



If a dispute cannot be resolved
“the FWC may then, on **application of either party: arbitrate the dispute;**
and make a determination that
is binding on the parties”.



With these words Union members achieved the fundamental right they set out to achieve 12 months ago.

On Monday 6 March I received from the CCER the final draft of the Enterprise Agreement which I believe the Union can recommend to its members. At the time of writing senior IEU officers are undertaking a

final proof reading and checking the cross references prior to our response to Catholic employers.

Deep in the body of the EA, on page 106 are the clauses which deal with resolving disputes which may arise in relation to the EA itself or the Work Practice Agreements which sit alongside the EA. Those clauses



set out the steps that must be taken to resolve disputes, (the same steps the Union has always taken) but now clearly providing either the employer or the Union to refer any intractable dispute to the umpire for a decision which is binding on the parties.

The voices of the 88% of teachers and support staff who voted NO to the

employers substandard proposal in December last year have been heard (more detail inside).

John Quessy Secretary

Your resolve pays off

Thanks to the solidarity and strength of the IEU membership, the Catholic enterprise agreement dispute has been resolved in favour of teachers and support staff.

Members now have the agreement they deserve, with the right to access the industrial umpire preserved into the future, and with all previous conditions (no trade-

offs) retained, with extended benefits to members in certain areas.

Work Practice Agreements have been the subject of much negotiation and as this edition goes to print, agreement has been reached with the dioceses of Broken Bay, Lismore, Maitland-Newcastle, Sydney Catholic Schools and Wollongong.

More certainty

These documents provide clarity at a diocesan level and give more certainty about meetings, class sizes, briefings, RFF provisions and a multitude of important issues directly related to the role of a classroom teacher.

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“Members now have the agreement they deserve.”

Continued from page 1

Carol Matthews
Assistant Secretary



Importantly for early career teachers the specific quantity of support in terms of induction and mentoring is provided.

All members should check their payslips to ensure receipt of back pay (2.5%) in January. At this point it is anticipated a vote for the agreement members wanted will take place in early April.

A further pay rise of 2.5% will flow post formal settling of the agreement which will be backdated from the first full pay period in January 2018.

More for support staff

Support staff will now be paid overnight camp allowance. Support staff are being called upon to accompany students on camps more frequently and this allowance will acknowledge that role.

Further, the calculation of permanent hours for support staff will now take place after three years rather than four. This enhances the mechanism to determine what proportion of weekly hours are deemed permanent.

IT support staff (excluding those covered by agreements pertaining to Catholic Schools Office staff in Maitland-Newcastle

and Canberra-Goulburn and those employees who work across a system of schools – generally office based) employed by a school will now be formally recognised in the agreement. This settles a long standing complexity.

Recognition of overseas teaching experience (at least three years) will assist members moving through the standards model. Teachers with a Masters level degree (moving through the Standards model) will have their additional degree recognised as five year trained status.

Child rearing recognised

Importantly, child rearing will be recognised on the basis of one year of service for each continuous three years of child rearing to a maximum of four years. Significantly, the provision covers the period immediately prior to commencing employment as a teacher or between periods of employment as a teacher.

Teachers (largely those who commenced work in 2012/2013), straddling the incremental steps and revised standards model, will skip the old step 10 and move to Proficient Level 3. This adjustment (from 1 July 2017) will assist a situation where members were caught between an old and a new method of progression.

Pre-2004 teacher workforce accredited with NESA

Mark Northam
Assistant Secretary



By now the vast majority of pre-2004 teachers should have received a kit from NESA containing a certificate declared them Proficient and an accreditation map. Details of how to maintain accreditation were also enclosed.

Notwithstanding the above, NESA has had significant technological complexities which have impacted members. Problems with incorrect addresses has also been an issue.

Importantly, pre-2004 teachers do not have to pay their NESA fee until invoiced. Members will have six weeks to pay after receiving the invoice. At this stage (given the problems NESA is experiencing with its website) it is unlikely invoices will arrive until toward the end of Term 1.

The Independent Education Union has been instrumental in refining the requirements to maintain accreditation, significantly:

- Principals will no longer have to validate teacher identified Professional Learning. Teachers will be required to complete 100 hours (50 hours is teacher identified and minimum of 50 hours should be NESA accredited PD) of professional learning in their maintenance period (five years for a full-time teacher and seven years for casuals or part timers).
- “The activities and practices that form the basis of this attestation will be comprised of processes that are in place in the school/service and will not generate additional requirements for the teacher.”**
- The requirements to submit a Maintenance of Accreditation Report at the end of each cycle has been abandoned. The TAA (a system of schools or an individual school) will determine if a teacher’s practice

- continues to meet the standards. These processes have a multiplicity of names, but will not create additional work for the teacher.
- Importantly - a teacher has to declare in the final three months of their maintenance period that they have maintained the Standards for Proficient Teachers. After the completion of the declaration, a teacher’s Teacher Accreditation Authority must attest that the teacher has maintained their practice against the Standards.
- The Union will be providing updates to members regarding the status of the NESA website – electronic Teacher Accreditation Management System (eTAMs) to ensure members suffer no disadvantage and have up to date information available.

Make a difference

Want to make a real difference to your professional life and that of others in the early childhood field?

You can contribute by becoming part of the IEU’s Early Childhood Sector council.

The Council meets three or four times a year in Sydney and the IEU will pay for a relief teacher to cover your service while you are away, as well as your expenses.

You get to meet other like-minded early childhood professionals from around NSW and the ACT and provide advice and guidance to the Union on developing early childhood policy and campaigns.

For details see page 17.

The industrial laws of Australia are broken and they must be fixed



John Quessy
Secretary



There is currently an extreme imbalance of power between employers and employees with bosses holding the whip hand in all aspects of negotiation and bargaining. This situation contributes to the growing inequality for the majority of Australian workers and their families.

Our Union is working alongside other unions and the ACTU through the Change the Rules campaign and members can expect to see much more of this catchphrase in coming months. Teachers and support staff in Catholic and independent schools are not immune to the impact of these broken rules and for our members employed in the 11 Catholic dioceses this was their lived experience during 2017.

There are numerous aspects to these broken rules. Employers can simply decide not to bargain with employees or seek to terminate existing agreements and commence bargaining with a blank canvas with previously hard won conditions abolished.

Although this was not the intention of the Fair Work Act which established very basic Modern Awards as a "safety net" and encouraged collective bargaining as a vehicle for

improved wages and conditions, it has become the norm. The number of enterprise agreements approved by the Fair Work Commission (FWC) is in decline and employers use legalistic interventions to frustrate agreement making.

In NSW and the ACT Catholic employers determined to offer employees a Multi-Employer Enterprise Agreement (MEA) last year in a bid to deny staff access to any rights to take protected industrial action. Months were spent in court before the FWC ruled they were not eligible to offer this type of Agreement and Protected Industrial Action was available to workers.

In January the Rail, Bus and Tram Union (RBTU) followed the onerous industrial action laws to the letter, balloting their members who overwhelmingly supported a 24 hour strike only to have their right to strike challenged by the NSW Government.

Despite their strike being "legal" under the law the FWC declared that proceeding with the action would be "illegal" and the Union was prevented from taking their protected industrial action for six weeks. ACTU Secretary, Sally McManus said of this decision that it demonstrated that the right to strike in Australia was "nearly dead".

However ballots are not necessary for employers to take industrial action and 175 workers at the Glencore mine in

Queensland were "locked out" of the worksite for seven months when they rejected a substandard EA offer from their employer who then shut up shop and made an application to terminate their existing EA. There was no movement from the FWC to order the employer to delay taking that action, no order on the employer to stop their industrial action.

The IEU VicTas Branch recently experienced how employers can turn bargaining into a complete farce at a small independent school. The Fair Work Act contains a provision whereby if a majority of employees ask to bargain for an EA the employers is required to bargain. The Union organised a petition of the schools employees where a majority supported bargaining. However the school opposed the application in the FWC.

The FWC asked the Australian Electoral Commission (AEC) to run a ballot of the staff but the school frustrated that process by adding the names of 45 casuals many of whom had not worked there for many years. By creating a bigger roll of prospective voters many of whom had no relationship with the school the employer was able to avoid a 50% vote in favour of bargaining. Existing employees are prohibited from pursuing a collective agreement.

It's time to change these broken rules and as a collective, we can do that.



Members in NSW Christian schools back IEU bid for better leave arrangements

Gloria Taylor
Deputy Secretary



Teaching staff in NSW Christian schools have been meeting in support of fair personal/carer's leave in the NSW Christian Schools Teaching Staff Multi-Enterprise Agreement (MEA) that is currently under negotiation by the Union with Christian Schools Australia (CSA). Negotiations have been underway since October 2017 to replace the previous MEA that expired in December 2017.

Late in 2017 the IEU received proposals from Christian employers for changes in personal/carer's leave that reduced the existing annual entitlement of 20 days to 15 days per annum. Other education sectors have also moved away from a high annual entitlement with a cap to a lower annual entitlement with indefinite accrual. Where this has occurred in government,

Catholic and independent schools, unions have negotiated significant benefits. These include a bonus 15 days personal/carer's leave on transition for existing teachers or on commencement for new teachers

to address the change to progressive accrual; more flexible forms of evidence rather than just medical certificates and longer time periods before evidence is required.

It also includes maintenance of all existing accrued personal/carer's leave; availability of leave for illness, injury, unexpected personal emergency, availability of leave for illness, injury, unexpected personal emergency or domestic violence affecting the employee or a similar circumstance affecting a member of the teacher's family and an annual entitlement of 15 days per year (accruing

progressively) with indefinite accrual.

These conditions have been under discussion with CSA and the Union awaits a further response. Of particular concern to the Union is the Christian employers' attempt to limit accrual of leave.

"Union organisers are available to assist to ensure that teachers in Christian schools are not worse off than their colleagues in other sectors."

In a recent employer Teaching Staff MEA communication to staff, the Christian employers question whether full accrual of leave "is necessary or prudent". Further the document suggests that the levels of accumulation under the IEU proposal seem "unnecessary and excessive". The employers claim that school auditors are examining these leave proposals as potential liabilities for schools.

The IEU rejects these statements. Personal/carer's leave is only available when it is required. This is unlike Long

Service Leave (LSL) or annual leave that is an entitlement that is fully paid when leaving employment. Teachers who have managed to accrue significant leave should have access to that leave if they have the misfortune to require it. This is the case in government, Catholic and independent schools in NSW.

A record number of Christian schools have responded to the IEU motion calling for personal/carer's leave in the MEA "to be comparable to personal/carer's leave that applies in other NSW schools..." The IEU asks that any chapter that has yet to meet, do so to consider the motion. Union organisers are available to assist to ensure that teachers in Christian schools are not worse off than their colleagues in other sectors.

The IEU will continue to provide updates to schools about the progress of this issue and other matters in the current MEA negotiations.



Union seeks clarity on deductions

The IEU has been advocating for members in Sydney Catholic Schools (SCS) following deductions from their leave loading after they took stop work action.

Members employed by SCS cannot rely on their pay office getting it right and need to check their pay slips for the holiday period.

At the end of 2017, an eagle eyed member working for SCS noticed leave loading had been deducted from his pay (payslip of 15 December). When he enquired, he was told

it was because he had taken part in stop work action.

The member called the Union. Initially when contacted, SCS confirmed that it was a mistake but assured the Union only one member was affected. On investigation however, the Union discovered many other members had also had this illegal deduction applied.

The Union again contacted SCS and was guaranteed a complete audit would be conducted and the matter rectified.

It would appear that over 200 employees had been incorrectly 'docked'.

Members were subsequently reimbursed in the payment made on 9 February 2018 but many appear to have been underpaid.

One member, for example, was docked \$29.55 but only reimbursed \$7.48. The Union has again contacted SCS who have said they will talk to the PHRIS team.

The IEU is disappointed by the level of transparency displayed by SCS. Members

employed by SCS need to carefully check their payslips to see if any deduction was re-credited.

Thanks to members and IEU follow up, we now believe the problem is moving to resolution.

If you find a discrepancy, contact Sydney Catholic Schools. Contact your Union organiser if the problem is not resolved.

Think twice before you delete

Over the years I have created a lot of work that now sits on the hard drive of my computer at work. It's mostly letters, forms, submissions, statements and agreements. In preparing this article I actually had a quick look and was surprised to discover that it now stands at around 9.5 gigabytes.

A lot of my time, sweat and tears went in to writing, creating, and organising this data. More effort still arranging and labelling it in a coherent way. It's hard not to feel a certain sense of accomplishment when I look back over it all. It certainly isn't perfect by any stretch, with some of it mislabelled or containing unnecessary copies or even old documents that could serve no further purpose. My email inbox is in even worse condition, with the many emails each day it's hard to keep up the administrative pace.

I've recently had cause to wonder, following several cases in which the IEU represented members in unfair dismissals, what I would do if asked to provide my work computer for inspection as part of a workplace investigation. What I might do if faced with the prospect of someone else going through all 9.5 gigs with a fine tooth comb.

I think there are a few understandable temptations. To go in and tidy up a bit, just so that I can present as organised and on top of my work. To take the opportunity to ensure that all files are in order, that old

and personal material is deleted, unclutter the emails, and perhaps try to find and discard anything that might be a tad incriminating. There's also the worry about what might happen to my saved work. I may even be tempted to keep a copy for myself to make sure that everything is safe, or so that I can use it in case I possibly get dismissed.

Forensic analysis

All of this is fairly natural for an employee who comes under the suspicion of their employer. However, the laws around intellectual property and confidentiality in an employment relationship can quickly turn these innocent efforts into misconduct. I could suddenly find myself facing a whole new set of allegations of compromising and/or deleting intellectual property and confidential information.

As a general rule anything you create in the course of your work is the property of your employer. Your programs, plans, observations, reports, even your emails may be or contain confidential information or intellectual property. Any attempts to delete, copy or alter that material without proper authority from your employer can quickly become misconduct.

Employees already under suspicion will often have their computers forensically analysed as part of the workplace investigation. The deletion, copying or

alteration of material is forensically traceable even after you have 'permanently' deleting data from a computer device. In fact, through using specialised software a computer expert can often demonstrate USB activity, files recently opened, files sent to personal email accounts, and even recently printed documents.

Suddenly the alleged misconduct that initiated the workplace investigation is secondary to the deletion or copying of data, and what may just have been a warning is turned into a dismissal. In these recent cases several members have been left frustrated after their good intentions left them stranded, having gifted their employer evidence of misconduct.

Lesson to be learned

The lesson is to make sure that you are properly authorised to delete, copy or alter material on your work computer or laptop. Check your IT policy for your obligations in maintaining data, documents and emails; check with your principal or coordinator about what you should do with old emails/and documents. If you are ever in doubt, do not delete, do not copy, but do speak with your Union organiser.

Robert Seals Industrial Officer

Removal of link between NAPLAN and HSC welcomed

The IEU was ahead of the game when it sent out a media release on 21 February calling on NSW Education Minister Rob Stokes to rethink the link between NAPLAN results and the award of the Higher School Certificate (HSC).

The Union argued that the imposed link between NAPLAN and the HSC was unpopular with parents, students, teachers and principals, and did nothing to improve literacy or numeracy in students.

The very next day the minister announced the NAPLAN/HSC link would be no more. The IEU has cautiously welcomed this decision.

Secretary John Quessy said the Union wants to find out more about the online testing regime being suggested as a

replacement for the NAPLAN required for students to be admitted to the HSC.

“Acknowledging that NAPLAN is a diagnostic test with the purpose of helping teachers assist and guide students’ learning is the right approach,” Quessy said.

“However, additional online tests could cause more stress to students and more workload for teachers and distract from HSC studies.

“We are awaiting more information from the department about what these tests will look like.

“What will be the benchmark used for these tests, how are they administered?”

“At this stage we have concerns that the relevance and integrity of the HSC as a school exit credential is not compromised.”



Young teachers priced out of Sydney housing market

Key workers such as teachers can no longer afford to buy houses in Sydney, a report commissioned by Teachers Mutual Bank, Firefighters Mutual Bank, Police Bank and My Credit Union has found.

The Key Worker Housing Affordability in Sydney, researched by the University of Sydney Urban Housing Lab, provides analysis of declining levels of housing affordability across greater and metropolitan Sydney for key workers including teachers, firefighters, nurses, police, ambulance drivers and paramedics.

The report found “if current patterns continue essential workers will remain stuck in the private rental system, unable to compete with investors and upgraders to purchase their own home”.

“The emphasis is on younger key workers who are yet to make their first home purchase and who face new affordability barriers which were not encountered by previous key worker cohorts for whom home ownership has largely been achieved,” the report said.

The report also highlights the economic and social implications of declining housing affordability for key workers in metropolitan Sydney, including the implications of the ensuing choices key workers must make. These choices include relocating to more affordable areas, facing long commutes to work, or “opting out” of home ownership in order to rent closer to employment.

Failure of regions to attract and retain key workers can generate large social and financial costs for society, the report said.

“In Sydney there is a growing spatial mismatch between where key workers live and work. Although key worker jobs are situated throughout the

“There are some locations across the Sydney metropolitan region where house prices or rents are only just out of reach for key workers, so modest interventions to improve access to home ownership could increase the extent of locations that are potentially affordable.”

metropolitan region, and particularly in inner Sydney, the majority of the metropolitan region’s key workers reside in outer ring suburbs.

“Since 2006, some inner and middle ring subregions of metropolitan Sydney have experienced a net loss of key workers meaning that more key workers left the subregion than moved in, while outlying areas including the Illawarra, Newcastle and the Hunter Valley have experienced net gains.

“Single key workers face particular barriers to home purchase. Based on median house prices in 2016, a single teacher (mid level graduate), with a slightly

higher income, would only be able to purchase a median priced home in a few locations, including Wyong, Cessnock, Lake Macquarie, Maitland, Port Stephens and Shellharbour, all of which are 50km to 100km or more from the Sydney CBD.”

The report said housing affordability for key worker groups is likely to decline further without effective market innovation or policy change. Compared to contract workers and those in less stable employment, key workers have steady and predictable incomes, enabling them to service a mortgage. However, without some intervention to improve purchase affordability, home purchase rates amongst key workers will fall.

“There are some locations across the Sydney metropolitan region where house prices or rents are only just out of reach for key workers, so modest interventions to improve access to home ownership could increase the extent of locations that are potentially affordable.”

For higher income key workers and dual income key worker households, the report said that there are a number of inner and middle ring suburbs that are only unaffordable by up to \$50,000. Market strategies (eg innovative design or products) and or policy interventions (to help secure affordable housing opportunities within new development) might be particularly effective in these contexts.



Pay rise and improvements for Pacific Group of Christian schools

After rejecting a proposed Multi Enterprise Agreement for a group of Christian schools now covered by the AIS in 2017, teachers at Pacific Hills Christian School have recently voted unanimously to approve an enterprise agreement (EA), which provides a new allowance for Highly Accomplished Teachers and others who complete a Masters degree in Christian education or Christian leadership.

Eligible teachers in the Pacific Group of Christian schools will receive an additional annual allowance of \$5500.

The new allowance, confirmed by the Pacific Hills Principal Dr Ted Boyce in a letter to staff on 9 February, applies to HAT or similarly qualified

teachers in the classroom from 20 January this year.

In the new EA endorsed by members at Pacific Hills, as for other similar schools, there is provision for annual salary increases of 2.3, 2.5 and 2.5% over the next three years.

The increases at Pacific Hills were backdated from 20 January 2018 and paid in the payroll run after 19 February.

IEU thanks the rep and members at Pacific Hills for their engagement in achieving such a positive outcome, including their participation in two chapter meetings held at the start of a busy year.

Pam Smith IEU Assistant Secretary



Saeid fights for all Australian workers

Saeid Khayam (left) with barrister Mark Gibian

On 8 December 2017 a Full Bench of the Fair Work Commission significantly increased the rights of all Australian workers who are on fixed term contracts and who are terminated by their employer.

As briefly reported on in last Newsmoth, ELICOS member Saeid Khayam was terminated on 30 June 2016 after being employed by Navitas English initially as a casual employee, and later via a series of "outer limits" contracts over a period of 12 years. An outer limits contract is one which specifies a specific end date but which allows either the employer or the employee to terminate earlier with four weeks notice.

Saeid sought the IEU's help when his contract ended and was told he would not be offered another. On behalf of Saeid, the Union made an unfair dismissal application with the Fair Work Commission (FWC). An essential requirement for running an unfair dismissal is that the termination has to be at the initiative of the employer.

The Union argued that Saeid was terminated at the initiative of the employer and therefore there was a capacity to run an unfair dismissal case. The employer on the other hand argued that there was not a termination at the initiative of the employer, rather it was a termination that occurred as a result of effluxion of time.

In May 2017 the matter was heard before an FWC Commissioner, who found that there was no right to argue for unfair dismissal. The Commissioner's decision was based on a decision of the commission's predecessor

from 2006 in a case referred to as Department of Justice v Lunn ("Lunn"). In Lunn, it was decided that if an outer limits contract employee is terminated on the last day of the period specified in the contract, then the termination is not at the initiative of the employer and the employee cannot seek a remedy for unfair dismissal.

In her decision, Commissioner Hunt identified that Saeid's situation was unfair, but that the Lunn decision constrained her, stating:

"[133] It is no doubt inherently unfair that an employee with 11 years' service on consecutive maximum-term contracts can have their employment end at a stated period of time due to the employer's concerns relevant to the employee's performance, without the employee having the opportunity to challenge the concerns."

"[135] By virtue of the maximum-term contract entered into between Navitas and Mr Khayam, he held fewer rights than a regular and systematic casual employee with at least six months' service and a reasonable expectation of on-going work."

"[136] In the same way Hatcher VP in Jin was bound by the Full Bench authority in Lunn, so too am I, and accordingly I must find that in accordance with the authority in Lunn, there has not been a dismissal at the initiative of Navitas. Relevant to s.386(1)(a), the employment came to an end due to the effluxion of time."

Saeid, again with the assistance of the Union appealed the decision to a Full Bench of FWC. The Union argued in lengthy submissions that Lunn no longer should be applied

for a number of reasons involving complex arguments including that the law have changed with the introduction of the Fair Work Act in 2009. On behalf of Saeid, the Union argued that Navitas made a deliberate and considered decision to end the employment, whilst the employer continued to maintain that Saeid's employment simply ended with the expiration of the contract. When the Full Bench handed down its decision it increased the rights for employees on outer limits contracts to be able to access the FWC so as to argue that they have been unfairly dismissed. Indeed the decision has created a series of new principles that are applied to such workers. The principles established in Khayam v Navitas English Pty Ltd [2017] FWCFB 5162 are now regularly referred to in unfair dismissal cases across Australia.

"Saeid in pursuing this matter has done the heavy lifting for his fellow teachers and Australian workers more broadly" said IEU Secretary John Quessy. "He has improved the protections and dignity afforded to a large group of Australian workers."

Saeid agreed: "I am so glad a legal precedent which may help others is the end result. There's so much movement away from people's rights and the union movement nowadays. Many more people are being put on contract, so this kind of law is needed. I'm so grateful to the IEU for sticking with this case and supporting me all the way."

Michael Wright Industrial Officer

Union endorses call for universal access to early childhood education

IEU has joined with employers, advocacy groups and other unions in urging the Federal Government to endorse the recommendations in the *Lifting the Game Report. It was heartening to see so many different interest groups come together for a common cause. It is hoped the group will develop a campaign for universal access for all children in the lead up to the next federal election.**

The *Lifting the Game Report* was commissioned by all of states to review and make recommendations to the government on the most effective method of improving outcomes for children in schools and beyond.

The review found that quality early childhood education makes a significant contribution to achieving education success in schools.

Recommendations include:

- embedding foundations for future reform and improved education and life outcomes through a commitment to ongoing, adequate funding for Universal Access and the National Quality Framework
- embedding in government policy that expanding access to quality early childhood for all children, with all three year olds having access to quality early childhood services for a minimum of 600 hours per year

- the need to have a stable well supported and professional workforce with appropriate pay and conditions
- improving parent and community engagement, and
- targeting additional support for some children to support access equity and inclusion.

As a first step all participants agreed to sign a letter to be sent to the federal minister for early childhood. The report is on the agenda for the next COAG meeting where the authors have been asked to address the ministers.

The NSW State Government has recently announced new funding for capital works in preschools, however it still underspends per child as compared to other states. It is time for both state and federal government to commit to quality early childhood education.

**Lifting our Game Report* of the Review to Achieved Educational Excellence in Australian School through Early Childhood Interventions, December 2017

<https://education.nsw.gov.au/early-childhood-education/whats-happening-in-the-early-childhood-education-sector/lifting-our-game-report>

Verena Heron Industrial Officer





Lansdowne Sub Branch



North Coast Sub Branch



North West Sub Branch



Central West Sub Branch



Marist College Kogarah



Our Lady of Mercy College Burraneer



Monaro Sub Branch



Northern Beaches Sub Branch



Riverina Sub Branch



Southern Suburbs Sub Branch



Northern Suburbs Sub Branch



Mid North Coast Sub Branch

Change the Rules for better working conditions

Members attending IEU chapter meetings all over NSW and the ACT have been throwing their weight behind the ACTU's Change the Rules campaign.

The campaign aims to improve the rules that govern industrial relations and make life fairer for working Australians.

Speaking at the IEU's AGM in October last year, ACTU Secretary Sally McManus described the rules as "really, truly broken" and said red tape was stifling workers' rights to fair bargaining.

"The Liberal Government loves deregulation except when it comes to our rights. There's so much red tape and legislation around enterprise bargaining it's not funny.

"Let's start by freeing up those rights and taking away the red tape and legislation and making things fairer."

There was record low wage growth yet profits in the private sector were up, she said.

"We need to make sure everyone pays their fair share of tax and make sure working people and their unions have better and stronger rights and make sure there's fairness in society.

"We need everyone to be part of the Change the Rules campaign to fight for our basic rights and bring fairness back."

As part of its campaign the ACTU carried out its largest ever survey, of nearly 60,000 workers including cleaners, teachers to miners and construction workers (SMH 2 March 2018).

The survey of 57,959 people – 90% of them union


members was conducted from September 2017 to February 2018, primarily online.

McManus said the results could be boiled down to two main themes: Australians want more secure jobs and fair pay rises.

"They want pay rises that not only keep up with the cost of living but pay rises that are a fair share of productivity gains and profits," she said.

The ACTU will be making its claim in coming weeks. It called for a \$45 a week rise last year, triple the previous claim. The Fair Work Commission subsequently awarded a \$22.20 a week increase.

https://www.australianunions.org.au/change_the_rules



Present tense: The future for post secondary education

Kendall Warren
Organiser



This might or might not be an election year, but it is increasingly clear that all the major parties are getting ready. One area where the Labor Party recently announced some policy is in the area of post secondary education.

If they are elected, a Labor government will set up a wide ranging, 'once in a generation' enquiry into all areas of post secondary education, including universities, TAFE and the private college sector.

The precise terms of the enquiry are yet to be finalised, but the ALP is pitching this as an opportunity to put TAFE on the same footing as universities and presumably put less emphasis on private providers.

The next federal election can be held from any time after early August, until mid May 2019, and Labor has stated that they would have this enquiry up and running in the first 100 days of any change of government.

Change the rules

Another area where there is likely to be some significant policy differences between the major parties is in the area of industrial relations. The ACTU has been running hard with a campaign to Change the Rules, arguing that the current industrial framework of the *Fair Work Act* is to skewed towards employers, making it hard for workers to get fair outcomes.

We have certainly seen this over and over in the post secondary sector, with a heavily casualised workforce often unable or unwilling to take action against their employers as a way of pushing for workplace improvements.

The ALP has made some encouraging noises in this area, though we are yet to see much in the way of detailed policy. To keep the pressure on the Opposition, you can get involved in the ACTU's campaign – go to www.australianunions.org.au/change_the_rules.

Agreements and bargaining

Your Union continues to fight for improved outcomes for members across the post secondary sector, and

bargaining has continued at many centres. Negotiations are close to finishing at Taylor's Academic English Program (AEP), which seems likely to lead to some good improvements in both salary and conditions. Your Union has recently concluded negotiations at SELC and APC, which saw some good salary increases and other improvements in both centres.

In the coming months, the IEU will commence negotiations with Navitas English, home to over 70 IEU members. The IEU has been consulting with members and has put together a Log of Claims, which was presented to management in early March. The claims include improvements in salaries and many conditions and will hopefully lead to an improved agreement in the next few months.

Your Union will commence negotiations at several other colleges (including EF, SCE, Access, Embassy English, Kaplan, and UoW College) later in the year. The *Fair Work Act* contains provisions which can force employers to the negotiating table, with the eventual aim of creating an enterprise agreement – enterprise agreements typically

contain better salaries and conditions than the award. To find out how this might work at your centre, contact the IEU.

International student boom

Notwithstanding that wages growth in Australia over the last few years has been rather flat, this might be a good time to bargain for improvements in post secondary colleges. New government figures are indicating that the numbers of international students coming to Australia has greatly increased in recent months.

Figures from the Federal Education Department show that there were nearly 190,000 applications from abroad for study in the second half of 2017, an increase of over 14% in the same period in 2016.

This suggests that there is some credence to early theories that the effect of Brexit and Trump (two phenomena heavily influenced by concerns about immigration and 'foreigners') might push potential applicants away from traditional powerhouses of the US and the UK, towards perceived 'safe' destinations, like Canada, New Zealand and Australia.

NESA's accreditation woes

Amy Cotton
Professional officer



Are you waiting for your accreditation welcome packs, emails with log in details or invoice? Have you been unable to submit your accreditation reports or upload professional development?

NESA has experienced ongoing technical problems since 7 December 2017 and is still working to resolve these. IEU is in daily communication with NESA about these issues.

At this time, the Union advises members to just relax, teach as normal and wait. No teacher's accreditation should be suspended because of NESA's technical problems. That is, NESA's issues should not affect our members adversely. NESA has been extending timelines

and accepting paper copies in lieu of online uploads in the meanwhile.

Maintenance of accreditation

IEU will be running constant PIP: Maintenance of Accreditation courses throughout 2018. To book, visit our PD/Training page on the IEU website.

What you need to do:

- All teachers have five years (full time) or seven years (part time or casual) to maintain
- You have to complete 100 hours of PD in a maintenance period: 50 hours must be NESA Registered or approved further undergrad/postgrad study and the remainder can either be NESA Registered, undergrad/postgrad, Teacher Identified PD, or professional commitment activities

- You enter this on your NESA account (when it's working again). For now just keep a copy elsewhere
- You are not required to write a maintenance of accreditation report (as of 1 January 2018)
- You need to practice against the Standards, that is teach, during your maintenance period and declare that you have done this, and
- Your Teacher Accreditation Authority will then attest that you have practiced against the Standards satisfactorily.

For video advice, go to the IEU Facebook page <https://www.facebook.com/ieunswact/videos/1623157807722114/>



Principals more stressed than ever

A worrying trend of increasing stress, workload and verbal and physical assaults faced by school principals has been revealed in the seventh annual Australian Principal Occupational Health, Safety and Wellbeing Survey.

The 2017 report, carried out by the Australian Catholic University, found principals experience stress at a rate 1.7 times higher than the general population.

They experience burnout 1.6 times higher, depressive symptoms 1.3 times higher and problems sleeping 2.2 times higher than the general population.

Forty-four per cent of principals reported receiving verbal threats of violence, predominantly from parents and students; 34% reported being victims of bullying (by parents predominantly) and 36% reported being the victims of physical violence (by students predominantly).

These statistics are up on the 2016 report. Since its inception in 2011, 5580 principals from all school sectors have participated.

IEU uses the findings of this survey to advocate for principals with employers and policy makers.

The Union has a dedicated Principals convenor, Pam Smith, and runs a Principals Sub Branch where principals can meet to share their concerns and advocate for themselves.

IEU Secretary John Quessey said that while undertaking a similar survey among teachers and support staff would be logistically difficult, the findings were likely to be similar.

“Those abusive parents and students would most likely have been encountered by a member of the support staff and/or a teacher before they reach the principal,” John said.

“This worrying culture of abuse and stress affecting principals is a whole school problem.”

The survey also found principals are working more and more hours, with 53% reporting working more than 56 hours a week, and 27% working more than 61 hours a week.

Principals cited the sheer quantity of work expected of them as their greatest stress. A lack of time to focus on teaching

and learning came a close second.

On the positive side, the survey shows principals are committed and passionate despite their working conditions.

Ninety per cent reported being passionate about their work, and they have significantly higher job satisfaction than the general population.

The report puts forward 15 recommendations aimed at government, employers, community, schools, individuals and researchers. They are unchanged from the 2016 recommendations.

Key recommendations include:

- governments should abandon short term educational fixes and concentrate on collaboration, creativity, trust based responsibility, professionalism and equity
- employers must reduce job demands and increase resources available to principals to perform their jobs
- unions and professional associations should coordinate and speak with

one voice to harness the influence of their collective members

- the community must stop offensive behaviour as it permeates schools and all front line professions, and community members should support their local schools in any way possible, and
- educators should take responsibility for finding a healthy work/life balance.

The full report is available at http://www.principalhealth.org/au/2017_Report_AU_FINAL.pdf

Parts of this article first appeared in The Conversation: <https://theconversation.com/bullying-threats-and-violence-report-details-the-difficult-job-of-a-principal-92011>

“This worrying culture of abuse affecting principals is a whole school problem.”

Union values resonate

The Australian Bureau of Statistics in the graph (courtesy of Unions NSW) will not surprise IEU members. Campaigns across all sectors of the union movement have ensured relevance.

IEU members will recall the protracted Catholic systemic schools campaign to achieve an arbitration clause which provided an explicit provision for either party (employer or union) to notify a dispute to the Fair Work Commission when all other attempts at resolution have not met with success.

Salary and wage outcomes have been constrained by NSW government policy in terms of the 2.5% public service salary cap. It's time for this artificial cap to be lifted.

Comments by the Reserve Bank of Australia in 2017 and 2018 indicate low wage growth and job insecurity are dragging on the economy.

The Reserve Bank Governor Philip Lowe reports (speech to Anika Foundation, July 2017),

that “the persistent slow growth in wages is creating a challenge for central banks”. It's a challenge for unions as well.

A survey by the ACTU of nearly 60,000 workers is neatly summarised by ACTU Secretary Sally McManus when she states that Australians “want pay rises that not only keep up with the cost of living but pay rises that are a fair share of productivity gains and profits.”

Collective action by the union movement in the Change the Rules campaign will assist workers by ensuring that the laws governing industrial action are reviewed and reassembled in a manner which does not thwart action.

Currently the laws determining the taking of protected industrial action are convoluted and designed to constrain. A rebalancing is required.

Mark Northam Assistant Secretary

UNIONS GROW 2014-2016



525,400
union members in NSW



30,000
new members

Members at-a-glance



\$1,211

Average union member weekly salary



\$1,000

Average non-member weekly salary

All data supplied by the Australian Bureau of Statistics



Your behaviour: In and out of the workplace

Most people think that their behaviour outside of the workplace is just that: independent to the workplace. It is often surprising to find out that activities that you participate in, outside of work, may cause you to lose your job.

Did you know that even after your working day is over, your actions – in the real world or on social media – can sometimes be linked back to your employer? It's a scary thought, but very real. Many people don't realise how serious this can be, so we're going to look at what you can do to make sure you stay on the right side of this very blurry line.

Companies have previously disciplined employees for out of work conduct with mixed success, but the rise of social media platforms have made out of work conduct more pronounced and easier to monitor. We are living in a time where technology is evolving faster, and the courts are under pressure to adapt.

Up until now, the Commission has applied a 'test' created in 1998 to work out whether your conduct is connected to your employment. [1] Social media has exploded with the rise of Facebook in 2004, and sites like Twitter, Instagram and Snapchat. No wonder there is confusion about our modern behaviour. The Commission and

employers are navigating their way through the evolution of technology, but they are applying a test that was created before the social network platform explosion. Employers are now more likely to have workplace policies about social media usage.

Employers are expanding behavioural codes to try and increase their reach over employees. For example, in August last year, it was revealed the Turnbull government wanted to introduce policy that limits a public servant privately liking or sharing material critical of the government. The CPSU was vocal raising strong and valid objections to such over-reach and limitation on freedom of speech.

Recent cases show that whether you're on your smart phone, or having a few extra drinks with workmates on a Friday night, what you do in those moments can have a serious effect on your employment, if your behaviour or actions can be linked or connected to your employer, and their public image.

For example, in a recent case, an employee was dismissed for his conduct following a team building event. The employee became aggressive toward workmates and made inappropriate comments to a female colleague during a cab ride after the event. Even though employee's actions

occurred well outside business hours, the Fair Work Commission found that there was a sufficiently strong connection to employment and supported the termination of the employee. [2] The Commission has been consistent in applying the 'connection test' [3] to decide if this conduct is sufficiently linked to your employment. It is looked at in an objective manner, and this connection has been found to include your breaks in employment, such as the time between split shifts[4]

A recent decision [5] considered if serious damage to an employer's brand is a valid reason for dismissal, for example, where an employee made comments in an online forum with regard to internal processes. The Commission decided that this should have been a disciplinary matter dealt with by the employer (ie warning, suspension) and should not have resulted in termination.

Now, any employee reading this might worry that their employer is watching their every move, just waiting for an opportunity to terminate their employment. This is not so. Many things an employee chooses to do will have no relationship or connection to their employment.

However, as employment lawyers, we see many cases of employees being dismissed

because of inappropriate behaviour in the workplace, and afterhours. Christmas is the peak season for many of these situations, as employees start to attend Christmas and New Year's Eve parties fuelled with alcohol. That one social media post to the world, that one inappropriate comment to a colleague, might be the very thing that causes you to lose your job. Social media leaves a digital record that is hard to erase. The reality is that the line between the personal and professional is getting more and more blurred but it's still important not to readily concede that out of work conduct is connected to employment.

- [1] Ross v Telstra Corporation Limited (1998) AIRC 1592.
- [2] Rogers v Allianz Australia Services Pty Ltd T/A Club Marine Insurance (2017) FWC 537.
- [3] Ross v Telstra Corporation Limited (1998) AIRC 1592.
- [4] Anthony Farquharson v Qantas Airways [PR971685] 10 August 2006.
- [5] Daniel Starr v Dept. Human Services [2016] FWC 1460.

From Maurice Blackburn Lawyers



Students flock to Union stall at EdFest

The annual EdFest held by Western Sydney University (WSU) was buzzing with enthusiastic students undertaking their tertiary studies in education.

The day attracted students from early childhood, primary and secondary education who were very keen to obtain as much information as possible about their careers and their rights at work.

IEU spoke to early childhood teachers about the industry, diversity of employers, and the variety of salaries that cover employees, with particular attention given to how much better paid teachers were when they enjoyed well protected entitlements in a unionised workplace covered by an enterprise agreement. The Union's pay parity case for early childhood teachers was also highlighted.

Primary and secondary students learnt about the diversity in non government schools, and the variety of salaries and conditions depending on the enterprise agreement that covers a particular workplace.

The students were astonished that starting salary scales in unionised schools were \$20,000 higher than workplaces without a Union EA in place, where only the basic National Employment Standard was met.

Organisers highlighted the need to be a Union member, especially new teachers who may be experiencing difficulty in their schools, and who may have limited knowledge of their entitlements, such as personal or maternity leave, assigned breaks, release time, class sizes, the processes of accreditation or time allocated for mentoring.

Having a Union organiser allows new teachers to gain correct information about their workplaces, and organisers often play a pivotal role in taking the awkwardness out of having conversations with deputies or principals about rights and obligations.

The day was a huge success with organisers answering a myriad of questions from curious and excited students. It was particularly insightful to gauge how much education students knew of their industry and their rights at work; we hope that the day empowered students and provided essential guidance as they embark on teaching tomorrow's generation.

Lubna Haddad Organiser



Freshers get a lesson on workers' rights

IEU set up a stall at O Week at the University of Wollongong. It was an opportunity to educate both young and mature age students about minimum rates of pay, wage theft, workers' rights and the what the Union does in support of members. A number of education students joined the Union, so time was well spent. Organisers at the stall said it was a popular attraction for students.

New recruits strengthen IEU team



Three new organisers have recently come on board to offer their services to IEU members.

Patrick Devery began his teaching career in 1989 at Mt Carmel Catholic College, Varroville and spent some time at St Gregory's College in Campbelltown before embarking on the 'obligatory' overseas odyssey.

He worked as a semi professional trumpeter before returning to St Greg's in 1994, and then moving to St Mary's Cathedral College Sydney, where he became curriculum coordinator.

More recently he has been teaching casually and working as a timetabling consultant.

Pat is no stranger to IEU circles, having served on IEU Executive for 10 years, as well as serving as a rep and branch president.

"I got the sense that the employer was reluctant to give any ground and the Union was the only driver of any improvements to industrial conditions in the workplace.

"As a young teacher I enjoyed feeling like I was part of a decision making body that could effect change."

As a full time IEU organiser, Pat hopes to empower and inspire members to engage with the Union, and understand that they are the Union, and that its success relies on their input.

"Now that all teachers, pre-2004 and early childhood, must do accreditation, I feel like there are some things that can be done industrially in the professional development space," Pat said.

Some members may also know Pat for his work with the annual school bands festival, a non competitive event which attracts 320 bands and 10,000 students every year.

Former high school English teacher Aidan Anderson has unionism in his DNA, with his great grandfather a 50 year financial member of ABTEF, and his mother an active PSA delegate who strongly influenced him to get involved.

Broad background

Aidan began his teaching career in 2013 in Broken Hill, and has since taught in inner city Sydney schools, primary schools and at university, so he has a broad background in education.

"Teaching is an all consuming profession and the IEU is so well positioned to assist teachers and support staff."

Recently he has been combining PhD studies with some casual teaching and lecturing at university.

He's looking forward to helping members negotiate the more complicated side of industrial issues and generally building up an active membership base in schools and centres.

"I want to build union culture, especially among young teachers and support staff who may not be aware of the history and benefits of unionism."

Professional voice

Valerie Jones began teaching in 2005, fulfilling a lifelong dream that along the way saw her involved in education

in a variety of roles from school office administration to a school support officer in a special education unit.

After training at a tertiary Christian education institution, Valerie had her first posting in the Christian sector in New Zealand in 2005 at a junior high school.

In 2006 she and her husband moved to Australia as new scheme teachers and joined the Diocese of Wollongong, where she taught in three primary schools.

She became the IEU rep pretty soon after arriving in Australia.

"The rep, who was leaving, saw a passion in me and asked me if I'd like to take over.

"I just wanted to be a voice for the teaching professional."

Valerie served as the South Coast Sub Branch rep, president, on Council and on the BOSTES (NESA) Primary Curriculum Committee.

With 10 years' experience as a rep, Valerie has worked alone and on a committee, and she will use this experience to advise and support reps and members.

"It wasn't a hard decision for me to apply to the IEU. I see it an extension of what I've been doing in the classroom and as a rep.

"Teaching is an all consuming profession and the IEU is so well positioned to assist teachers and support staff. I have a great belief in supporting those, who for whatever reason, feel they don't have a voice.

"There's so much the IEU can do to make things easier for teachers, as teaching is a very tough job."

Sue Osborne Journalist

IEU gives teachers and support staff access to...

- ✓ better pay and conditions
- ✓ a professional voice: through representation, social media and advocacy
- ✓ industrial advice and support
- ✓ support and payment recovery: in the last five years IEU recovered nearly \$20 million for members
- ✓ PD on wide range of topics: teachers, keep your accreditation up to date
- ✓ a strong network: industrial and socially aware teachers and support staff in your workplace, region, state, Australia and globally
- ✓ representation in industrial tribunals and courts on work related matters
- ✓ publications: professional journals plus newspapers
- ✓ teacher exchange: spend a year working overseas
- ✓ member benefits: Teachers Health Fund, NGS Super, ME Bank and Teachers Mutual Bank services, discounts through Union Shopper.

**JOIN THE
UNION
TODAY**



www.ieu.asn.au

On parental leave – check your payslip

At the start of each school year, many new parents begin a period of parental leave. The IEU advises that all teachers and support staff taking parental leave check their first payslip carefully. An eagle eyed IEU member who works as a teacher in a Catholic systemic school contacted her Union after discovering something strange in her payslip – she was being paid much less than she should have been while on parental leave.

Following some investigation by the member and her Union, the member was told by her payroll administrator that she was mistakenly being paid at a part time rate because she had undertaken a flexible work arrangement to reduce her working hours prior to taking parental leave. Instead of the 1.0 FTE she was entitled to receive, she was only being paid 0.2 FTE.

The mistake was made because of a misinterpretation of the Catholic Systemic Enterprise Agreement (EA), specifically Clause 38.1 (b), which stipulates that:

“Paid parental leave will be paid for 14 weeks at the rate of pay the employee would have received, if the employee had not taken parental leave. For example, where an employee is on flexible working arrangements at the time of taking parental leave, the rate of pay will be at the rate at the time of taking the leave, ie the FTE or hours of the temporary arrangement rather than the permanent FTE or hours of the employee.”

Because the member’s temporary flexible working arrangement had concluded at the time she began parental leave, and therefore she was back on her permanent 1.0 FTE workload, she was entitled be paid at the 1.0 FTE rate, as this is how much she would have been

working if she was not undertaking parental leave.

It’s important to note that not all enterprise agreements (the document that covers your pay and conditions) are the same, so be sure to check your relevant EA or ask your Union for advice if you’re concerned about being underpaid while on parental leave. Additionally, the individual circumstances of employees may be different to the above case, leading to a different outcome.

Thankfully this particular error has now been rectified, and the member is back on the 1.0 FTE rate she is owed while on parental leave. Raising a baby is hard enough without having to worry about payroll errors!

Aidan Anderson IEU Organiser



30 years strong

Lyn Coleman works at Cronulla Preschool Kindergarten and was presented with her 30 year badge at a full staff meeting with afternoon tea provided by the Union. She said the time has flown.

“It’s hard to believe that it has been 30 years!”
The Union is very grateful to have a strong base of

long term early childhood teacher members, members who have supported their Union allowing it to do work such as the Equal Remuneration Case for early childhood teachers.

Anne Lajoie Organiser



You’re invited to the South Coast Sub Branch women’s forum

Welcome and introductions

Kerrie Piatek Principal of Corpus Christi Catholic High School and member of Wollongong Diocese Workplace Gender Equality Committee

IEU Women and Equity Agenda 2018: setting the context Pam Smith, convenor IEU Workplace Gender Equality Committee

Guest Speakers: Samantha Cockcroft and Jessica Kinna Connecting Workplaces, Families and the Community through Little Lights Playgroup

Wollongong Diocese Workplace Gender Equality Committee update

Discussion - Advancing Women and Equity Issues in your Workplace and Beyond

Thank you and close - Tina Smith and Valerie Jones, South Coast Sub Branch IEU Organisers.

Date Wednesday 28 March 2018
Venue Corpus Christi Catholic High School
100 Industrial Road, Oak Flats
Time 4.45pm-6.30pm
Cost Free for members
\$20 for non members
Refreshments will be served.
RSVP Franca Castellano on 8202 8900
or email franca@ieu.asn.au by 26 March 2018





IEU members and officers joined with the community to celebrate International Women's Day throughout NSW and the ACT. A variety of events brought diverse communities and causes together for IWD 2018, here are just some of them.

Some of the IEU staff's favourite women authors

In celebration of International Women's Day, IEU staff discussed their favourite women authors.

- Jennifer Egan, *Manhattan Beach*. Set during the Great Depression in Brooklyn this novel follows Anna as she becomes the first female diver in a ship repair yard against a noir setting of organised crime, class clashes and a male dominated world.
- Ursule K Le Guin, *The Left Hand of Darkness* and *The Dispossessed*. These two novels use the framework of science fiction to explore the power of gender (former) and capitalism/individualism/collectivism (latter). Le Guin writes with the fluidity of a poet and every page is something to savour.
- Arundhati Roy, *The God of Small Things*. Fraternal twins experience the world in very different ways in a novel that explores the caste system, cultural tensions, discrimination and basic human emotions like love and betrayal.
- Kate Grenville, *The Secret River*. An Englishman is transport to Australia for theft, and colonises land already inhabited by Aboriginal people. This is a book exploring the interactions between Aborigines and settlers, and Grenville said "[this] is my way of saying: this is how I'm sorry".
- Elizabeth Strout, *My Name is Lucy Barton*. Using an unreliable narrator, this novel recalls incidents that occurred over five nights in the 1980s and questions the validity of memory and affect a collective denial has on a single person's memory.
- Margaret Atwood, *The Handmaid's Tale*. The powerful mini series based on this book has brought this dystopian novel back to the limelight. The only question now is whether the book is speculative fiction or a guide for misogynist tyranny?
- JK Rowling, the Harry Potter series. Fanciful, humorous and at times biting sad, these children's books changed the world. Take time for another read to appreciate the analogy of fascism and racism that Rowling wove into her stories, and the focus on caring for each other. Hermione Granger is one of the most influential young women characters in recent YA fiction.

Who is your favourite female author? Let us know at newsmonth@ieu.asn.au

Friday 24
AUG

2018 IEUA NSW/ACT
WOMEN'S CONFERENCE

**CHANGING THE RULES
FOR WORKING WOMEN**

AND FOR OUR STUDENTS IN
THEIR FUTURE WORKPLACES



Labour bites



Vale Andrew Casey

Regular readers of this column will be aware that for more than a decade it has reached far and wide in its scope of national and international news items all with a trade union flavour. Some might also be aware that my source for the majority of these stories is the LabourStart website www.labourstart.org. The most prolific contributor to the Australian LabourStart page was committed trade unionist Andrew Casey.

Andrew, aged 64, collapsed and died suddenly in Sydney on 1 February. Among the thousands of tributes ACTU Secretary Sally McManus described Mr Casey's death as "an immense loss to the union movement". "Andrew was the kind of unionist we all aspire to be — he lived union values every day, giving his experience, his wisdom and his time to improve the lives of working Australians," she said.

A former journalist, media adviser and political activist, Andrew spent his early career as a journalist with *The Sydney Morning Herald*, becoming well known as the paper's industrial relations reporter and later served as education reporter. He went on to the ACTU in 1988 as its inaugural media officer when Bill Kelty was the organisation's secretary and served under successive ACTU presidents Simon Crean and Martin Ferguson as the man behind them as public spokesmen for the organisation.

In recent years Andrew retired but he remained committed to online reporting for international labour networks. He will be remembered as a true believer who was devoted to trade unionism and human rights causes. (Source: *The Australian*)



Spotless wage thieves

In a landmark ruling, the Federal Court has found today that a Spotless subsidiary failed to meet its obligations under the NES to provide notice and severance pay to employees — some with 15 to 20 years service — when it lost a longstanding services contract at a major shopping complex.

The company claimed that it escaped the severance pay obligation because of the exception that applies when employees become redundant

and "this is due to the ordinary and customary turnover of labour". However Justice John Reeves ruled against the company's construction of the provision.

He said the company would be required to pay notice and severance pay to the employees, plus interest.

United Voice, which brought the case, says the employees missed out on \$200,000 in total and the longest serving employees will be entitled to payouts of up to 21 weeks, plus interest, the union says. (Source: *Workplace Express*)



Massive wealth v trade unions

A 20 year campaign by right wing billionaire donors to undermine trade unions and strike a blow at the progressive movement in America comes to a climax soon, in a hearing at the US supreme court.

The nine justices of the nation's highest court will hear arguments in *Janus V AFSCME*, a case that has the potential to strip unions of a major source of income. Should the court rule against the public sector unions — as many fear it will — they stand to suffer a decline in their 7.2 million-strong membership, and with it the withering of their political strength.

Conservative activists and think-tank's, backed by corporate donors including the Koch brothers and the Bradley Foundation, have long been preparing for this moment, as part of a larger campaign to tilt the democratic process to the right. In just the past four years, the supreme court has considered three challenges to public sector unions.

At the heart of the *Janus* case is whether trade unions can legitimately charge all public employees a portion of the costs of collective bargaining, on grounds that every worker, and not just union members, benefits from negotiated higher wages. Such 'fair-share' fees are currently allowed in 23 states, and were approved by the US supreme court in 1977 in *Abood v Detroit Board of Education*.

Randi Weingarten, president of the American Federation of Teachers, said the Bradley Foundation's aim was to create "a monopoly on economic and political power. They want the playing field entirely to themselves". (Source: *The Guardian*)

Compiled by

John Quessy
Secretary



Canadian newcomers tackle steep learning curve

Team teaching and seeing the Great Barrier Reef were among top experiences highlighted by a group of 20 exchange teachers new to Australia: 18 from Canada and two from the UK.

The group, along with teachers on exchange to public schools, gathered at the Department of Education head office at Bridge St, Sydney recently for a crash course on the finer points of the NSW and ACT accreditation systems, tax, curriculum and a few choice Aussie slang phrases.

Terry and Caroline Cox were very fortunate to find a double exchange for the second time running. The teaching duo exchanged to Perth in 2014 and are now repeating the experience in Port Macquarie.

They hail from Goderich Ontario — Terry has exchanged to Mackillop College in Port Macquarie and Caroline is at St Agnes Primary School, in the same town. They have brought their three children out on exchange once again to experience life on the east coast.

Terry will teach Phys Ed and he said adding an international set of rules to his repertoire was a bonus.

"The kids like it when I put a North American twist into their games, and I get to take new ideas back to Canada."

Caroline said primary teaching in Australia was more structured, but also more collaborative.

"The staff are very supportive and you work as a team. In Canada you do more of your own thing."

Colin Tinga loved his first exchange so much he's back to repeat the experience all over again, just a few years after the first time.

Colin, from British Columbia, has once again swapped his PE role with Mark Steele at Central Coast Grammar School; the same exchange partner and the same school.

Colin said the Central Coast was 'lovely' and the principal supported him returning to the school. His children have also returned to the same school they were at on the first exchange.

"This time I know the system better, so I hope to do an even better job."

Colin understands the rules of cricket, it should be noted.

Suzanne Rea, from British Columbia, is looking for new challenges and a refresh after 18 years of teaching.

She's taken on primary teaching at St Francis Xavier Primary School in Woolgoolga, which she says is a bit similar to her home town of Courtenay, but the shops shut earlier.

"Don't try and buy anything on a Friday afternoon, that's what I've learnt," she said.

She said the "way things are lined up" are different at her exchange school, especially as she's in the public system in Canada.

"It's a big learning curve, the team teaching and collaboration is different, but everyone is really nice at the school."

Marilyn Van der Ster from Ontario loved Sydney so much the first time she visited she named her daughter after it.

Now she's back on exchange to show Sydney what she's named after. Luckily, she loves the city.

Teaching Year Six at St John Bosco Primary School Engadine, Marilyn said the staff are wonderful and she is loving

learning new things, but there are too many long meetings and too much planning time. Most Australian teachers would heartily endorse those comments!

She's also loving the coastal town of Helensburgh, where the neighbours have been hospitable.

French speaker Lizanne Girourd

from Ecole Secondaire Monique-Proulx in Quebec, usually teaches English as a Second Language, but she's teaching primary classes at St Paul's Primary School in Rutherford.

Her class has written a note saying how excited they are to get a French speaking teacher, so every morning she introduces a few phrases like 'comment ça va' etc.

She's on a steep learning curve with the Aussie vernacular, trying to work out why people say 'I reckon' all the time.

Nicole Thauvette of Alberta and her exchange partner Nicole (Nikki) Valleri from St Agnes Catholic High School, Rooty Hill, have a lot more in common than their name.

The art/photography teachers also look similar, are close in age, live in similar apartments and even have the same bedspread.

That's where the similarities end though, as Nicole finds her class quite different, with their uniforms and curriculum.

"There's a lot more theory and essay writing involved. If I can take some of that theory and combine it with the more practical way we teach in Canada, I could come up with the perfect art curriculum."

If you'd like to find out more about teacher exchange see <https://www.ieu.asn.au/teacher-exchange> or contact Exchange Coordinator Helen Gregory helen@ieu.asn.au



Tonbridge is a wonderful school and the exchange has been a great chance to compare Newington with this one to see what the differences are and which ones are positive and which we can seek to emulate a little more.

The fact that it is a boarding school – and very much operates along those

lines (although there is quite a large day boy population) means the days are extremely long (8:35-6pm teaching hours) and Saturday school makes the weeks even longer. Or the weekends shorter, I can't tell which. Having said that, having a break halfway through a term is luxurious and the days have plenty of time in them

– in Sydney we rush from one lesson to another, taking bits of lunch and break for catching up on work, ruled by bells. Here the pace is slowed, there is an inordinate amount of time for lunch (sit down, cooked lunch, of course) and the boys have time set aside to change into sports gear, time to travel between classes and even their own

'pursuits' time, which can be used for catch up classes, or running little hobby groups etc.

Ben Williams of Newington College, Sydney is on exchange at the Tonbridge School in the UK.

ACT Reportable Conduct Scheme update

On 2 November 2017 the Chief Minister of the ACT Government presented the Reportable Conduct and Information Sharing Legislation Amendment Bill 2017 to the ACT Legislative Assembly which, was passed on 30 November 2017.

The Bill notified amendments to the ACT reportable conduct scheme including:

- an explicit requirement for entities to have practices and procedures to deal with
- reportable conduct and information handling
- allowing an entity to proactively share information with another entity
- clearer information sharing provisions between child protection and other oversight or
- regulatory bodies, and
- a broadening of the definition of employee, to include individuals within another entity
- providing services to children for a designated entity (i.e. the employee of a contracted firm) and

- changes to the scope of the health services sector covered by the scheme.

Further, in response to the recommendations contained in the final report of the Child Abuse Royal Commission, which was presented on 15 December 2017, the Crimes Legislation Amendment Bill (No 2) 2017 was introduced into the ACT Legislative Assembly Parliament on 30 November 2017 to expand Grooming offences in the ACT.

Under the proposed ACT amendments Grooming would cover conduct:

- committed by a person, in person or 'by any other means' to encourage a young person to commit or take part in a sexual act
- with a young person with the intention of making it more likely that the young person would commit, take part in or watch someone else commit or take part in, an act of a sexual nature. Examples include requesting

that a child take photos of themselves and provide them to the accused, and

- with a person who has a relationship with a young person with the intention of making it more likely that the young person would commit, take part in or watch someone else commit or take part in, an act of a sexual nature. Examples include encouraging an adult responsible for a child to leave the child alone with the accused.

IEU encourages members who are the subject of a 'reportable conduct' allegation or other work related allegations to immediately seek advice by contacting their IEU Organiser or myself, Russell Schokman, IEU Policy Advisor on 8202 8900 or the toll free number (for country members) 1800 467 943.

Russell Schokman Policy Advisor

World renowned Finnish educator appointed a Professor of Education at UNSW Sydney

World renowned Finnish educator Dr Pasi Sahlberg has been appointed a Professor of Education at UNSW Sydney and will work with the University's new interdisciplinary institute focussing on educational access and excellence, the Gonski Institute for Education (GIE).

Dr Sahlberg, a former director general at the Ministry of Education and Culture in Finland and a visiting professor at Harvard Graduate School of Education, whose book *Finnish Lessons* has been widely read around the world, will begin working at UNSW this month in a part time capacity before relocating to Sydney in September to begin full time with the University.

He will initiate and lead international comparative research projects on education and equity, and education leadership, including courses in Master of Educational Leadership and Doctor of Education programs, as well as supervising students. He will also establish and lead applied research impact labs to improve the quality of teaching and equity of education outcomes.

Dr Sahlberg's research on education policy, especially around equity, is highly

regarded here and overseas, says UNSW President and Vice-Chancellor Professor Ian Jacobs.

"The appointment of Professor Sahlberg is a huge coup for the University and the Gonski Institute but more importantly it is a huge coup for education research in Australia," Professor Jacobs said.

Professor of Practice at UNSW and GIE Director Adrian Piccoli says Dr Sahlberg's research leadership will be invaluable



"Do Australian teachers and students spend too long in the classroom? The education expert behind Finland's education revolution says Australians try too hard to be good in global rankings and working longer hours doesn't achieve that. In Finland's system students start school later and have shorter school hours." ABC, Sunday 4 February.

in establishing the GIE as an education powerhouse.

"Dr Sahlberg's work on enhancing our understanding of international education has helped shift education policy focus around the world, including in Australia,

from standardisation and educational segregation to equity and inclusion," Mr Piccoli said.

Dr Sahlberg is looking forward to growing professionally together with colleagues and students at UNSW.

"I am very excited about this opportunity to be part of the UNSW community," he said.

"Australia is one of the leading education systems in the world and the opportunity to enhance equity of education here through

Bellagio Resident Fellowship in 2017.

He has a long career in education ranging from teaching middle and high school mathematics and science in Helsinki, educating teachers and leaders, and serving the World Bank and the European Commission as an education expert.

He chairs the Open Society Foundations' Global Education Board and is a member of the Governing Board of Finland's University of Oulu and the International Council of Education Advisors for the Scottish Government. His recent books are *Hard Questions on Global Educational Change*, *Empowered Educators in Finland* and *FinnishED Leadership: Four Big, Inexpensive Ideas to Transform Education*.

Dr Sahlberg speaks around the world about education and has published widely about his research on schools and education reforms. His book, *Finnish Lessons 2.0: What Can the World Learn from Educational Change in Finland*, won the 2013 Grawemeyer Award for an idea that has potential to change the world.

His work can be followed on Twitter @pasi_sahlberg.

Professional boundaries and teacher suspension: lessons to learn from Queensland cases

The Queensland Civil and Administrative Tribunal (QCAT) recently made two decisions, decided four days apart, to impose a suspension on two Queensland teachers, due to their chance of imposing unacceptable harm to students.

The first case involved a male teacher, Mr C, who was breaching his professional boundaries and seeking a sexual relationship with a female student. The second case dealt with a female teacher, Ms H, who physically and verbally abused a student with disabilities.

Even though the cases were decided in Queensland under Queensland law, these cases serve as an important reminder for schools and teachers to note what acts may constitute misconduct and for schools to remind teachers about their professional boundaries.

With reportable conduct schemes being introduced around Australia, the focus on appropriate conduct in schools has never been greater.

QCAT appointed pseudonyms to both respondents for protection purposes and those pseudonyms are used in this article.

Facts of Mr C's case

Mr C was a registered teacher from 4 March 1991. He was employed as a head of department during 2016 and taught a year 12 subject.

Between 25 January 2016 and 18 November 2016, Mr C failed to maintain appropriate professional boundaries with a female year 12 student by sending overly familiar emails without a valid reason or educational purpose.

These 'flirtatious' emails were sent from a work account to the student's school account and at some point asked for the student's personal email address to keep in touch after graduation.

Between 19 November 2016 and 31 December 2016, Mr C failed to maintain appropriate professional boundaries with the now graduated student by frequently communicating with her by email, text messages and telephone, in a way which was personal, "highly sexual" and without valid reason or educational purpose.

Mr C also told the former student that he was in love with her and that he was sexually aroused when they had classes together, asking personal questions about her ex-boyfriend and sex life and telling her personal information about his marriage, family and affairs. Mr C asked the former student to delete emails to avoid detection by his employer and regulatory authority. Also, Mr C attended the former student's workplace on at least two occasions.

Facts of Ms H's case

Ms H was registered as teacher from 26 May 2004 and was employed at a special needs school from 2008.

On 24 October 2016, Ms H used inappropriate language and excessive physical force toward a student with a diagnosed disability, by directing offensive language at the student, pushing the student to the ground, and throwing and projecting a disinfectant or similar substance to the student's face and/or genital and/or bottom area which caused pain and/or discomfort.

Ms H also used a mop on the student's body and face, sat on top of the student and applied hand sanitiser or similar substance to the same student's sores causing pain, while using offensive language when applying the substance.

QCAT's decisions

Senior Member O'Callaghan decided that both teachers posed an 'unacceptable risk of harm' to children and the suspensions were to be upheld until otherwise ordered by the QCAT.

In both cases Senior Member O'Callaghan ordered that the teacher registration suspensions of Mr C and Ms H were upheld.

What is unacceptable risk of harm?

The legal test applied to determine Mr C and Ms H's misconduct was whether their conduct posed an 'unacceptable risk of harm' to children.

Harm to a child is defined under section 7 of the Education (Queensland College of Teachers) Act 2005 (Qld) (QCT Act) to mean any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing. Other key definitions of harm from the QCT Act are:

- it is immaterial how the harm is caused. Harm can be caused by physical, psychological or emotional abuse or neglect; or sexual abuse or exploitation, and
- Harm can be caused by a single act, omission or circumstance; or a series or combination of acts, omissions or circumstances.

The QCT Act does not define unacceptable risk of harm but case law from previous decisions is useful to interpret this phrase. The test from a High Court decision of *M v M* (1988) 166 CLR 69 was adopted, which is, making an assessment of the 'chances' of the risk occurring and the magnitude of potential harm if it did

occur, and requiring a balancing exercise of advantages and detriments.

Therefore, the question before QCAT was: whether there was any identifiable risk of harm and whether such a risk was unacceptable?

Identifying whether or not a risk is unacceptable involves balancing the protection of students from harm by the conduct of the teacher and the potential harm the teacher may face if an unjustified suspension is imposed.

Due to the conduct displayed by Mr C and Ms H, the QCAT decided to maintain the suspension of both teachers until otherwise ordered by QCAT or a higher court.

Lessons to learn

Even though the cases were decided in Queensland, these cases serve as an important reminder for schools and teachers to note what acts may constitute misconduct and for schools to remind teachers about their professional boundaries. Teachers need to be able to access clear and comprehensive policies on acceptable boundaries and codes of conduct to understand what conduct is, and isn't, within their professional boundaries.

Such policies should be well communicated and publicised within the school community so that other people may be able to recognise inappropriate conduct if they witness or hear about it.

Around Australia, the pace of legal reform is increasing the threshold of behaviour expected of teachers, a school's obligations to educate and train teachers on expected behaviour and multiplying the reporting obligations incumbent on members of the school community to report inappropriate conduct.

Both these Queensland cases should be reminders to all schools of the importance of ensuring their teachers understand their professional boundaries and how to avoid breaching them.

About the author

William Kelly is a School Governance Reporter.

This article originally appeared in School Governance: <https://www.schoolgovernance.net.au/2017/04/27/professional-boundaries-and-teacher-suspension-lessons-to-learn-from-qlld-cases/>

Empower our young female students to be the person they want to be



Chris Wilkinson
President

It is hard to believe that we are now half way through Term 1. What a busy start to 2018 it has been. It should all get better now as we head into some cooler weather and wave a huge goodbye to the humidity that makes it so difficult to sleep, work and concentrate.

In the business of school and early learning, it is easy for teachers and support staff to neglect the signs that say 'slow down'. We must take care of ourselves and read the signs that tell us all to take stock of our workload, family and personal interests.

What doesn't get done today will still be there tomorrow. Some employers are taking the wellbeing of their staff seriously and introducing 'wellbeing weeks' for staff to engage in leisure activities, time out, meeting free weeks and so on. Take advantage of these initiatives to help you get through the term.

I recently attended a World Women's Conference in Morocco and it really makes you realise just how lucky we are to live and teach in Australia. We often complain of conditions and poor wages but when you listen to teachers in other countries, it

makes you realise that we are not so badly off after all.

Gender equity was a focus of the conference. We must all empower our young female students to step up to the challenge of being the person they want to be. Millions of girls do not have access to education and while there is a significant majority of female teachers, they are not in leadership positions.

As we celebrate International Women's Day we must recognise that while women do two thirds of the work in the world, they earn less than 10% of the income. We only have to look at the pay gap between early childhood teachers and primary school teachers – same length of time spent at university, yet they are paid in some cases \$30,000 less per year. How can this be? The IEU is working hard to have this inequality resolved. Studies have shown that early education is vital for the educational development of young children, yet the wages do not reflect this.

Projects based on gender equality in our schools and workplaces have to be promoted to bring about social justice. Together we can make changes.

Take care, work together and empower our young students. Enjoy the remainder of the term.



Key issues go under the spotlight



Pam Smith
Principals Organiser

The current industrial agenda, NESAs, and principals' wellbeing issues were all on the agenda when the IEU Principals Sub Branch met for its AGM on 10 February at the Union's Parramatta office.

A warm welcome was extended to Geoff McManus from McCarthy Catholic College at Tamworth in the Armidale Diocese and to Julie Terry from St Brigid's Catholic College at Lake Munmorah in the Broken Bay Diocese.

Sidonie Coffey from the Maitland-Newcastle Diocese was re-elected as Sub Branch president and Kathy Neely (Canberra-Goulburn Archdiocese) as deputy president. Des Fox (Sydney – Inner West Region) and Jude Ryan (Wilcannia-Forbes) were returned as co-secretaries.

The Principals Sub Branch committee members for 2018 are Therese Seymour (Lismore), Julie Terry (Broken Bay), Chris Egan (Sydney – Eastern Region), Peter Galvin (Canberra Goulburn) and Alan Le Brocque (Wagga Wagga).

Sub branch meeting dates for this year have been set for 5 May, 4 August, 3 November and for 9 February next year.

NGS Super made a presentation at the meeting, with a focus on ensuring that principals and their staff have access to quality information and advice about superannuation and its importance for financial wellbeing and quality of

life. Topics covered included salary sacrifice, investment options and the performance of NGS over both the short and longer terms.

Since the sub branch meeting, the latest report on the longitudinal Australian Principals Health and Wellbeing Survey, to which many IEU principal members contribute, has been released showing significant increases in workload demands, administrative and compliance pressures, and threats of violence or indeed actual experiences of violent behaviour.

Many of these pressures and feelings of lack of adequate time and support also affect teachers and other staff in schools. Following the release of the Health and Wellbeing Report, which has received significant media coverage, the IEU has been contacted by principal members sharing their own workplace concerns for their themselves and their colleagues.

At the meeting, Catholic systemic sector principals welcomed the recommencement of enterprise agreement negotiations between the IEU and CCER and expressed the view that associated diocesan Work Practices Agreements, covering practical issues such as class sizes, meetings, RFF in primary schools, and management of data collection and emails, would also be soon be resolved.

The IEU looks forward to working with its principal members in 2018 to protect and advance their industrial, professional and wellbeing interests.

Record breaking big veggie crunch



Carolyn Collins
Vice President Support Staff

My school St Michael's Primary School Nowra joined 460 other schools across NSW to break the 2017 record for the most students crunching vegetables simultaneously on 1 March.

During Vegetable Week, 26 February to 2 March, teachers spoke to their students about the importance of vegetables, they read stories like *The Magic Lunchbox*, sang the *Big Veggie Crunch* song written by the Vegetable Plot and encouraged their students to bring vegetables each day for their 'munch and crunch'.

On the day, the students brought their own veggies to crunch on. Teachers

prepared vegetable displays to share with their students and some even dressed up as vegetables to add to the fun.

More than 580 St Michael's children crunched their way through a variety of vegetables. They were encouraged to try something different and to their surprise they actually liked them and came back for more! The morning was a huge success with many stories written and talks about their experiences back in the classrooms.

St Michael's PE teacher Mrs. Holland,organised the simultaneous veggie crunching at the school. Some of the comments from the children were, "I love free food!" "Purple carrots?" "This is fun!" "Best day ever!"

Nominations for the Early Childhood Services State Council

The role of the ECS Council is to provide advice and guidance to the IEU Executive and IEU Council on matters relevant to members employed in early childhood services. The Council meets three or four times a year in Sydney, usually on a Friday. The IEU pays for the relief teacher employed by your service whilst you attend the meeting, as well as travel and any accommodation needs of councillors from regional and remote areas (or country areas).

Members of the Council advise the Union on issues of importance to ECS members and assist in the development of Union submissions and responses to issues both industrial and professional in nature. The Union frequently makes submissions to governments at all levels and other bodies on behalf of our members on a wide range of issues.

The ECS Council is composed of eight members that are elected by and from

members employed in Early Childhood Service plus the ECS Vice President. ECS members elect councillors from the following areas:

Three members are elected from the Sydney Metropolitan area including the Penrith/Blue Mountains area.

One member is elected from the South Coast including the Campbelltown area.

One member is elected from the Hunter Valley or Central Coast area.

Three members are elected from regional country areas other than those mentioned above.

If you are interested in standing for ECS Council please phone Verena Heron or Joanna Kotsakis on 8202 8900 for a nomination form.

Nominations close on 27 April 2018 Elections, if required, will be held in Term 2, 2018.

AEC Post Election Report

A copy of the AEC Post-Election Report and the IEUA NSW/ACT Branch Response to the Report is available to members on request.

The AEC report and the IEUA NSW/ACT Branch Response is also available on the Union's website.



FACEBOOK FEEDBACK

What's one thing you wish you'd known about classroom management when you first started teaching?

Stephanie: Students will test you to find out a few things - where the line is, how rigid you are, how fair you are and how easy it is you rattle you. The thing is, they're not necessarily doing it to give you a hard time. They're doing it to figure out how safe they are with you, how much they can trust you.

Leonie: Be super firm in the first term then you can ease off in the next terms. It's much harder to bring them into line if not.

Kate: Sometimes speaking quietly to a class is more powerful than raising your voice.

Change the rules survey

Martin: Just what Trumble and his billionaire, tax avoiding, mates wanted.

Lyn: Time to raise wages . . . now!

Brian: This is just the way the LNP and their owners in the corporate sector want it. This is what they planned, create poverty and fear in their workers and drive down wages and costs even further. The corporations have admitted social problems are the government's problem not theirs, profits for their shareholders are their problem and the government listens to them - money talks.

NESA online headache

Jamelie: NESA should not have gone ahead with a program that was not able to cope with the upgrade needed to support all teachers in NSW. It's very frustrating to be told that they don't know when it will be operational and working. Still can't find where to add PD hours.

Removing the link between NAPLAN and the HSC in NSW

Rikky: At the moment they are saying that the results (70% falling below minimum standard) still stand for this year's Year 10, who did NAPLAN last year.

As a parent of one of these 70% of children, I would like assurances that this year group is not going to be the only one penalised.

Gemma: Still linked to NAPLAN for Year 10 2018, and next year's Year 10 will all sit the tests online to meet min standard. So who will be marking these and will NESA's online platform be able to cope with it? We tested NAPLAN online at school and it failed miserably. It actually means more testing from 2019, not less.

Michele: If you can't pass NAPLAN effectively how the hell are you going to complete the HSC effectively?

Daniela: The standard should be assessed and embedded within the curriculum package in schools in the various forms they take, eg student needs to get and maintain a C grade in all areas in Year 9/10 to meet the minimum standard for the HSC. This way support can be offered early to those who are not meeting standards.

The results of taking phones away from students has had a real and lasting impact for one Victorian school

Carole: I believe that there is no place in a classroom for any distractions from what is being learned. Until schools are a thing of the past, mobile phones should be kept away from teacher led learning experiences. They are not essential with technology resourced classrooms.

Jenny: 100% get this. My boys don't have phones either and won't be getting one any time soon. When we go on holiday we don't take devices like tablets and DVD players. We spent 2 x 10+ hour days driving to Townsville a few years back. No devices necessary. We talked and played games instead. The kids were reading maps etc. Our driving New Zealand trip was the same. There is no reason mobile phones need to be at school especially when they are smart phones which can take photos and upload to social media.

Josie: Neither of my boys have phones but I'm very much wanting a resolution to the phone/no phone debate

NESA's new eTAMs system

Mark: It would be nice to have actually received my welcome kit and the email with my number! I know I am accredited as a pre 2004 teacher, but that's all I have heard, it's an absolute joke!

Sharyn: It's been terrible for months now. I paid my fee via the phone (online function didn't work) in December and got my accreditation card in the mail today. A dud website.

Bee: Yes, like not being able to pay and with a deadline approaching that's not very helpful.

Catholic primary schools in Victoria are facing one of the most significant overhauls in their 150 year history, with principals pushing to strip priests of their power over schools

Justin: This needs to happen where we are. Absolute joke.

John: This should have occurred years ago in all Australian Catholic infant and primary schools.

Michael: Governance wherever needs to have an emphasis on skills and knowledge. You are not an expert just because your kids attend a school or your parish has a school. Too much is at stake.

Christine Wilkinson, IEUA NSW/ ACT Branch President and a teacher with more than 50 years' experience, has been appointed to the expert panel reviewing teacher registration requirements

Jeff: Fantastic news! Great to have Christine with so much experience and educational knowledge in such a role. Well done Christine and thanks for the extra effort.

Karyn: Congratulations, excellent choice for this appointment.

Sue: Well done Chris! A dedicated Union member and teacher.

Mary: Congratulations Christine. Thank you for all your work on behalf of teachers and students.

Stephanie: Congratulations to such a wonderful lady. So lucky to have her on board! All the best Christine.

Are increasing amounts of paperwork making life harder for you at school?

Damien: Not only are we drowning in admin tasks that used to be handled by dedicated clerical staff, we've got additional admin tasks on top of it all that clerical staff never had to do back in the days they still had jobs. All done with a teaching load that's no lighter, mind you. And to top it off, performance is judged more harshly and immediately by the degree of compliance with bureaucratic admin tasks than with any task related to the classroom.

Glenn: 32 years teaching and still the same face to face time. All that additional compliance and community pressure for schools to do the parenting. Time for a load reduction.

Paul: It's the most taxing part of the job in some ways.



<https://www.facebook.com/ieunswact>

Giveaways

Margaret and David: 5 stars

Edited by Amanda Duthie
Published by: Wakefield Press
Three copies to give away

In *Margaret & David: 5 stars*, Australian filmmakers, critics, distributors and festival directors pay tribute to Australia's most loved critics. Over 28 years, on *The Movie Show* and then on *At The Movies*, Margaret and David shaped the way Australians saw and talked about cinema - and themselves.



About the authors

Major essay by Sandy George, with contributions from Geoffrey Rush, Fred Schepisi, Jan Chapman, Cate Shortland, Gillian Armstrong, Andrew Bovell, Josh Pomeranz, Al Clark, Richard Kuipers, Jay Weatherill, Andrew Mackie, Sandra Levy, Nashen Moodley, Adolfo Aranjuez, Kath Shelper and Warwick Thornton.

Forever Horatio: An Actor's Life

Author: Edmund Pegge
Published by: Wakefield Press
Three copies to give away

"Looking back now it was significant that the man who played Hamlet became a professor of dentistry while I became a professional actor. It set a template for the way my career unfolded."

Hilarious, charming and self effacing, meet Edmund Pegge, one of Australia's most prolific supporting actors.

Travelling between England and Australia and working on stage, in film and on television for over 50 years, Ed Pegge knows all the tricks and all the trials of a working actor's life.

He regales us with tales of the good times that intersperse the actor's lean spells.

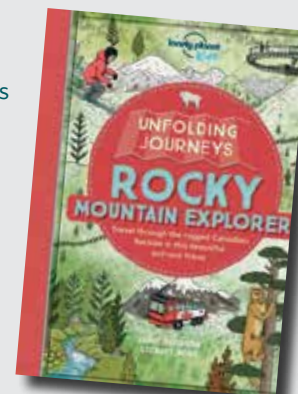
With a foreword by lifelong friend Dame Judi Dench, *Forever Horatio* is a celebration of the unexpected joys of being - as Edmund Pegge puts it - forever Horatio, never Hamlet.



Unfolding Journeys: Rocky Mountain Explorer

Author: Stewart Ross
Illustrator: Annie Davidson
Publisher: Lonely Planet Kids
Three copies to give away

From Vancouver to Calgary, this amazing mountain journey takes you past snowy peaks and rushing rivers. Watch out for eagles and bears among the trees, spot daredevils on snowmobiles and discover loads of fascinating facts about this amazing part of the planet.



Email entries to giveaways@ieua.asn.au with the giveaway you are entering in the subject line and your name, membership number and address in the body of the email. All entries to be received by 1 May 2018.

Insurance under the microscope



Bernard O'Connor
NGS Super



Insurance offered through superannuation funds is currently under close scrutiny by APRA, ASIC and the Royal Commission into the Banking, Superannuation and Financial Services Industry.

At issue is determining the balance between premiums paid for insurance and the erosion of retirement benefits. Insurance is a significant member benefit under Group Policies and is generally provided with no underwriting (medical checks/forms) for new fund members who meet the eligibility criteria.

Members benefit greatly from Group Policies which provide insurance at wholesale rates as the risk is pooled among the members of the fund. Premiums are generally cheaper than retail rates. It is significant to note that it is estimated that 71% of life insurance cover in Australia is provided through superannuation funds (Rice Warner 2016, Insurance through Superannuation). This is a clear benefit to individuals in times of illness or accident as well society in general and governments who have reduced social security obligations.

Industry superannuation funds have formed the Insurance in Superannuation Working Group (ISWG) which aims to identify any defects within the group policies and to generally improve the standard of group insurance in the areas of product design, price, member service and claims processing.

ISWG has produced an Insurance in Superannuation Voluntary Code of Practice which seeks to address account balance erosion due to insurance premiums, claims handling procedures, member communication and data management.

A primary objective is to ensure that automatic insurance in superannuation is cost effective and to make sure that communications to members are written in clear language which is comprehensible to everyone. Trustees have to consider the implications of the Code including their current contractual arrangements with their insurers and comply with the Code no later than 20 June 2021. ISWG stated its view of insurance provided through

superannuation to “support the purpose of superannuation by providing a measure of financial support to members and/or their families if the member is prevented from working, either temporarily or permanently, to retirement age by death, terminal illness or ill health”.

Some of the key features of the code include:

- appropriate and affordable cover
- premium level (should not exceed 1% of salary)
- cancelling cover should be made easier (by phone, email or in writing)
- lack of contributions (measures to advise members with low account balances such as improved communication and letters of warning)
- thirteen months after the last eligible contribution cancel Income Protection cover if the account balance is less than \$6000
- more detail regarding insurance on the members' annual statements
- greater clarity of the steps involved in making a claim including greater explanation to members of the Trustee's role and the insurer's role
- a detailed explanation including reasons why a claim was not accepted, and
- time periods for responding to various events such as claims in progress and a review of the insurer's decision.

As the Code is voluntary superannuation funds will be provided with the options of joining it, joining parts of it or not joining it. As the overriding Trustee obligation is to act in members' best interest, there may be cases where the implementation of the entire code could be too expensive and would not actually be in the members' best interest such as a case where a fund must redesign entire insurance policies or other existing contracts.

Without doubt the Insurance Code seeks to improve the member experience when making a claim as well as providing members with clear, concise information on how their insurance actually works. If implemented in full or in part, it will hopefully improve member engagement with their fund as statistically over half of the insured population in Australia does not even know they have insurance.

(Important information: The information in this article is general information only and does not take into account your objectives, financial situation or needs. Before making a financial decision, please assess the appropriateness of the information to your individual circumstances, read the Produce Disclosure Statement for any product you may be thinking of acquiring and consider seeking personal advice. Past performance is not a reliable indicator of future performance. Any opinions are those of the author and do not necessarily reflect the view of NGS Super.)



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Professional Development

20 March Unanderra – PIP Maintenance of Accreditation

26 March Online – Beginning to Proficient Teacher

5 April Online – PIP Maintenance of Accreditation

10 April Online – PIP Maintenance of Accreditation

16 April Ultimo – Accreditation at Proficient Teacher

For more information email pd@ieu.asn.au

Reps Training

23 March Reps Training – Campbelltown, 9:30am – 3:30pm Campbelltown RSL Club Carberry Lane Campbelltown. Contact franca@ieu.asn.au

29 March Reps Training – Albion Park, 9:30 – 3:30pm, Albion Park Bowling and Recreation Centre 32-35 Taylor Road Albion Park. Contact Franca on franca@ieu.asn.au

Training is open to all reps and committee members, with those new to the role being particularly encouraged to attend. Morning tea and lunch will be provided, please let us know of any dietary restrictions. Casual release will be paid for by the Union.

For updates check www.ieu.asn.au

Our locations

Sydney 485-501 Wattle Street, Ultimo NSW 2007 (02) 8202 8900

Parramatta Level 2, 18-20 Ross Street, Parramatta NSW 2150 (02) 8202 8900

Newcastle 8-14 Telford Street, Newcastle East NSW 2302 (02) 4926 9400

Lismore 4 Carrington Street, Lismore NSW 2480 (02) 6623 4700

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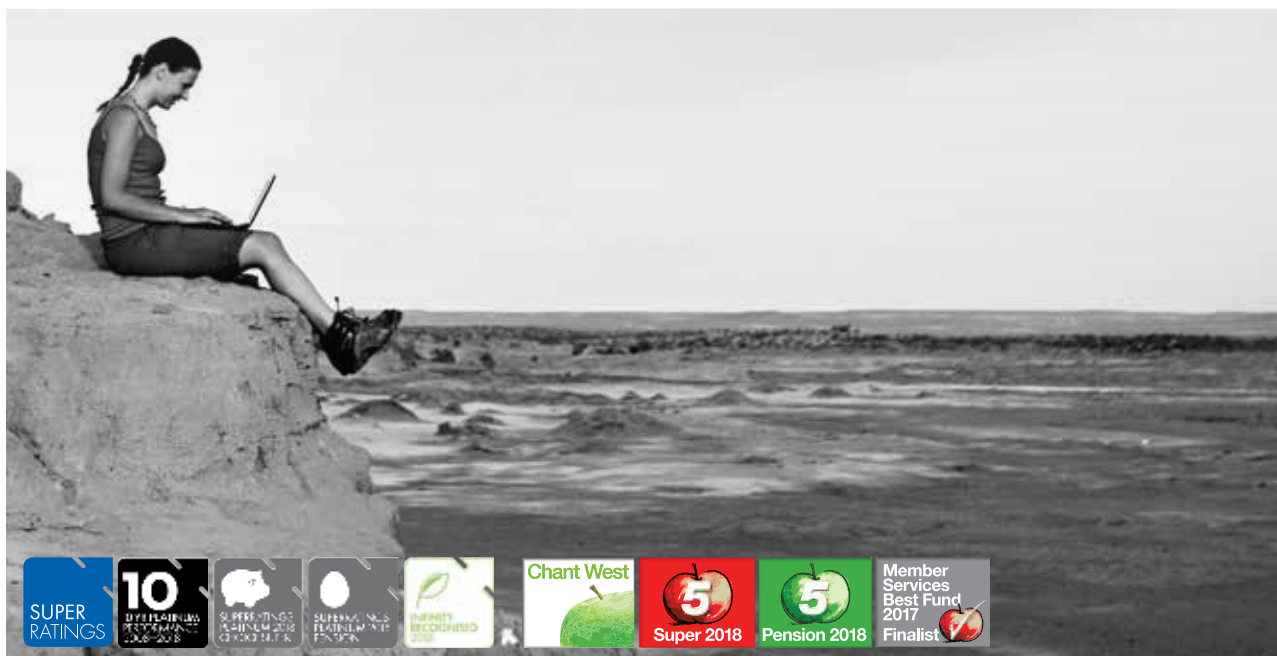
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