



e-bulletin

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SPECIAL COUNCIL REJECTS “FOURTH & FINAL OFFER” BUT DEFERS INDUSTRIAL ACTION

AEU-ACT Branch Council considered ETD’s “Fourth and Final Offer” in the ETD Teachers’ Enterprise Agreement negotiations at a Special Branch Council Meeting held on the evening of 2 November.

Council noted that the AEU’s EA Claim was served on 9 December 2010, and that negotiations have now continued for many months. Council considered a report covering the offer, the AEU Executive deliberations of last week, a meeting with the Chief Minister yesterday, a letter from the Chief Minister received by the AEU this afternoon, and a brief discussion with the ETD lead negotiator late this afternoon. Technical difficulties prevent the upload of the Chief Minister’s letter as part of this e-Bulletin. Councillors have a copy of the letter, and it will be posted to the AEU website as soon as possible. Sub-Branches will be notified by email when it is available.

Each of the 70 Sub-Branches represented at the meeting provided a brief report on discussions in their Sub-Branch and the meeting included a substantial period of time for questions and discussion in committee.

It is clear from the Chief Minister’s letter and the discussion with ETD that there is still room to move to achieve a settlement, and Special Council took the view that this should be explored. Following a lengthy but productive discussion, Council debated two motions, one concerning the offer of 26/10/2011 and the other concerning the stoppages timetabled for 7 & 8 November.

The first motion, **Response to ETD “Fourth & Final Offer” of 26/10/2011** was carried unanimously: *Special Branch Council determines that the package offered by ETD on 26/10/2011 is not acceptable as the basis of ‘in principle’ agreement to settle the current ETD Teachers’ Enterprise Agreement negotiations.*

However, Special Branch Council believes that in principle agreement can be reached with the following changes to the offer of 26/10/2011:

1. Salary increases

The initial increases proposed in the offer of 26/10/2011 do not represent parity, but will be acceptable if:

- [a] the initial increase is effective from a date no later than 1 October 2011; and*
- [b] the increases in the second and third years are increased to a total of 7% in 2012 and 2013.*

2. Conditions matters

The following conditions must be agreed in detail prior to consideration of in principle agreement.

[a] School Autonomy

All aspects of the proposed introduction of School Autonomy must be agreed now OR, alternatively, a clause inserted in the Agreement specifying that only matters for which there is documented agreement between the AEU and ETD are to be implemented during the life of the agreement.

b) Teaching Leader

The AEU again rejects the proposal for a promotions- based Teaching Leader classification. The Teaching Leader classification should be (a) accessed through agreed rigorous standards, (b) paid to all applicants who meet the standards, (c) subject to renewal on a 5-year cycle. A condition of assessment is agreement to be placed in any school that matches the successful applicant's skills.

[c] School Counsellor/Psychologist payment

The proposed allocation of \$8000 p.a. for each School Counsellor/Psychologist to meet professional requirements is to be paid through payroll as an allowance.

[d] ICT

The following clause is to be inserted into the new EA: "A teacher's engagement with ICT in schools should be educational and not technical. Teachers should not be called upon to establish or maintain ICT equipment."

[e] Principal classification structure

The proposed restructure of current Principal classifications addresses the issue of DP relativities. However, the AEU and ETD are to establish an agreed working group to negotiate a new model of Principal classification structure. The working group is to report by 1 August 2012. If agreement is reached on a new structure, the proposal will be funded for implementation during the life of the Agreement if possible, or at an agreed date if funding is not available during the life of the Agreement.

Special Branch Council asserts that these changes are reasonable and would result in achievement of an 'in principle' agreement. Other items in the offer of 26/10/2011 – including those matters already agreed – are acceptable in the form proposed.

Special Branch Council directs the Branch Secretary to communicate this Decision to ETD and the ACT Government as soon as possible and request their urgent response.

Special Council determined that, based on the apparent capacity for movement and the determination of the AEU's position to achieve *in principle* agreement, industrial action should be postponed as a gesture of good faith:

Industrial Action

Special Branch Council has determined the conditions under which *in principle* agreement can be achieved to settle the ETD Teaching Staff Enterprise Agreement. As a gesture of good faith and confidence in the ACT Government's professed desire to achieve a settlement, Special Branch Council determines to postpone the industrial action called for 7 & 8 November and expects that finalisation of a settlement to resolve the outstanding matters will occur as a priority.

Should there be no acceptable settlement of the outstanding matters Executive is to reinstate industrial action on appropriate dates.

Special Branch Council directs the Branch Secretary to communicate this Decision to ETD and the ACT Government as soon as possible.

The AEU negotiators will now seek to achieve *in principle* agreement in the terms specified by Special Council. Branch Executive will keep the negotiations under review and will reinstate industrial action if an acceptable settlement is not achieved.

Congratulations to all members for your resolve in this campaign, and your determination to achieve a just and reasonable outcome to these protracted negotiations.

PENNY GILMOUR
BRANCH SECRETARY