branch, and the IEU rules.

How to run a good meeting

Good meetings are planned, well-chaired and make decisions that are implemented. Here are some tips for good practice:

- Circulate agendas in advance.
- Designate a chairperson (chairing should be purposeful, efficient and fair – but with a mind to guiding the group towards making decisions).
- Take minutes.
- Enforce limited speaking times.
- Make decisions.
- Designate who is responsible for implementing each decision.
- Identify a date by which decisions must be implemented.
- Follow up on outcomes of decisions.

Suggested agenda:

- · Declare meeting open.
- Confirmation of previous minutes.
- Outstanding business from previous minutes.
- List of any new agenda items.
- General business.
- Report back from previous actions.

Ask your Organiser for guidance on meeting agendas, if required.



MEMBER SUPPORT POLICY

It is important to remind staff in your school about our member support policy. No advocacy will be provided for members on matters which pre-date their financial membership.

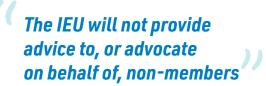
Essentially, if an issue arises at work and non-members want to join the IEU, it is too late for us to assist.

A member may be given limited advice on a pre-existing issue, however, the level of support provided is determined on a case-by-case basis at the discretion of the Branch Secretary.

The IEU strives to achieve fair, reasonable and workable solutions to members' industrial and professional issues. The appropriate level of support will be at the discretion of the Branch Secretary but may include:

- advice from Organisers or other professional staff
- advice from, or an interview with, an IEU nominated lawyer
- advice on, or provision of, written responses
- attendance and advocacy at meetings, investigations, tribunals etc.
- lodging and/or running applications before
 The Fair Work Commission, SA Employment Tribunal,
 Teachers Registration Board and other tribunals
- where warranted, and to the extent that the resourcing required is prudent, provide legal representation.

Recognising that disputation can be damaging to working relationships, the IEU will attempt to achieve a mediated outcome of issues involving workplace participants at the earliest possible stage.



Where a dispute is between 2 (or more) members acting in an employee rather than a management capacity:

- The IEU will support the individual parties to the level that their cases can be effectively put for determination by the appropriate decision maker.
- The merits of the case may warrant an unequal allocation of resources to the parties to the dispute.

Where a member is acting with significant managerial authority and is implicated in a dispute with another member operating in a subordinate employee capacity and initial attempts to mediate or solve the issue have failed:

- IEU support would be given to the non-managerial member only.
- When acting as "management", the member would expect support from the employer's HR/IR capability.

When a member in a management role has a dispute or issue with their employer, normal levels of support would be given to that member.

The resources of the IEU are limited and decisions as to the level of resourcing provided to individual (or groups of) members will be made in the context of what is also reasonable in balancing the needs of the membership and the organisation as a whole.

The IEU does not provide legal advice or support in civil or criminal proceedings even if related to workplace issues.

MEMBER SUPPORT POLICY – continued

Membership does not automatically entitle a member to legal representation at the Union's expense. Each case is evaluated on its merits by the Branch Secretary and may include factors such as, but not limited to:

- admissions made and prima facie evidence presented
- the prospect of success
- the cost or complexity of proceedings compared with the gravity of the issue
- strategic implications and precedent setting
- the interests of other members
- · the interests of the profession.

Where legal representation is engaged to conduct a matter:

- The IEU maintains decision making power over the conduct and direction of the case, including the decision to withdraw from the case part way through.
- The IEU may set limits to the costs of legal representation it is willing to provide, beyond which the member would bear responsibility for legal costs if the case were to proceed past that point.
- The IEU may enter into cost sharing arrangements with members on mutually agreeable terms which may include an agreement for the member to reimburse IEU legal expenses from any settlement proceeds.
- Where a civil penalty is awarded against the other party in a matter being conducted by the IEU on behalf of a member(s), the IEU would retain that amount as an offset to the internal and external costs of conducting the matter.
- Compensation amounts awarded would normally be attributed to the member, subject to any cost sharing arrangements entered into previously.

Any special requests for variations to this policy need to be put to the Branch Secretary in writing along with supporting argument.

Members who are not satisfied with a discretionary decision of the Branch Secretary with respect to this policy, may place their grievance in writing before the Branch Executive.

The decision of the Branch Executive shall be final.

Should a member choose to not follow the advice given, or chooses separate representation, they may continue to conduct their own matter at their own expense and the IEU will withdraw.



1.

Know your workplace, know your strengths

Knowing who is an IEU member at your workplace is key to attracting and keeping members.

Mapping your workplace is vital. To do this, you will need two lists:

- 1. A full list of staff at your workplace
- A list of IEU members at your workplace your IEU Organiser can supply this but it will not include confidential IEU members.

From the list you should be able to identify:

- who are the IEU members at your workplace
- who are the staff that have not yet joined the IEU (keep in mind many staff have just never been asked)
- which physical areas of the workplace are well unionised and which are not (ie. staff offices/faculties)
- which classifications of staff have joined the IEU and which have not (ie. administration, teaching staff, grounds and maintenance staff, and IT).

It is also worth considering the following questions:

- · how active are the current members?
- how many part-time/full-time/replacement/temporary/ fixed term staff are employed at the school?
- · what is the gender split of the school's staff?
- what are the age groups/occupations who are/are not members of the IEU.

Use this data to make an organising plan with your Organiser.

A sample school mapping worksheet is included in the *Appendix:* Forms section of this handbook. Photocopy it and keep it up-to-date as you work towards 100% membership.

Remember to keep your notes on membership and recruitment confidential for individual privacy reasons.

2.

Make contact by looking at your mapping

You should have a good idea of which areas of the school have strong membership, and which need work.

- Make the effort to speak to non-members.
- Try to tailor your message to the individual, considering their role, how long they have been employed and what, if any issues/problems they might have. You don't need to be able to solve the problems, just actively listen.
- Offer potential members information about the IEU and tell them why you became an IEU Rep.
- Have a membership form at the ready or details on how to join online (see page 6 for the QR Code).

3.

Support materials available for Reps

The IEU is always here to support you.

Support materials include:

- WorkCover Fact Sheet
- Bullying and Harassment Fact Sheet
- your Enterprise Agreement
- a list of member benefits including information about our partnerships with NGS Super, Teachers Health, EduFolios, Union Shopper and Teachers Learning Network
- membership brochure and joining forms
- website information about joining online
- A 'closed' Reps Facebook group for Rep-to-Rep and Rep-to-Union discussions.

4.

Be prepared to handle objections

You may hear non-members say they have had a bad union experience or do not understand the role the IEU plays in the workplace.

It is unwise, and certainly not recommended, to engage in an argument. If you are equipped with the facts, you can have a positive and rational conversation.

Your own experience and 'why I joined the IEU' is a preferable conversation to have with a non-member.

Note any non-member objections to joining and speak to your Organiser.

5.

Get the members of the Sub-Branch on-board

A personal endorsement goes a long way. Get active members to speak to their friends and co-workers about joining the IEU.

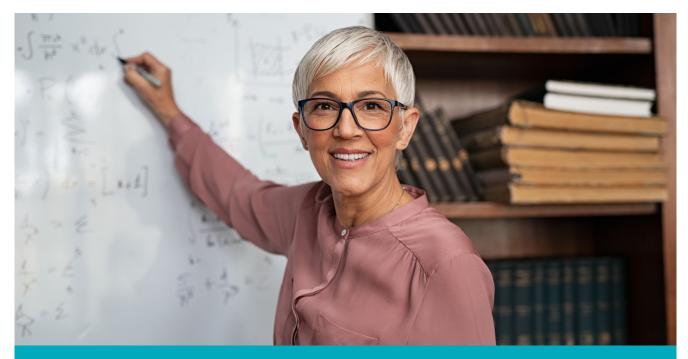
Identify members who could have these conversations and be specific about exactly who they could talk to.

6.

Stay in touch with non-members

After your first approach, you need to keep talking. Recruiting members often requires taking the time to speak with people regularly about questions that may arise.

Talking regularly with non-members will reinforce the importance of IEU membership to them.



BARRIERS TO RECRUITMENT

In your recruitment role, you may come across resistance to joining the IEU. Here, we recall some of the most common objections and suggest ways of answering them productively.

Many people, join the IEU as a form of insurance at work. Explain to your co-worker that if they come up against a problem they can't manage on their own, being a member of the IEU means having an expert in their corner.

Strength in numbers enables members more leverage to overcome issues collectively. Collective action is what sets unions apart from someone having to act on their own.

What's in it for me?

The IEU's core work is representing members throughout their employment. We are experts in workplace relations, and will negotiate on behalf of our members, provide advice and, if need be, we can also provide legal assistance. There are also numerous financial benefits and services available to members of the IEU, such as: professional indemnity insurance (for teachers), health insurance, access to Teachers Learning Network, Edufolios and discount offers from major retailers and brands through Union Shopper.

I can't afford it

IEU membership is set on a sliding scale to ensure those lower paid employees including those working part-time can afford their fees. Fees are generally less than 1% of your gross wage. Compare this to pay rises which are regularly won through Enterprise Agreement negotiations, and remember, fees are generally tax deductible.

We don't need a union here

While you and your co-workers might agree that you are lucky to have a positive workplace and a good relationship with management, workplaces are dynamic organisations made up of many personalities and are prone to change. You may also like to point out that the IEU's work does not simply revolve around workplace disputes, but also around using our collective strength to secure better pay and conditions in the long term, for all staff in the non-government sector.

I can look after myself

Many non-members believe they can look after themselves, but there are some situations where they might wish they had support – for example, a disagreement with management or harassment from a co-worker or parent. Explain that being a member of the IEU means having the members of your workplace behind you in a dispute, and access to advice and support. If a problem gets beyond being able to be mediated at the school level, the IEU can provide legal advice and support.

I'm employed on a short-term contract

Many workers in schools aren't full-time or permanent, but that doesn't mean they don't need the IEU. Workers on contracts should be aware that there are risks involved in contract employment that they will want to protect themselves against. The IEU can advise members on their contract.

WORKPLACE HEALTH AND SAFETY



Health and Safety should be a priority. Staff should have a say in matters that affect their physical and psychological safety.

The IEU will work with you as a Rep to create and promote working environments which meet the physical, mental and social well-being of all staff in your school.

Hazards which may lead to risks to your co-workers include:

- unreasonable workloads
- inadequate staffing
- inadequate work breaks
- lack of resources
- workplace bullying and harassment
- psychological
- manual handling
- · hazardous chemicals
- working in hot or cold environments
- poor indoor air quality
- challenging students
- violence
- voice overuse.

How to elect a Workplace Health and Safety Rep

The first step is to establish a Designated Work Group.

What is a Designated Work Group?

Any worker in a school can request that there be an election for one or more Health and Safety Reps (HSR). Once this request has been received by the Principal, school management has fourteen days to enter negotiations with the workers or their representatives (could be the IEU) to determine the number and composition of work groups and the number of HSRs and deputy HSRs to be elected.

A school of up to 30 staff (including teachers and ESOs) may find that one work group and one HSR (whether they are a teacher or an ESO) would be able to effectively meet their health and safety needs.

Staff in a larger school may feel they need more than one work group or more than one HSR in each work group. Once a work group is established the process of electing an HSR begins.

All workers in the work group are eligible to vote or to be elected.

Election procedures

Staff determine how the election of a HSR is to be conducted and who will conduct it – school management does not decide this. The person conducting the election must be agreed to by a majority of staff in the work group and could be an IEU Branch Representative, Organiser or any other person.

The person conducting the election must:

- set a date for the election which takes into account the convenience for everyone in the work group to participate
- ensure that all workers in the work group are given the opportunity to nominate for the position of HSR
- inform school management of the election date
- determine the voting process
- ensure that all workers are given the opportunity to vote in the election
- inform all workers in the work group and school management of the outcome of the election.

Deputy HSRs

Deputy HSRs are elected in the same way as an HSR.

After the election

Once the election process is over, school management must ensure the names of elected HSRs and Deputies are displayed in an area that is readily accessible to staff, such as the staff room or lunch areas. These names must also be provided to Safework SA.

HSRs are crucial to workplace health, safety and welfare.

Term of office

A HSR holds office for 3 years from the date of election and is eligible for re-election.

Training

Early participation in a training course is essential for any newly elected HSR and deputy HSR. Once elected an HSR and deputy are entitled to at least five days Level 1 training for the first year, three days Level 2 training in the second year and two days Level 3 training in the third year. These entitlements apply again if the HSR is re-elected. The training courses must be approved by Safework SA. The IEU can suggest appropriate training providers with experience in the education industry and help negotiate training leave with school management. HSRs and deputies are considered to be on duty while attending approved training and are paid at the rate they would have received if they had been at work.

School management must allow the HSR (and deputy) time off to attend approved training within 3 months of a request being made and pay the course fees and other reasonable costs associated with the training. There are subsidies available to eligible employers for small businesses (less than 100 employees) and high risk occupations (for example, agricultural or horticultural labourers and cleaners). Your employer should contact Safework SA for further information about these subsidies.

HSRs are crucial to workplace health, safety and welfare. The Act gives them powers to respond to issues raised by the staff they represent and requires that school management informs, consults and negotiates with them on any health and safety issue which affects those staff.

HSR Powers and Rights

The HSR has the power and the right to:

- inspect the workplace
- be notified of and investigate accidents and incidents that affect their work group
- investigate any complaints on health and safety issues made by a worker in the work group
- inquire into anything that appears to be a risk to the health and safety of workers in the work group
- be provided with information concerning the health and safety of workers in the work group
- accompany a Safework SA Inspector during an inspection of the school

- be present at any interview between a staff member and school management on a health and safety issue, if the staff member requests
- be consulted by school management about policies, practices, procedures and changes in the work environment that might affect the health and safety of their work group
- issue Provisional Improvement Notices (PINs) that require an action to be taken to resolve any health and safety risk
- direct that work cease if there is an immediate threat to the health and safety of a worker in their work group and
- be provided with facilities, paid time and assistance to carry out the role of the HSR.

A HSR does not have WHS Duties or Responsibilities

A HSR does not have any legal liability or responsibility for any action or lack of action done in good faith in the role of HSR. School management cannot delegate any health and safety duties to the HSR, these are the responsibilities of school management.

If a HSR chooses to undertake an activity, he or she does so as the HSR and a representative of staff, <u>not</u> as an agent of management.

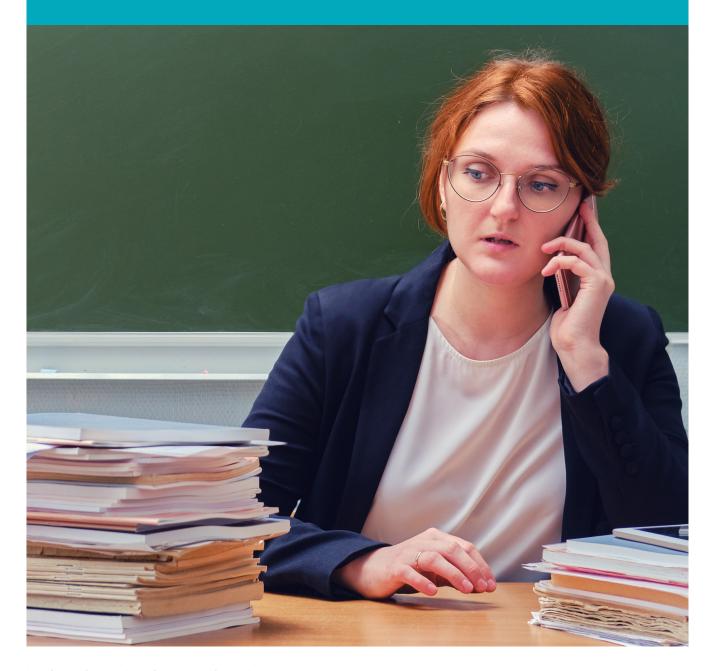
Time

Finding the time to be an effective HSR is an arrangement that must be negotiated with school management early in a new HSR's term of office. The Act states that any time a HSR spends exercising his or her powers or functions must be with pay, so School management must allow additional time at work for a HSR to effectively carry out their role. A HSR must not be expected to add health and safety activities to their current workload. Some Enterprise Agreements allow additional non-contact time for those HSRs who are teachers to ensure that this occurs.

Being Effective

The role of the HSR is to bring the work group together, respond to issues raised by individuals or the group and represent them to management as required.

FAQS



In this section, we have included a list of the most Frequently Asked Questions (FAQs) and answers that IEU Reps are likely to encounter.

For further detail relating to these FAQs, refer to your Enterprise Agreement or contact your IEU Organiser.

As school Enterprise Agreements have different conditions around common issues, it is important that members confirm the exact arrangements in place at their school before committing to a course of action. If covered by an Enterprise Agreement then Modern Award conditions do not apply, although the National Employment Standards (NES) will

underpin the agreement.

The FAQs cover these general areas:

- Leave
- Termination of Employment
- Employment Classifications
- Workload (Catholic Sector)
- Education Support Staff

Leave

How much Personal Leave (sick leave) do I get?

As a minimum, employees are entitled to 10 days paid personal/carer's leave per year for absences due to illness or injury to themselves, or to a member of their immediate family or household who is suffering a personal illness or injury, or is affected by an unexpected emergency.

Part-time employees have a pro-rata amount of leave. Any personal leave not used will accumulate. When employees run out of paid leave, they are able to apply for unpaid leave.

Do I have to get a medical certificate every time I'm sick?

Where requested by the employer, the employee must provide medical verification or other verification (which may include a Statutory Declaration). Some schools may have a policy requiring certification in some circumstances. Employees should where practicable provide prior notice (or at the earliest opportunity) when accessing personal/carer's leave.

Compassionate Leave

An employee is entitled to 2 days of compassionate leave for each permissible occasion when a member of the employee's immediate family, or a member of the employee's household contracts or develops a personal illness that poses a serious threat to his or her life, sustains a personal injury or dies.

What is Leave Without Pay (LWOP)?

Leave without pay is granted at the discretion of the employer – it is not an automatic entitlement. Members should not make arrangements before receiving written advice that leave has been granted.

Long Service Leave (LSL)

It is important to check your EA for specific benefits negotiated in agreements as they can differ quite significantly.

In accordance with the Long Service Leave Act, employees are entitled to LSL after 10 years or more of service. Employees are entitled to the following LSL:

- 13 weeks in respect of the first 10 years of service.
- 1.3 weeks leave in respect of each subsequent full year of service.

An employee is entitled to pro rata LSL upon completion of seven years' service upon termination of employment, and for continuing employees under some EAs. LSL is calculated on completed years of service (not Full-time Equivalent (FTE)) and the pay is based on the average FTE fraction for the previous three years. If a full-time employee is considering requesting to work part-time they should consider taking their long service leave before reducing FTE, to maintain its full dollar value.

An employee accumulates LSL leave of 1.3 weeks per year whether part-time or full-time. However, the pay is based on the current rate for the FTE as averaged over the last three years of service. If your LSL is taken as a lump sum you are not entitled to superannuation on the lump sum.

Termination of Employment

How much notice do I need to give?

This varies depending on your EA. Your should give as much notice as possible, but where it is not possible, there may be salary withheld. Your Organiser can give you specific advice pertaining to your EA or award.

What happens to personal/carer's leave and long service leave when I resign?

Personal/carer's leave is not paid on termination.

Any long service leave should be paid at the time of resignation.

Remember to check your EA, or with your Organiser, as some leave is transferable within Catholic and Lutheran schools.

Family and Domestic Violence Leave

Employees are entitled to 10 days of paid leave in a twelve month period in a work place with more than 15 employees. From 1 August 2023, this leave entitlement applies to work places with less than 15 employees. The leave does not accumulate.

New Contracts

I am permanent but I have been given a new contract to sign – do I have to sign it?

No.

Anyone already employed by a school has a contract, whether written or not (preferably it should be in writing).

You cannot be compelled to sign a new contract and you have a job regardless of whether you sign a new contract. If anything changes by agreement (such as your working hours) this can simply be put in writing to you — no new contract is required.

You should not sign a new contract unless:

- you are a new employee, or
- you are legitimately a fixed term, replacement or temporary employee being re-engaged.

My letter of appointment says my employment ceases in December. Will I be paid over the holidays?

Teachers who have worked a full year must be paid during the school holidays even if they are not returning the following year. Teachers who have worked part of the year are entitled to a pro-rata payment for the 4 weeks annual leave.

Part-time ESOs/LSOs who do not average their pay over 52 weeks are entitled to pro-rata annual leave.

If members are told that they will not receive payment for the school holidays, contact the IEU.

How many employment classifications are there?

Employees are normally employed under the following employment categories. Permanent full-time, permanent part-time, replacement, temporary, casual or fixed term. Conditions restrict the use of non-ongoing employment.

I'm finishing at the end of the year, what date do I put on my letter?

The termination date on a resignation letter should include the notice period. If a member is completing the school year, they should list the last day of the January school holidays as their resignation date. Employees who have worked a full year are entitled to four weeks of annual leave, even if they are not returning the following year.

Part-time

"I'm part-time, how many yard duties and meetings do I have to attend?"

Part-time staff are to be allocated a proportional number of duties normally expected of a full-time employee at that school. I work part-time can I be asked to work on my day off?

A part-time employee cannot be forced to attend PD or work on a weekday which they would not normally work unless codified in the EA. Payment can be expected for agreed additional work.

Workload

2020 Catholic Enterprise Agreement Conditions

Timetabled Time

Time tabled Time means the total amount of Student Contact Time (SCT) available in the timetable, exclusive of meal breaks. It is the total of a teacher's SCT and Non-Contact Time (NCT). Timetabled Time for a teacher commences from the time when the teacher is first required to attend class or receive students in the morning until the teacher is free to leave the classroom in the afternoon following the dismissal of students.

Currently, in the Catholic sector:

- Full-time teachers in a primary school may be allocated a maximum of 24 hours per week SCT.
- Secondary teachers may be allocated a maximum of 22.5 hours per week.
- Middle school teachers shall be the average of the primary and secondary allocations.

Average weekly student contact time is 23 hours and 21.5 hours respectively.

An initiative negotiated in the 2020 Catholic Enterprise Agreement includes *School Directed Non-Contact Time*. It's purpose is to reduce SCT but allow the Catholic school to use those hours for other purposes.

What counts as Student Contact Time?

- Lessons and associated activities for example, 'practical' lessons, excursions and guest speakers.
- Pastoral care lessons, attendance in class with students (home room period), administration period, supervised lunch eating in primary classrooms or special units.
- Library, study hall, examination supervision, computer lab, time-out room, supervision, etc.
- Assemblies, year level or house gatherings of students
- Regular timetabled supervision in Timetabled Time.
- Tasks allocated to specialist teachers in Timetabled Time.
- Liturgies and sport in Timetabled Time.
- Other activities of a similar nature as directed.

Relief Lessons

The total amount of relief lessons shall not exceed

- 16 hours per year for secondary teachers
- 10 hours per year for primary school teachers
- 13 hours per year for special school teachers.

Where the absence of the teacher is due to an employer instigated activities or likely to be prolonged, remaining teachers will not be required to undertake the duties of the absent teacher.

A secondary teacher shall not be required to undertake more than 5 hours of Relief Lessons in any one school term. A primary teacher shall not be required to undertake more than 4 hours of Relief Lessons in any one school term. The allocation of Relief Lessons to a part-time teacher shall be on a pro-rata basis and within their usual attendance time unless otherwise negotiated.

How many hours can I expect to undertake as 'Other Professional Activities' (OPA)?

Under the heading of OPA, members can be expected to attend for 4 hours per week averaged over the school year. The averaging may be varied by agreement providing that such period does not exceed one school year.

Activities include:

- supervision of students other than undertaken with allotted class/group in Timetabled Time
 for example, yard duty
- meetings and briefings for example parent information evenings
- employee/faculty/team/subject/curriculum/campus, meetings
- some Professional Commitments are not regulated

 for example:
 - course/subject preparation
 - marking/assessment
 - moderation
 - report writing
 - other activities of a similar nature as directed

What is the maximum number of students in each class? (Catholic School Benchmark)

Benchmark Student Numbers
25
29
30
25
e Economics 24

Education Support Officers

Are ESOs paid differently than teachers?

ESOs work is paid on an hourly basis which means their work is quantified and qualified by their classification and their hourly rate. There is no expectation of unpaid or unregulated hours.

Can ESOs be reclassified if they are undertaking different roles?

If, after 12 months in a role, an ESO is regularly called upon to perform a substantial part of their role at a higher classification level they have the right to have their role reviewed. The application must be in writing outlining how the role has changed. If the application is unsuccessful, the ESO has the right to dispute the decision. If they are successful, the employee needs to be paid at the higher classification from the time of the application.

Appendix: Forms

These forms can be photocopied as needed.

Downloadable PDF versions are available through the IEU website, member section: www.ieusa.org.au/members/login

MAPPING YOUR SCHOOL - FORM

Independent Education Union

tralia				Definite NO!									
South Australia	South Aus			Follow up: who/when									
					F								
				Part-time (days)	Th								
			ent		M								
			oym		_								
			Employment		Σ								
				Full-time									
				Date asked to join									
		ber		Role T/ESO									
		Mobile number		Potential Member (Y/N)									
School	Reps	Organiser		Non-member Names									

IEUSA-ADM-F029 - 1 December 2020

SCHOOL DETAILS UPDATE REQUEST

School Details	
Name of School:	
Campus:	
School type (Senior/ Primary etc):	
Main phone:	Fax:
Postal Address:	
Street Address:	
General email:	
Website:	
Number of teachers:	
Number of support staff:	
Number of students:	
Recess time:	
Lunch time:	
Principal	
Name:	
Email:	
Deputy Principal	
Name:	
Email:	
Updated by:	Date:







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