



2009 AEU CIT Enterprise Agreement - Circular 3

PLEASE BRING THIS MATERIAL TO THE
ATTENTION OF ALL AEU MEMBERS

SPECIAL COUNCIL ENDORSES PROPOSED
ENTERPRISE AGREEMENT SETTLEMENT.
FORMAL BALLOT STILL TO COME.

This Circular contains important information about the current CIT Enterprise Agreement negotiations.

Special Branch Council met on Tuesday 30 June to debate endorsement of the outcome of Enterprise Agreement. Following discussion and debate, Special Council carried the following resolution:

Decision of Special Branch Council – 30 June 2009

Special Branch Council endorses in principle the outcome of negotiations between AEU Officers and employers for new Enterprise Agreements for DET and CIT. Senior Officers are authorised to undertake the work required to incorporate the negotiated outcomes into formal agreement documents, and to undertake other steps necessary to comply with the requirements of Fair Work Australia for conduct of a ballot of employees.

In endorsing this outcome, Special Council asserts the following:

- i. The salary quantum is insufficient and will not close the growing gap at a number of salary points between salaries paid in the ACT and interstate rates. The starkest example of this is the \$15,000 differential by the end of the agreement between ACT Deputy Principals and their counterparts in NSW;*
- ii. The small salary offer has not been off-set by adequate improvements in either entitlements or workload;*
- iii. The acceptance of this outcome represents a significant contribution by ACT public education teachers to wage restraint in the current global economic climate;*
- iv. Endorsement of the proposed settlement is given on the expectation that future agreements will recognise the goodwill exhibited by teachers at this time and consequently provide for better outcomes.*

*In recognition that the outcome of this bargaining round is insufficient, the AEU commits to conducting an extended campaign to seek community and political support to increase the ACT Government's investment in public education. The AEU Office is directed to develop a campaign strategy for approval of Branch Council using the AEU's Claim as the blueprint for future investment in public education. The strategy **will not include industrial action** and will be used at sub-branch/workplace level and with groups such as school boards, politicians, parent organisations, industry groups, the media and supporters of public education to build understanding of the issues, support for the AEU's position in future bargaining rounds, and achieve greater levels of government funding for ACT public education.*

The AEU has formally advised DET of this decision. The AEU understands that the settlement proposal will be formally considered by ACT Government Cabinet next week.

The proposed Agreement will need to meet all of the requirements of the new Fair Work Australia Act 2009, and be put through a formal ballot process before any payments can flow, so it is likely to be a little while yet before members see the increase from 1 July 2009 appear in their pay packets. More advice on the timing of payments will be provided as this matter becomes clearer.

What does the settlement proposal mean for my salary rate?

The proposal for a 2-year Agreement for CIT endorsed TAFE Council and by the Special Council meeting provides a 4.5% salary increase over the life of the Agreement. This will be paid as 2% on 1 July 2009, and 2.5% on 1 July 2010.

What outcome was achieved in relation to the other issues in the AEU's Claim?

Full details of the other matters covered in the settlement proposal can be found at:

http://www.aeuact.asn.au/documents/SETTLEMENTBASISFORCITEA-18June09_000.pdf

In summary, the proposed settlement includes:

- a clause on Direct Teaching Activities and Duties Other Than Teaching clause;
- the introduction of flex-time for EDS positions;
- the restoration of public holiday pay for casual teachers;
- a clause that redefines the role of a Teacher Band 4;
- the inclusion of the ACT Public Sector wide Common Core template conditions within our enterprise agreement;
- capacity to extend the teaching year from 36 weeks to 42 weeks by agreement between the teacher and their supervisor, with CIT reserving the right to direct where such agreement cannot be reached;
- a broader application of the Dispute Resolution Procedures than is provided in the current CIT UCA..

What are the implications of the new Fair Work Act 2009 for the conclusion of this bargaining round?

Members may be aware that the new Fair Work Act 2009 came into effect on 1 July 2009. It is a requirement of the Fair Work Act legislation that all employees who will be covered by the new Agreement be advised of their right to appoint a bargaining representative for purposes of the negotiations. Members should expect information about this matter from CIT in the near future. Where an employee is a member of a union that is entitled to represent them in work to be performed under the Agreement, then the union will be the bargaining representative for that employee unless the employee appoints another person to represent them.

The new processes may have an impact on the time required to complete drafting a new Agreement, depending on whether other bargaining agents emerge to participate in negotiations or not.

The acceptance of this outcome marks the beginning of a two year campaign to win the support of the community and the ACT Legislative Assembly to significantly increase the ACT government's investment in public education. With the ongoing active support of all members the AEU remains firmly committed to achieving this goal.

**PENNY GILMOUR
BRANCH SECRETARY**

2 July 2009