



# e-bulletin

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No 7 – 1 August 2011

## ETD Teachers Enterprise Agreement Negotiations 2011

### **ETD's revised offer of 26 July 2011 – Executive Decision 26/7/11 indicates there is still a way to go to achieve settlement**

Members will be aware by now of the revised EA offer made to the AEU on 26 July by ETD. The offer was essentially 3.5%p.a. for three years, but the first 3.5% was available to be configured differentially to more closely match the AEU's Claim.

The AEU requested ETD to distribute the first 3.5% as a differential increase and determine how close this could come to matching the AEU's Claim for salary parity with NSW in the first increase. Consideration of a differential increase is possible because the gap between ACT vs NSW salaries for most of the incremental scale is less than 3.5%. Because some steps require less than 3.5% to reach the same level of pay as NSW, the remaining funds can be used for increases greater than 3.5% where the gap is not closed. Under a differential configuration:

- there is sufficient money in the first 3.5% to match NSW salaries in the Year 1 increase for Steps 1 to 7 of the ACT salary scale;
- the money remaining for the Year 1 increase would then be applied as follows:  
Top-of-scale = 4%; SLCs = 4%, SLBs = 10.05%, SLAs = 3.5%, School Network Leaders = 3.5%; casual rates = 4%; intern rate = 3.5%.
- the increases in Year 2 and Year 3 would be 3.5% for all rates.

This configuration comes closest to meeting the AEU Claim, but when Branch Executive considered the proposal at their meeting of 26 July 2011, Executive believed that it was still insufficient to form the basis of settlement, especially given the great amount of detail (apart from salaries) still missing from the content of the offer.

ETD's action in releasing the revised offer on Friday 29/7/11 was not advised to the AEU. In view of this action by the employer, it is important that members know what deliberations the AEU undertook when the offer was provided to the Union on the afternoon of 26 July 2011. Branch Executive considered the revised ETD offer in detail at its meeting on the evening of Tuesday 26 July. The letter sent to ETD the next day provides a detailed summary of the Exec Decision and the other information conveyed to ETD following the Executive meeting. The letter is reprinted below for your information:

Dear Dr Watterston

Thank you for your letter of 26 July 2011 setting out a revised *without prejudice* offer for the new teaching staff enterprise agreement.

Branch Executive considered this matter at their meeting on 26 July. After lengthy discussion, Executive's decision on this matter was as follows:

*Executive recognises that the revised ETD offer of 26 July 2011 is a step towards parity with NSW through an initial differential increase. However, there is not yet a basis for settlement because:*

- *the increases on offer overall are still insufficient and do not provide nationally-competitive salaries against current rates;*
- *there is too little detail about the large number of new or changed conditions that ETD wishes to include in the Agreement; and*
- *there are still many elements of the AEU Claim that are unaddressed.*



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*In order to recommend to members a serious consideration of a package to settle this matter, Executive requires:*

- a) full written detail of all changes proposed to content of the Agreement, apart from salaries, in order to assess those proposals; and*
- b) a more competitive salary offer.*

Notwithstanding the view that there is not yet a basis for settlement, Executive made some comments that may be helpful to ETD's considerations of the way forward:

- In considering the revised offer, Executive recognised the flexibility provided through the capacity to apply the first 3.5% differentially. A range of potential configurations was discussed, with the preferred option for distribution of the first increase being to match NSW rates as far as possible.

We understand that this can result in the equivalent salary to NSW at 1/1/2011 for Step 1.0 - Step 2.3 (because the amount required is less than 3.5% for each step), and that the top-of-the-scale, SLC and casual salary rates could be provided with 4.0% in this scenario. We also understand that Step 3.1 could be increased by 1.5% which, while beyond parity, is an outcome the AEU may accept to accommodate ETD's concern about the gap between the final two steps on the scale. All other salary points would receive 3.5% except for DPs for whom ETD's proposal is a top-up to an increase of 10.05%.

While believing the differential increase is the best option, Executive is concerned that the proposed differential initial increase still leaves ACT teachers at a salary level among the worst in the nation.

Even with the proposed initial increase, the 53% of ACT Classroom Teachers who have reached the top of the scale will remain behind their counterparts in four jurisdictions: New South Wales, Western Australia, Tasmania and the Northern Territory. They will also be behind the many thousands of Queensland teachers who pass through the soft barrier to Band 4 level. With the proposed initial increase, ACT teachers will be ahead of South Australian teachers who have passed through the soft professional barrier to access Step 9, but only until October of this year. They will be only fractionally ahead of Victorian teachers who are preparing to negotiate a new agreement. This is not a picture of national competitiveness.

Further, when compared specifically with NSW DET teachers, the proposed increase leaves ACT teachers 3.38% behind at the top-of-the-scale, 2.2% behind at SLC level, 5.52% behind at SLB level and 7.4% behind at the experienced casual teacher rate. Teacher interns will remain \$100 a day behind those employed in the Catholic system.

- Executive understands clearly that the final agreement will be a package comprising both salary and conditions. The salary outcome is an issue, but the lack of detail about many of the proposed changes makes it impossible to assess whether the conditions proposals provide offsets that may compensate in any way for the salary level. Executive and the general membership require the detail of the proposals. This should include:
  - (a) missing detail for teaching leader positions, including how the jobs are established & filled, the duties of the position (or the "menu" from which choices can be made), the effect of the position on staffing entitlements at the school - in short the parameters for the creation of the positions need to be spelt out;
  - (b) ETD's document "Classification Structure" repeatedly includes "Duties commensurate with salary" as a descriptor for promotions positions. There needs to be a clearer reference than this, which is very imprecise;
  - (c) teacher transfer - this is really a subset of "staffing matters" and there needs to be included detail of the other proposals ETD wishes to make regarding staffing procedures. For example, the previous work undertaken on staffing outside of the transfer round needs to be finalised and included; whether there is to be a round, no round or several rounds each year needs to be sorted out; including those changes being sought under the banner of



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"school autonomy", what are the changes to current processes for transfer that ETD wants - in short, a full picture of what the ETD is proposing, not just some aspects such as the changes to teacher transfer;

(d) new arrangements for principals - there still remains no detail of the proposed salary structure, tenure arrangements or appraisal process referenced in the ETD offer;

(e) Executive Principals - no transparency in the proposal. Detail is required so the proposal can be assessed. The AEU is not prepared to agree to a "blank cheque";

(f) school autonomy - the details of what exactly is intended to be implemented in the life of the agreement are unclear; more detail is required on the intersection with current arrangements; transition arrangements; protection / liability / responsibility issues;

(g) any other areas of the AEU Claim about which ETD intends to make a response, e.g. mention has been made of School Counsellors but no detail of what is to be proposed. For this and any other issue it is time to put all of the matters ETD is attempting to address on the table so the AEU can try to assess the totality of the package.

The AEU Executive gave this matter very serious and extensive consideration, but believed that without detail of the proposals where that has not yet been provided, there is little point in taking a proposal to the membership for consultation.

However, Executive remains ready to seek membership response to a proposal once the detail is provided, and hopes that as part of that process ETD will examine whether there is any capacity to further improve the salary component of the revised offer. Having heard the news reports this afternoon of the latest national CPI figures of 3.6% p.a., this aspect takes on a heightened significance.

Yours sincerely

**PENNY GILMOUR**  
**BRANCH SECRETARY**

*The Canberra Times* on Saturday 30 July reported the AEU Executive's position on the revised offer. It is possible to provide parity with NSW salaries for most of the incremental scale in the first increase, but the gaps that remain (top-of-the-scale, SLCs, SLBs, casual rates and intern rates) need to be addressed. If Government does not address these remaining salary issues in this round of bargaining, the inequities will continue and the gaps will simply open up over the life of the next Agreement, given that NSW can be expected to achieve increases of at least 2.5%p.a. under its next agreement.

AEU negotiators continue to meet regularly with ETD and to press the point that there has been progress but there is a need to look closely at the areas where serious gaps still remain, and to finalise other proposals for change.

**You can add your voice to this call by emailing Minister Barr ([barr@act.gov.au](mailto:barr@act.gov.au)) and Chief Minister Gallagher ([gallagher@act.gov.au](mailto:gallagher@act.gov.au)). The AEU remains ready to put a package to the members for consideration if the remaining salary issues are reviewed, and when the missing details concerning content of the proposed agreement are provided.**

***In the meantime, please exercise your vote in the Protected Industrial Action Ballot currently underway - and vote "YES" to all questions.***

**Penny Gilmour**  
**Branch Secretary**