

AEU – ACT BRANCH TAFE POLICIES

Policies common to Schools and TAFE

[refer to Schools Policy Section]:

1. Aboriginal Embassy
2. Childcare
3. Combatting Racism (Federal AEU policy)
4. Education in Correctional Settings
5. Environment
6. Equal Employment Opportunity and Affirmative Action
7. Gender Equity
8. Industrial Democracy
9. Higher Education
10. Industrial Action
11. Promoting Indigenous Education and Reconciliation
12. Promoting Public Education in the ACT
13. Privacy
14. Reconciliation
15. Nomination of Referees by Applicants
16. Sexual Harassment
17. Teacher Welfare Fund
18. Violence in Educational Settings
19. Vocational Education Training (VET) in Schools
20. Voluntary Work Performed by Teachers

AEU POLICIES PREAMBLE

Branch policies are a statement of Union intent: they do not necessarily reflect the actual conditions applying to ACT teachers.

The primary source of current working conditions for TAFE Teachers is the CIT Union Collective Agreement for Teaching Staff 2006-2009.

The Branch policies indicate the position which AEU members wish to achieve and have been endorsed by Executive and/or Council. Whether or not they form part of the next round of bargaining for the industrial conditions applying to teachers is determined by the members through Council agreeing upon the specific industrial claim.

TAFE SPECIFIC POLICIES:

AEU POLICY FOR ETHICAL AND PROFFESIONAL PRACTICE OF TEACHERS AT CIT [see separate attachment]

ADVERTISING & FILLING OF PROMOTIONAL POSITIONS

1. The AEU believes that promotional positions within the Canberra Institute of Technology should be filled on a permanent basis.
2. The AEU acknowledges that in unusual circumstances temporary filling of promotional positions may be necessary, but only after all avenues to pursue permanent filling have been exhausted and extensive consultation with the AEU has occurred.
3. Where promotional positions are then to be offered for temporary filling, that these positions be offered as higher duties in the first instance and only in the circumstances where existing staff are unable to meet the requirements of the position should external applicants be appointed.
4. The AEU is to be consulted before the advertising of any promotional position within the Institute.

PROMOTING A PUBLIC TAFE SECTOR

1. The AEU recognises the need to promote a public TAFE sector as a distinct and discrete sector of public education, particularly given that the public operation of the TAFE sector in 2008 is under severe attack from both the ACT and Federal governments. In doing so it will seek to highlight the role TAFE plays in:
 - Creating a cohesive society within our nation;
 - Providing equal opportunity and access to quality education for all students;
 - In maintaining universal access to free education

- Developing the unique potential of each student so that they may contribute their skills constructively to our community;
 - Helping to meet the specific skill needs of industry.
2. In promoting a public TAFE sector the AEUACT Branch will:
- Maintain a strong alliance with all community groups within the ACT which support a public TAFE sector;
 - Seek ACT government and CIT agreement on a Professional Code of Practice for all TAFE teachers;
 - Maintain the requirement for TAFE teachers to gain an appropriate teaching qualification, which includes an understanding of adult learning principles;
 - Foster collaboration between the public schools and TAFE sectors;
 - lobby both the ACT and Federal governments for appropriate levels of funding which will ensure the effective operation of the ACT education system;
 - distinguish between the benefits TAFE provide for our community compared with the specific needs of private industry;
 - oppose any ACT or Federal political party/government actions which undermine the public operation of TAFE or seek to overly commercialise the sector;
 - advocate for a fair funding system by both the ACT and Federal governments that ensures that the public TAFE sector remains a viable asset for our community;
 - Encourage and assist through a variety of means, all members to participate in a range of community and industrial activities as necessary;
 - Support the creation of an agreed structure and process for the professional registration of teachers;
 - Undertake research as necessary to ascertain issues of significance for the public TAFE sector and disseminate those results when appropriate;
 - Undertake media campaigns as necessary;
 - lobby all Federal and ACT politicians to ensure that advocacy of the public TAFE system becomes a matter of specific party policy and that this policy is implemented whenever the party is in government.

SALARY UNDERPAYMENTS/OVERPAYMENTS

The ACT public sector unions have agreed with the ACT government as part of the Common Core conditions for their Union Collective Agreements procedures for dealing with cases of salary underpayment and overpayment.

Although these procedures are not contained within the CIT teaching UCA, they do apply to all teachers in the Institute.

The AEU will support any member who is aggrieved by the non- application of these procedures and will seek to have them inserted into the next Union Collective Agreement.

TAFE FEES

The AEU opposes the application of excessive fees such as Access 10, to TAFE students as they undermine the principles of public education.

While TAFE teachers will continue to perform enrolment procedures and class roll marking, the AEUACT Branch requests that they refuse to accept responsibility for the removal or exclusion of students from their classes who are alleged to be not entitled to be there due to non-payment of fees.

OCCUPATIONAL HEALTH & SAFETY

The AEU believes all OH&S representatives and members should have the following rights:

OH&S Representatives

1. CIT will provide all teacher OH&S Representatives with a minimum of 36 hours per annum (approximately 1 hour per week of required attendance) deduction from annual teaching loads.
2. The release time is for the use of the teacher OH&S Representative, or Deputy, to cover on-site consultations, one-off site inspections and to assist in the co-ordination and implementation of the annual self-administered site safety checks.
3. Representatives may require additional time to undertake their duties. As far as reasonably practicable, time should be made available to them to carry out their duties during non teaching time.
4. If an emergency arises, OH&S Representatives/Deputy Representatives may utilise whatever time is required to resolve the issue. This may be teaching or incidental time.

5. Additional time release for OH&S representatives to attend OH&S related meetings.

Physical Conditions in TAFE Classes

1. The AEU believes that members have a right to decline to teach in situations:
 - (a) where classroom temperatures are lower than 17 degrees Celcius or more than 30 degrees Celcius.
 - (b) where they have reasonable belief that the working environment is unsafe for staff and/or students (eg if there are too many students in a class to enable the work to be done safely, etc)
2. Whenever physical conditions become distressing to students and intolerable to staff:
 - (a) members should advise the OH&S representative;
 - (b) the OH&S Representative should immediately consult with the Manager/Centre Director of the site and verify the actual temperature of the location;
 - (c) the OH&S Representative, with the support of the AEU Sub-Branch, should request appropriate action be taken to rectify the situation. This action may include implementing procedures for the relocation or cancellation of classes.
 - (d) the OH&S representative or the Sub Branch may at any time seek the involvement of the AEU officers to assist in rectifying the situation.

INVESTING IN TAFE BY SUPPORTING TEACHERS

Promoting Permanent TAFE Teacher Positions

Teaching is the core business of CIT. Vocational Education and Training is an investment in the future of the country and as such should be a primary focus of government.

The AEU deplores the over reliance on reduction of teacher numbers and the reduction in delivery hours to students as a means of meeting the challenges of a changing fiscal environment.

The Union expects Managers to look for constructive and innovative ways to meet these challenges and look to alternative methods of attracting funds such as by developing new programs and through new partnerships with industry. However this should not be done in a way which undermines the public operation of the TAFE sector.

Reductions in the numbers of classroom teachers should be a last resort of Managers when trying to meet budget targets. Losing teachers and increasing class sizes is not the way for CIT to maintain its competitive advantage in the training market. The Institute's credibility rests on the provision of the highest standards of training for its graduates. These standards cannot be maintained in the face of a policy of removing permanent teachers and replacing them with casual teachers.

In instances when the Union has been convinced of the need for Management to effect a reduction in the numbers of teaching staff, the following guidelines will apply:

1. Any proposal for a reduction in the number of teaching positions must be negotiated between CIT Management and the AEU, with member representation from the area[s] directly affected by the proposal.
2. Where the AEU is satisfied that a case for a reduction in the number of positions has been substantiated, the Union's preferred position is for that reduction being achieved through natural attrition including voluntary early retirement and transfer.
3. In their negotiations with CIT Management, Union Officers will pay particular attention to ensuring that members affected by the reduction in staff numbers have adequate access to retraining [including the costs of retraining] and real opportunities for redeployment within and outside the Institute.
4. The procedure agreed between Union Officers and CIT Management to effect the reduction in teaching staff will be submitted to TAFE Council for endorsement.
5. The Union will actively oppose any spill of positions at Band 1 and 2 level. A spill occurs when all positions are abolished, new positions are advertised in the press and applicants go through an interview process.
6. If a spill of positions is forced by Management, TAFE Council in consultation with Union Officers and the members concerned, will meet and devise a course of action to oppose the spill.

VOLUNTARY REDUNDANCIES

1. A voluntary redundancy will only be agreed by the Union in the following circumstances:
 - [a] Where a clear case has been made that the level of work has dropped substantially in a Department and where there is no prospect of this increasing within an acceptable period.
 - [b] Where there is agreement with the Union Officers that the level of funding in the Department cannot support the number of permanent positions in that Department.
 - [c] Where there is a clear case that the skills required by the Department are different from the pool of skills available within the Department and there is no prospect of existing staff being able to gain the desired skills within an acceptable period of time; or

- [d] Where there are compassionate circumstances for the employee.
2. Where a voluntary redundancy is sought under 1[a] or [b] above, the Union Officers and members in the area concerned will seek verification of CIT Management's claims of loss of work and/or loss of funding from the CIT Finance Unit.
 3. There will be no limit placed on the number of redundancies agreed by the Union in any year as long as they satisfy the above criteria.
 4. All staff who accept redundancy under these provisions will be allowed to return as casual teachers for up to 10 hours teaching per week.

CASUALISATION OF TEACHING

The Union directs its members to work towards a ratio of permanent/contract to casual teaching delivery of not less than 70:30. This ratio is not to be applied as an argument for holding permanent/contract levels at 70% where there is funding to support a higher percentage of permanent or contract staff.

TAFE FOR ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLES

1. Preamble

Aboriginal and Torres Strait Islander peoples are the First Nations peoples of Australia, and as such, have a distinct and inalienable set of rights. The right to education, including Technical and Further Education, is one of these.

Aboriginal and Torres Strait Islander cultures are living cultures. Despite hundreds of years of systemic oppression, colonisation, and racism, Aboriginal and Torres Strait Islander peoples continue to maintain a connection to their lands and surrounding waters.

The AEU recognises that as a consequence of the process of colonisation, Aboriginal and Torres Strait Islander peoples have come from a range of diverse circumstances, and have a range of knowledges and experiences in relation to their cultural backgrounds.

Further, the AEU acknowledges that the education system has played a crucial role in the oppression of Aboriginal and Torres Strait Islander peoples, through the denial of opportunities, the reinforcement of racial stereotypes, the lowering of expectations and quality, the exclusion of participation, and the reinforcement of cultural and political values which are ultimately alien to the original inhabitants of this land.

The AEU is committed to rectifying this situation, through the implementation of this National TAFE Policy for Aboriginal and Torres Strait Islander Peoples.

2. Principles

The AEU:

- 2.1 Believes that Aboriginal and Torres Strait Islander peoples have the right to access Aboriginal and Torres Strait Islander skills and knowledges along side of western skills and knowledges and should be able to do so within the formal structures of the Vocational Education and Training system;
- 2.2 Is committed to the principles of self-determination and self-management for Aboriginal and Torres Strait Islander peoples, and therefore believes that Aboriginal and Torres Strait Islander peoples have the right to appropriate and effective employment, representation and participation within all structures of the Technical and Further Education (TAFE) system;
- 2.3 Commits to recognising and catering for the unique diversity of Aboriginal and Torres Strait Islander peoples, communities and cultures in TAFE workplaces;
 - 2.3.1 Recognises the Yurauna Centre as vital for the CIT community to recognise, value and cater for the unique diversity of Aboriginal and Torres Strait Islander peoples and as such must be maintained, developed and adequately resourced.
- 2.4 Is committed to participation, where appropriate, in the development and implementation of partnerships and the making of agreements both formal and informal between Aboriginal and Torres Strait Islander peoples and communities and TAFE institutes, unions, other industry bodies and governments;
- 2.5 Is committed to the development and delivery of TAFE programs that affirms the cultures of Indigenous Australians and delivers quality outcomes;
- 2.6 Recognises that ownership and control of Aboriginal and Torres Strait Islander knowledges and cultures ultimately rests with the Aboriginal and Torres Strait Islander communities concerned and cannot become the "property" of TAFE or ANTA.
- 2.7 Is committed to ensuring that all Aboriginal and Torres Strait Islander peoples have the right to high quality education throughout their lives. Quality is characterised by appropriate student

teacher ratios and group sizes, appropriately qualified and trained teachers and education workers, and enriching, well equipped, well-resourced and secure environments.

- 2.8 Recognises and supports the unique role that many TAFE teachers, trainers and support staff play in working with Aboriginal and Torres Strait Islander individuals and communities to develop skills, build self-esteem and foster community-industry relationships, contributing to a range of outcomes, including employment and community development outcomes;
- 2.9 Supports the vision Partners in a Learning Culture, Australia's National Indigenous VET strategy which calls for:
*A vocational education and training system which renews and shares an Indigenous learning culture with all Australians in a spirit of reconciliation, equity, justice and community economic development and sustainability.*¹

3. Aboriginal and Torres Strait Islander Involvement in Decision-making

- 3.1 The AEU commits to:
- (a) the principle that Aboriginal and Torres Strait Islander peoples have an inalienable right to self-determination in maintaining their cultural identities and autonomy;
 - (b) the recognition that the TAFE system has a crucial role to play in the maintenance of cultural identity.
- 3.2 The AEU therefore upholds the right of Aboriginal and Torres Strait Islander individuals and communities to access a TAFE system that both builds and enables self-determining structures.
- 3.3 The AEU will:
- (a) work with TAFE Institute and Territory VET advisory groups and other key stakeholders in supporting Aboriginal and Torres Strait Islander communities in their efforts to attain delivery of TAFE programs that individuals and communities deem appropriate;
 - (b) lobby Governments and other stakeholders for the provision of adequate funding to support (and establish, where required) Aboriginal and Torres Strait Islander self-determining structures, such as support units and colleges within and in partnership with TAFE Institutes;
 - (c) lobby for effective Aboriginal and Torres Strait Islander representation at all levels of decision-making within TAFE Institutes, including on Institute Councils and within ANTA structures including the Australian Indigenous Training Advisory Council; and
 - (d) support the principles of self-determination and negotiation, as appropriate, with employing authorities and Aboriginal and Torres Strait Islander communities and peak bodies to address employment considerations as they emerge, and to safeguard the rights of teachers, trainers and students.

4. Aboriginal and Torres Strait Islander Employment

- 4.1 The AEU commits to:
- (a) increasing the number of Aboriginal and Torres Strait Islander peoples employed in all areas of the TAFE system, in particular teachers and trainers; and
 - (b) ensuring that the ACT makes a commitment to ongoing resourcing and permanency of Aboriginal and Torres Strait Islander TAFE teachers, trainers and support staff that is not dependent on supplementary educational funding provided by the Commonwealth, such as the Indigenous Education Strategic Initiatives Program (IESIP) or on other community-based Commonwealth fund sources, such as the Community Development Employment Projects (CDEP) program.
- 4.2 The AEU will:
- (a) actively support strategies to increase the numbers of Aboriginal and Torres Strait Islander peoples employed in TAFE, particularly as teachers and trainers, including the development of an Aboriginal and Torres Strait Islander employment strategy which includes the establishment of employment targets and the development and implementation of beginning teacher training programs as well as professional development, mentoring and leadership programs;
 - (b) ensure that processes of conversion of staff from temporary to tenure takes in to account strategies to increase permanent employment of Aboriginal and Torres Strait Islander peoples;
 - (c) incorporate elements of Aboriginal and Torres Strait Islander Employment Claims paper in (see attachment A) to bargaining claim frameworks and negotiations; and
 - (d) lobby CIT Management to establish Aboriginal and Torres Strait Islander employment targets as a component of a broader Aboriginal and Torres Strait Islander employment strategy which includes the development and implementation of leadership programs.

5. Training Packages, Curriculum and Training Support Materials

- 5.1 The AEU:

¹ ATSIPTAC (1999) *Partners in a Learning Culture*, Australian National Training Authority, Brisbane.

- (a) supports the right of Aboriginal and Torres Strait Islander peoples to study Indigenous-specific courses, mainstream courses and/or a combination of both;
 - (b) supports the right of Aboriginal and Torres Strait Islander peoples to study Aboriginal and Torres Strait Islander knowledges within an accredited national training framework;
 - (c) recognises that the mainstream industry-specific nature of training packages has led to the exclusion of Indigenous knowledges and ways of working in many training packages; and
 - (d) supports the right of Aboriginal and Torres Strait Islander peoples to access high-quality training support materials and processes including assessment materials and Recognition of Prior Learning (RPL) and Recognition of Cultural Competence (RCC) which take into account Aboriginal and Torres Strait Islander cultures and ways of working.
- 5.2 The AEU will:
- (a) lobby other Unions, Industry Skills Councils, ANTA and other key VET stakeholders for the inclusion of Aboriginal and Torres Strait Islander knowledges within training packages;
 - (b) lobby Governments to support the continuation of specific funding for the development of training programs and products which meet the requirements of Aboriginal and Torres Strait Islander individuals and communities;
 - (c) advocate for the inclusion of Aboriginal and Torres Strait Islander training needs in state and territory training plan development processes; and
 - (d) lobby governments for core funding to deliver English literacy and numeracy programs for Aboriginal and Torres Strait Islander peoples.

6. Funding

- 6.1 The AEU:
- (a) recognises that the TAFE system across Australia relies overwhelmingly on Commonwealth funding to develop and deliver Aboriginal and Torres Strait Islander programs;
 - (b) believes that there is substantial evidence to prove that this over-reliance on Commonwealth funding has massive implications for employment security and continuity of programs for Aboriginal and Torres Strait Islander peoples; and
 - (c) supports a greater allocation of state and territory resources to Aboriginal and Torres Strait Islander programs in TAFE.
- 6.2 The AEU will:
- (a) campaign for increased profile funding for the delivery of programs for Aboriginal and Torres Strait Islander peoples;
 - (b) campaign for adequate and appropriate levels of territory funding in relation to the employment of Aboriginal and Torres Strait Islander peoples;
 - (c) lobby Governments to ensure that fees and charges for Aboriginal and Torres Strait Islander students are either excluded altogether, or kept to a bare minimum and that strategies for fee relief are implemented; and
 - (d) build specific funding allocations for Aboriginal and Torres Strait Islander peoples in to the AEU's Alternative ANTA Agreement.

7. Professional Development and Training

- 7.1 The AEU:
- (a) believes that Aboriginal and Torres Strait Islander staff in TAFE Institutes have the right to access appropriate and effective professional development and training in order to improve their career development opportunities; and
 - (b) believes that all staff working in TAFE should undertake a program of cross-cultural awareness and Indigenous studies in order to enable them to effectively work with Aboriginal and Torres Strait Islander peoples.
- 7.2 The AEU will:
- (a) advocate for the effective provision of professional development for Aboriginal and Torres Strait Islander staff; and
 - (b) advocate for the effective provision of cross-cultural awareness and Indigenous studies for non-Indigenous staff.

8. Aboriginal and Torres Strait Islander Unionism

- 8.1 The AEU commits to:
- (a) maintaining the AEU Aboriginal and Torres Strait Islander TAFE committee and the Aboriginal and Torres Strait Islander Education Committee;
 - (b) maintaining the position of the Federal Aboriginal Education Officer;
 - (c) establishing effective Aboriginal and Torres Strait Islander representation at all levels of decision-making within the Union; and
 - (d) working with the broader union movement to promote, enhance and increase further Aboriginal and Torres Strait Islander participation at all levels.
- 8.2 The AEU will:

- (a) promote the benefits of Trade Unionism and Trade Union activism amongst Aboriginal and Torres Strait Islander members;
- (b) conduct formal consultations with Unions and peak Aboriginal and Torres Strait Islander and Government agencies;
- (c) support AEU Aboriginal and Torres Strait Islander delegations to appropriate forums;
- (d) commit to further the employment and participation of Aboriginal and Torres Strait Islander peoples within the AEU;
- (e) ensure participation in appropriate national and international delegations;
- (f) investigate the possibility of rule changes to facilitate formal participation of Aboriginal and Torres Strait Islander participation in AEU National TAFE Division structures; and
- (g) where possible participate in the ACTU Indigenous committee meetings.

9. Measurement of Outcomes

9.1 The AEU:

- (a) believes that the attainment of outcomes is crucial to building the capacity of Aboriginal and Torres Strait Islander individuals and communities; and
- (b) supports the right of Aboriginal and Torres Strait Islander peoples to determine outcome measurements that are appropriate and suitable.

9.2 The AEU will:

- (a) lobby governments and other bodies to ensure that outcomes are broadly defined to incorporate community development indicators along with employment and completion indicators.

10. Traineeships and Apprenticeships

10.1 The AEU:

- (a) believes that apprenticeships and traineeships are an effective way for Aboriginal and Torres Strait Islander peoples to attain employment experience and outcomes; and
- (b) is aware that in some instances, with some employers, there is a 'subsidy syndrome' in place when it comes to employing Aboriginal and Torres Strait Islander peoples.

10.2 The AEU will:

- (a) continue to investigate employer exploitation as it relates to the use of training funds for the ongoing employment of Aboriginal and Torres Strait Islander peoples;
- (b) lobby governments to ensure that there are adequate and effective mechanisms in place, in the tender, audit and evaluation process to minimise the exploitation of Aboriginal and Torres Strait Islander apprentices and trainees.

11. Information Technology

11.1 The AEU:

- (a) Believes that Aboriginal and Torres Strait Islander peoples have the right to access adequate and appropriate information technology infrastructure whilst studying or employed in a TAFE Institute; and
- (b) Believes that delivery conducted using information technology should incorporate Aboriginal and Torres Strait Islander knowledges and ways of working.

11.2 The AEU will:

- (a) Lobby governments to ensure that information technology infrastructure is accessible and accessed by Aboriginal and Torres Strait Islander staff and students; and
- (b) Lobby Governments to ensure that Aboriginal and Torres Strait Islander knowledges and ways of working are incorporated in to IT delivery materials.