



2009 AEU CIT Enterprise Agreement - Circular 1

PLEASE BRING THIS MATERIAL TO THE ATTENTION OF ALL AEU MEMBERS

CIT BARGAINING – DIFFICULT NEGOTIATIONS CONTINUE

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

Members at CIT will recall their contributions to the AEU teacher electronic surveys completed in late 2008. Among the issues identified by respondents were extensive dissatisfaction with teacher workloads, lack of recognition of flexible teaching related work, and the lack of appropriate technical and administrative support. Overall workplace stress was seen as the main issue confronting teachers at CIT.

Following TAFE Council and Branch Council endorsement in November 2008, the AEU served our claim, which was informed by the information from the surveys, in late 2008 for the next round of salaries and conditions bargaining on CIT. Negotiations towards a new Enterprise Agreement for teachers in both CIT and the Schools Sector have been underway since February 2009, with weekly meetings occurring between CIT and AEU negotiators.

Early in the discussions CIT advised the AEU that Cabinet had determined the following parameters for the teachers' bargaining round:

- 3% p.a. Treasury funding for salary increases;
- an Agreement that must be of 1 year duration; and
- any productivity savings identified as part of the bargaining would **not** boost the salary quantum.

As members can read in the Schools Sector Industrial Report, this interpretation of the Cabinet decision was completely at odds with the way DET interpreted the **same** decision. The AEU advised CIT that it could not accept these bargaining parameters and requested that they seek advice from the Education Minister about the Cabinet decision.

A few weeks later, CIT presented another offer which proposed extending the current agreement for 1 year with a 3% increase in teacher pay [no different to before] and with no productivity increases [ie no changes to current conditions].

Because this option meant that none of the issues raised by members would be addressed, the AEU declined this offer.

Aware that the quantum of salary increase and the duration of the Agreement are always the last matters to settle in a negotiation, the AEU and CIT agreed to set those issues aside and to explore what agreement could be achieved on matters other than salary that had been tabled by either party.

During the negotiations on these matters it has become clear that CIT is prepared to consider very few of the issues raised by our members in their Claim. In particular CIT have a strong view that the teaching profession is no different to the rest of the ACT public sector staff and that our members' working conditions should largely be identical to the rest of CIT staff. This position has made progress in the negotiations very difficult.

It took till April for CIT to advise that its bargaining parameters had changed, but rather than adopting the same interpretation of the Cabinet decision as DET they stated that the duration of the Agreement now **had to be 4 years**. These parameters were further changed after the handing down

of the ACT government Budget in May, when it was revealed that that the proposed salary offer had been reduced to only 2% in the first year and 2.5% for each subsequent year of the agreement. At that point CIT also revised its position on productivity savings and indicated that if the AEU agreed to trade off certain working conditions, (e.g. an increase in the annual teaching load, or removal of Daylight Equivalent), then the salary quantum could be increased up to 3% for each year.

Despite these changes to the bargaining framework, the AEU continued to try to reach agreement on the issues contained in our Claim and presented to CIT specific clauses that would address those issues. It was agreed that CIT would respond to those clauses the following week. However at the next meeting on 12 May CIT ignored the AEU position entirely and tabled a new proposal on a "take it or leave it" basis.

This proposal required the AEU to accept as non-negotiable:

- a two year only agreement;
- productivity trade-offs to increase the salary quantum to a maximum of 3%;
- a reduction in certain other working conditions (e.g. an increase in attendance hours);
- agreement to only two parts of the AEU claim (public holiday pay for casual teachers and a deferred salary scheme – both of which had already been agreed in principle)

After careful consideration by the AEU negotiators and discussion at TAFE Council, the AEU rejected CIT's "take it or leave it" proposal. Instead, at the 19 May meeting the AEU put forward an alternative detailed negotiating position for a 2 year agreement.

On Tuesday 26 May CIT again rejected the majority of the AEU's position, but has indicated that they are prepared to:

- negotiate a two year agreement with salary increases of 2% and 2.5% which would not require any productivity savings or reductions in working conditions;
- negotiate the AEU's proposed Direct Teaching Activities and Duties Other Than Teaching clause, which seeks to address key workload issues raised by our members;
- consider the introduction of flex-time for EDS positions;
- agree to the restoration of public holiday pay for casual teachers;
- negotiate a clause that redefines the role of a Teacher Band 4
- negotiate the inclusion of the ACT Public Sector wide Common Core template conditions within our enterprise agreement.

Members should be aware that, with each of the CIT 'offers' the AEU team has consulted with TAFE Council and sought member feedback through Sub-Branch meetings to inform the AEU response. Consultation will now occur over the latest CIT position.

While there have been minor variations in the response from Sub-Branch meetings to the various CIT offers, there has been remarkable consistency in the reaction of members: they have been offended by CIT management's refusal to recognise the unique nature of teacher professionalism. In addition, members have consistently condemned the lack of recognition by CIT that the current level of teacher workload is unsustainable.

The TAFE Council of 22nd May carried a resolution deploring the failure of CIT to engage in genuine negotiations of the AEU claim which details teachers' concerns, and instructed the AEU officers to seek intervention from the ACT government to ensure that future negotiations were indeed genuine in nature.

Despite what can only be described as a hostile negotiation environment, it remains the intention of the AEU to try to reach an agreement with CIT before the 30 June. If a package can be agreed that TAFE Council endorses then it will be put to members for their feedback and ultimately to a formal vote.

It is vital that members are active in their Sub Branches to discuss the progress of the negotiations, and to engage in recruitment of any non member colleagues.

The AEU will keep members updated on developments. Watch out for further Enterprise Bargaining Circulars from this point forward.

PENNY GILMOUR
Branch Secretary

27 May 2009