



Redundancy Procedures

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1. Introduction

These Redundancy Procedures have been developed to assist principals and employers with the redundancy process contained in Appendix 2 of the [Victorian Catholic Education Multi Enterprise Agreement 2013 \(VCEMEA\)](#).

Under the VCEMEA, redundancy occurs when an employer no longer requires a particular job to be done and this results in termination of employment:

Redundancy occurs when an Employer has made a definite decision that the Employer no longer needs the job the Employee has been doing to be done by anyone and that decision leads to a termination of the Employee's employment, except where this is due to ordinary and customary turnover of labour.

Clause 1.1(a), Appendix 2, VCEMEA

A redundancy situation can arise as a result of many different circumstances including changes to educational programs or curriculum, technological change, changes to funding or enrolments, changes to work methods or changes to the structure or organisation of the functions of the school.

For example:

- A reduction in total school enrolments at a primary school may lead to a reduction in the number of classroom teachers that the school requires.
- A change to the curriculum offered in a secondary school may lead to an excess of staff in a particular subject area.
- A restructure in the school administration area may lead to the creation of some new jobs while other jobs are no longer needed.
- A change in service delivery may lead to a reduction in the number of school services officers required by the school.

These Procedures aim to guide principals and employers through such challenging situations. Redundancy situations are, by their very nature, difficult for those involved. The redundancy process in the VCEMEA aims to:

- Avoid redundancies in Catholic schools in Victoria.
- Delay redundancies where avoidance is not possible.
- Endeavour to assist those whose positions are declared redundant to find other suitable employment within Catholic education.

Where redundancies cannot be avoided, the redundancy process in the VCEMEA ensures a process that is fair and consistent to staff.

It is important to remember that the redundancy process should **not** be used as a substitute for dealing with concerns such as performance issues or misconduct. Such matters are appropriately dealt with under clause 13 *Managing Employment Concerns* of the VCEMEA.

Scope

The Redundancy Procedures apply only to ongoing employees. The procedures do not apply to:

- casual employees
- fixed term employees
- volunteers
- people engaged as contractors.

2. Introduction of change and consultation

Principals and employers should be aware that some circumstances leading to a potential redundancy situation may invoke clause 17 *Introduction of Change* of the VCEMEA.

The *Introduction of Change* clause is relevant where a principal/employer **has made a definite decision to introduce major changes in program, organisation, curriculum, structure or technology** that are likely to have **significant effects** on staff (but before the likely effects on employees are determined). In those circumstances, after making a definite decision, the principal/employer must:

- Notify the Independent Education Union Victoria Tasmania (IEU) and staff who may be affected by the changes in writing (including any staff on leave).
- Provide the IEU and affected staff with relevant information about the changes (including the nature of the changes and the expected effects on staff).
- Discuss the effects of the changes and measures to mitigate any adverse effects of such changes with the IEU and affected staff.
- Consider matters raised by affected staff and the IEU in relation to the changes.

The principal/employer should bear in mind that such consultation with the staff and the IEU means a serious attempt through a fair exchange of views made in order to reach an understanding and consensus. Commissioner Smith made the following comments regarding consultation in *CPSU v Vodafone PR911257*:

Consultation is not perfunctory advice on what is about to happen. This is a common misconception. Consultation is providing the individual, or other relevant persons with a bona fide opportunity to influence the decision maker... Consultation is not joint decision-making or even a negative or frustrating barrier to the prerogative of management to make decisions. Consultation allows the decision making process to be informed, particularly as it may affect the employment prospects of individuals.

In general, these steps will occur **prior** to the redundancy process. Principals and employers are advised to discuss any such potential situations with the Industrial Relations Unit (**IR Unit**) of the Catholic Education Commission of Victoria Limited (**CECV**).



Timing: Commence clause 17 steps as soon as practicable after making a definite decision regarding the change.

Overview of Redundancy Procedures

Prior to commencing the Redundancy Procedures, if major change is the cause of the potential redundancy situation, ensure that consultation has occurred in relation to Clause 17 *Introduction of Change* (see part 2).

Identify reasons for potential redundancy:

- program, curriculum
- organisation, structure
- funding
- enrolment
- technology.

Notify staff, CEO, IEU & IR Unit of potential redundancy. Request staff intentions. Provide *Staff Information Sheet – Redundancy Process*. (Clause 3.1 & 3.2)

Attempt resolution of redundancy situation:

- consider staff intentions
- consider voluntary redundancy
- investigate redeployment/retraining
- consider reorganisation of duties
- investigate reductions in time fractions
- investigate staff leave/LWOP
- seek additional funding
- consult with staff.

(Clause 3.3)

REDUNDANCY SITUATION RESOLVED?

YES

Notify staff, CEO, IEU & IR Unit of resolution. (Clause 4.1(ii))

NO

Prepare redundancy document

- send to CEO, IEU, IR Unit
- arrange redundancy meeting.

(Clause 4.1(i) and 4.2)

Hold redundancy meeting

- seek agreement on redundancy criteria
- identify staff whose position is to be made redundant.

(Clause 5)

Notify staff whose position is declared redundant. (Clause 6)

Assist affected staff with:

- professional/pastoral meetings
- counselling
- redeployment opportunities
- paid leave to attend interviews
- leave without pay/other leave.

(Clause 7)

Make redundancy payment no less than **15 days** after end of employment. (Clause 8(a)(ii) and 8(b))

*All clauses referred to in this flowchart are contained in Appendix 2 of the *Victorian Catholic Education Multi Enterprise Agreement 2013*

3. Redundancy identification

The first stage in the redundancy process is when the principal or employer identifies that there is a potential redundancy situation.

The principal/employer must be able to clearly articulate the reason/s for the potential redundancy situation. In general, a position can be made redundant due to a change in:

- program or curriculum
- organisation or structure
- funding
- enrolment
- technology.

Identify reasons for potential redundancy:

- program, curriculum
- organisation, structure
- funding
- enrolment
- technology.

Ideally, the principal/employer should prepare a 'business case' that supports the identification of the redundancy. Such a document should outline the reasoning of the principal/employer at the early stage of the redundancy process. As well as clarifying the reasons for the potential redundancy, such documentation may give principals/employers a measure of protection if the redundancy process subsequently gives rise to a legal claim. Depending on the circumstances, the business case may be prepared in conjunction with the school business manager or an external consultant. The principal/employer may wish to seek advice from the IR Unit and/or the relevant CEO.

The business case for redundancy may consider a number of relevant factors, including for example:

- enrolment data
- information about funding
- details of new educational initiatives
- recommendations of external reviews.



Timing: A potential redundancy situation may be identified at any time of the year. Where a potential redundancy would take effect from the start of the following school year, the redundancy process should commence early in term 3 of the current school year.

4. Notification of potential redundancy

As soon as a potential redundancy situation is identified, the principal/employer must notify, in writing:

- all staff (including those on leave)
- Director of the relevant Catholic Education Office
- IEU
- IR Unit.

Notify staff, CEO, IEU & IR Unit of potential redundancy. Request staff intentions. Provide *Staff Information Sheet – Redundancy Process*. (Clauses 3.1 & 3.2 of the VCMEA)

The notice to staff should:

- provide an outline of the reasons for the potential redundancy situation
- provide:
 - access to Appendix 2 of the VCMEA
 - a copy of the *CECV Staff Information Sheet – Redundancy Process*
- request staff intentions.

Notification of all staff

The VCMEA requires that all staff in the school are notified of a potential redundancy situation. This enables a broad exploration of alternatives to redundancy. Principals/employers should contact the IR Unit if they have any queries about such notification.

Staff on leave

At all stages of the redundancy process, principals/employers should be mindful to include staff who are on leave, for example those on parental leave, LWOP or LSL. Staff who are on leave should receive the same communications regarding a potential redundancy situation as those currently in the workplace.

Staff Information Sheet – Redundancy Process

It is recommended that the notification to staff attaches a copy of the *CECV Staff Information Sheet – Redundancy Process*. The *CECV Staff Information Sheet – Redundancy Process* is a condensed version of these Redundancy Procedures that contains information relevant to staff. This document gives staff a brief overview of the redundancy process and contains the flow chart from part 3.

Request staff intentions

A form requesting staff intentions for the following year (or other period as relevant) should be attached to the letter notifying staff of the potential redundancy situation. The aim of this request is to find out in advance whether there are likely to be any staff movements that may avoid/delay the potential redundancy, for example, whether any staff intend to resign or take long term leave (parental leave/ leave without pay (**LWOP**)/ long service leave (**LSL**)). Principals/employers should take care not to pressure staff to take leave or apply for positions elsewhere.

Reassurance

It is important to remember that this is likely to be a stressful period for staff. It is recommended that principals/employers consider meeting with relevant staff to explain the process and give staff an opportunity to ask questions. Principals/employers will not be able to answer the question that everyone wants to know: 'Will my position be made redundant?' To do so would pre-empt the redundancy process. However, principals/employers can reassure staff of the steps being taking to attempt to avoid redundancy and that staff will be informed of developments.



Timing: Notify relevant parties as soon as a potential redundancy situation is identified. Where a potential redundancy would take effect from the start of the following school year, this should be no later than the third week of term 3 of the current school year.



ATTACHMENT 1: Letter notifying staff of potential redundancy



ATTACHMENT 2: Letter notifying CEO Director, IEU & IR Unit of potential redundancy

5. Attempt resolution

As outlined in part 1, the aim of the redundancy process in the VCMEA is to avoid redundancies wherever possible. Principals and employers should keep this in mind at all times. Principals/employers should explore avenues to avoid/delay redundancies including the following.

Consider staff intentions

Consider staff intentions as per the completed staff intentions forms. It may be that a staff member taking LWOP or resigning from the school will delay or resolve the potential redundancy situation. However, this will not always be the case.

Consider voluntary redundancy requests

The letter notifying staff of the potential redundancy situation should invite staff to advise the principal/employer if they wish to make a voluntary redundancy request. Principals/employers should consider any such requests in light of the potential redundancy situation and the needs of the school/workplace. In some cases, a voluntary redundancy will resolve the potential redundancy situation. However, this will not always be the case, for example where the staff member who makes the request has a set of skills that could not be replaced internally. Principals/employers are not compelled to accept voluntary redundancy requests but should give them due consideration. It is important that staff do not feel pressured into making a voluntary redundancy request.

Investigate redeployment and retraining

Consider whether existing staff may be redeployed elsewhere in the school or retrained to perform a different function. For example, a school may have an excess of learning support officers but one of those staff members may be skilled (or willing to retrain) in office work and could be redeployed in the administration area.

Principals and employers should also investigate the potential for redeployment of staff to another school/workplace under the authority of the employer (for example an administrative assistant may be able to work at the parish office or a wood work teacher may be able to work at another secondary school run by the same religious congregation). In general, such a move requires agreement of the staff member, but may be preferable to a redundancy.

Principals/employers should also contact neighbouring schools to determine whether there are likely to be any suitable vacancies.

Consider reorganisation of duties

Consider whether the duties of staff members could be reorganised in such a way so as to avoid redundancy. For example:

- Do the staff who may be declared redundant have other skills that can be utilised in the school environment?
- Is there an upcoming project that can be undertaken by a staff member to postpone the need to declare a redundancy in the current school year?

Attempt resolution of redundancy situation:

- consider staff intentions
- consider voluntary redundancy
- investigate redeployment/retraining
- consider reorganisation of duties
- investigate reductions in time fractions
- investigate staff leave/LWOP
- seek additional funding
- consult with staff.

(Clause 3.3 of the VCMEA)

Investigate reductions in time fractions

Principals and employers should consider whether a redundancy could be avoided through reducing the time fraction of staff. For example:

- Could the school reduce the time fractions of all relevant staff, rather than declare a redundancy?
- Is a current staff member prepared to voluntarily decrease their time fraction or take approved leave, thereby avoiding a redundancy?
- Can the school vary the hours of part-time staff for a 12 month period and re-evaluate the potential for increased funding and/or enrolments in the next 12 month period?

Any reduction to a part-time staff member's time fraction must be in accordance with clause 15 *Variation of hours and/or days and/or times of attendance for part time Employees* of the VCMEA, and should be by agreement, where possible. Note that where there is a significant reduction in hours, the staff member may elect to receive a severance payment under clause 15.2 of the VCMEA.

The time fraction of a full-time staff member may only be reduced with the express agreement of that staff member.

Seek additional funding

Principals and employers should investigate any sources of additional funding, for example government funding or parish support. This may be particularly relevant where it is expected that there will be only a small gap of over-employment. Additional funding to cover that period may enable the redundancy to be avoided. For example, a school that experiences a temporary drop in enrolments (where enrolments are forecasted to increase again after one year) may be able to obtain additional funding for 12 months and therefore avoid a redundancy situation.

Consult with staff

Finally, when attempting resolution of a potential redundancy situation, it is worthwhile consulting with staff and considering their feedback on the situation. The principal/employer are reminded of Commissioner Smith's comments regarding consultation in part 2 of these Procedures.

Principals/employers are advised to keep a written record of the information obtained and the efforts made to ascertain any way of resolving the potential redundancy situation. In the event that the redundancy situation is not resolved, this will assist in preparing the redundancy document (see part 8).



Timing: Attempts at resolution should be made from the time the potential redundancy situation is identified. Certain steps (e.g. requesting staff intentions) are appropriate only after staff have been notified.

6. Notification of resolution

If, at any stage, a potential redundancy situation is resolved, the principal/employer must notify staff, the Director of the relevant Catholic Education Office, the IEU and the IR Unit.

Notify staff, CEO, IEU & IR Unit of resolution.
(Clause 4.1(ii) of the VCEMEA)

Principals/employers should determine an appropriate way to notify staff (including those staff on leave). Depending on the circumstances, it may be appropriate to send a letter to staff or to communicate to staff individually or in a group. Principals and employers should be mindful of the privacy of staff members when communicating a resolution. For example, if the redundancy is delayed because a staff member will be commencing parental leave in 6 months' time, it is not advisable for the principal/employer to communicate such details to staff (unless it is with the agreement of the particular staff member).

The principal/employer should notify the Director of the relevant Catholic Education Office, the IEU and the IR Unit of the redundancy resolution, and general reasons for it, in writing.



Timing: As soon as practicable after the potential redundancy situation is resolved.



ATTACHMENT 3: Letter to CEO Director, IEU & IR Unit advising resolution of potential redundancy

7. Redundancy Document

If the potential redundancy situation cannot be resolved, the next step is for the principal/employer to prepare the redundancy document. This document must be provided to the Director of the relevant Catholic Education Office, the IEU and the IR Unit ahead of the redundancy meeting. The redundancy document generally forms the basis of discussion for that meeting. It is recommended that the redundancy document be attached to the letters to the Director of the relevant Catholic Education Office, the IEU and the IR Unit inviting them to the redundancy meeting. In practice, the Director may send a representative from the Catholic Education Office to the redundancy meeting or else the Director may be satisfied with representation from the IR Unit.

Prepare redundancy document

- send to CEO, IEU, IR Unit
 - arrange redundancy meeting.
- (Clauses 4.1(i) and 4.2 of the VCMEEA)

The redundancy document must contain the following information:

- detailed reasons for the redundancy including relevant information on funding, staffing and enrolments (eg if the redundancy is due to a drop in enrolments, include relevant enrolment details)
- number and categories of staff likely to be affected (eg two teaching positions)
- number of staff employed and details of their employment (parties must keep this confidential)
- outline of alternatives investigated (see part 6).

It is also advisable to include a summary of staff intentions as obtained from the completed staff intentions forms. The information contained in the redundancy document is confidential and is to be used only for the purpose of discussion at the redundancy meeting.



Timing: The redundancy document is to be provided to the Director of the relevant Catholic Education Office, the IEU and the IR Unit at least three working days before the redundancy meeting.



ATTACHMENT 4: Redundancy document



ATTACHMENT 5: Letter inviting CEO Director, IEU & IR Unit to redundancy meeting

8. Redundancy meeting

The redundancy meeting is an important step in the redundancy process. The principal/employer is required to hold a redundancy meeting with the IEU and the IR Unit/Catholic Education Office representative(s).

Hold redundancy meeting

- seek agreement on redundancy criteria
- identify staff whose position is to be made redundant.

(Clause 5 of the VCMEA)

The principal/employer must provide the parties with the redundancy document ahead of this meeting (see part 8).

The redundancy document generally provides a good basis for the meeting. While taking the parties through the document, the principal/employer is able to explain the reasons for the potential redundancy situation and discuss the attempts at resolution. This then leads into discussion about the criteria for redundancy.

The purpose of the redundancy meeting is for the parties to reach agreement on the redundancy criteria, being the criteria that the principal/employer uses to decide which position is made redundant. The VCMEA specifies the criteria that must be used, factors that may be used and factors that must not be used when deciding which position is to be declared redundant (see Criteria for Redundancy below).

The redundancy process should **not** be used as a substitute for managing employment concerns. Concerns about performance, conduct or incapacity should be dealt with under clause 13 'Managing employment concerns' of the VCMEA. This does not, however, preclude an employee who is or has been the subject of a clause 13 process from having their position made redundant for genuine reasons.

It is unlawful to base the decision as to whose position is made redundant on any of the attributes covered by state and federal anti-discrimination laws, for example sex, age and pregnancy. The full list of attributes is included in the table below. This does not mean that a person with a particular attribute cannot have their position made redundant, only that the attribute must not be a factor in that decision.

Criteria for Redundancy

Must use	May use	Must not use
<ul style="list-style-type: none"> • Needs of school • Work currently being performed that is no longer required • Positions that are required (ie would need to employ new staff if those staff were declared redundant) 	<ul style="list-style-type: none"> • Current contract of employment, current duties • Curriculum programs • Experience, length of service, graduate status • Funding base for staff member • Qualifications, specialist expertise • Voluntary redundancy nomination • Previous redundancy history • Pastoral considerations 	<ul style="list-style-type: none"> • union representation/affiliation, employment activity, industrial activity • Sex, age, race, religious belief or activity, political belief or activity, physical features • Pregnancy, breastfeeding, carer status, parental status, absence from work on parental leave • Disability, temporary absence from work because of illness or injury • Lifestyle, marital status sexual orientation, gender identity, lawful sexual activity • Personal association with a person with any of the above attributes • Performance, competence, suitability

Before the redundancy meeting, the principal/employer should consider which criteria will be used for redundancy. It would be helpful to have these in draft form in order of priority for the purposes of discussion at the redundancy meeting.

At the redundancy meeting, the principal/employer should lead the discussion about the criteria, explaining the needs of the school and what work is/is not required to be performed. The principal/employer should indicate which other factors are relevant in the situation. While it may be difficult, so far as possible, the discussion should focus on the criteria and how this is relevant to particular positions, rather than focussing on individual staff members.

Once there is agreement on the criteria to be used for redundancy, the principal/employer must then notify the IEU and the IR Unit of the name of the staff member(s) whose position is to be made redundant. In some cases, this will already be evident from the discussion of the criteria but should be specifically stated.

Second redundancy meeting

In the event that the principal/employer and the IEU cannot agree on the redundancy criteria at the redundancy meeting, the principal/employer will hold a second redundancy meeting.

At the second redundancy meeting, the parties should make a second attempt to agree on the redundancy criteria. If there is no agreement, the principal/employer will indicate to the IEU and the IR Unit the course of action to be taken including whether the positions of certain staff members will be made redundant.



Timing: The redundancy meeting should be arranged as soon as practicable after the principal/employer has considered alternatives and concluded that the redundancy situation cannot be resolved. Where a potential redundancy would take effect from the start of the following school year, the redundancy meeting should be held no later than the first week of term 4 of the current school year.



Timing: Any second redundancy meeting must be held within one week of the first redundancy meeting.

9. Notify staff

As soon as practicable after the redundancy meeting, the principal/employer should inform the staff member that they are proposing to make the staff member's position **redundant**.

Notify staff whose position is declared redundant.
(Clause 6 of the VCEMEA)

Principals/employers should be aware that this is likely to be a difficult time for the staff member. While staff members must receive notification in writing, it is generally recommended that they be informed in person in a meeting with the principal/employer.

The staff member should be advised of the ways in which the principal/employer will assist them in the coming weeks/months (see part 11). Where relevant, principals/employers should advise staff members of the availability of counselling.

It is important to give the staff member an opportunity to respond in writing to the proposed redundancy. One working week is recommended. Principals/employers should take time to consider the staff member's response (if any). It is possible that the staff member may make the principal/employer aware of extraordinary circumstances that would cause them to reconsider the redundancy. In such circumstances, principals/employers are advised to contact the IR Unit.

If the staff member has provided a response, or been given an adequate opportunity to respond, and there is no change to the redundancy, the principal/employer should confirm the final decision in writing to the staff member and provide them with notice of termination.

Notice of termination

A staff member who is declared redundant is entitled to notice of termination of their employment as per clause 19.3 of the VCEMEA. The employer may make payment in lieu of part or all of the notice period (notice can be partly worked and partly paid out).

Education support employees and school services officers should be given the following minimum notice:

Period of continuous service	Notice
Less than 1 year	1 week
1 year but less than 3 years	2 weeks
3 years but less than 5 years	3 weeks
5 years and over	4 weeks

Teachers and Principals should be given the following minimum notice:

Period of continuous service	Notice
Less than 10 years in Catholic education and less than five years in their current school	7 weeks
10 or more years in Catholic education or 5 or more years in their current school	12 weeks, 9 of which shall be working weeks

If a staff member has been given notice of termination due to redundancy, the staff member may choose to terminate their employment during the notice period. In this situation, the staff member will still be entitled to receive the redundancy payment but will not be entitled to payment in lieu of notice of termination.

Notice to other parties

The principal/employer should also send a letter to the Director of the relevant Catholic Education Office, the IEU and the IR Unit confirming the redundancy.



Timing: The staff member should be notified as soon as practicable after the redundancy meeting (or second redundancy meeting if relevant), ideally within one week.



Timing: The letter to the Director of the relevant Catholic Education Office, the IEU and the IR Unit and should be sent at the same time as the staff member receives confirmation of redundancy, ideally within 2 weeks of the redundancy meeting.



ATTACHMENT 6: Letter to staff member proposing redundancy



ATTACHMENT 7: Letter to staff member confirming redundancy



ATTACHMENT 8: Letter to CEO Director, IEU & IR Unit confirming redundancy

10. Assist staff

There are numerous ways for principals/employers to assist a staff member whose position has been made redundant, including the following:

- Where agreed, meet regularly with the staff member to discuss pastoral and professional issues.
- Offer counselling.
- With the agreement of the staff member, contact neighbouring schools for redeployment opportunities.
- Provide paid leave to attend job interviews etc.
- Offer LWOP or other leave.

Assist affected staff with:

- professional/pastoral meetings
- counselling
- redeployment opportunities
- paid leave to attend interviews
- leave without pay/other leave.

(Clause 7 of the VCMEA)

Paid leave to attend job interviews

During the notice period, a staff member is entitled to take up to one day per week of paid leave for the purposes of seeking other employment. The principal/employer should discuss the timing of such leave with the staff member. If the staff member requires additional leave for the purposes of seeking other employment, the principal/employer may request the staff member provide proof (that would satisfy a reasonable person) of the reasons for leave (eg letter referencing interview time, statutory declaration) in order to receive payment. A common sense approach is recommended.

Leave Without Pay

The principal/employer should advise the staff member that they are entitled to take LWOP for the following school year (or another period as appropriate) as a means of delaying and potentially avoiding the redundancy. The staff member may accept or reject this offer. If the staff member accepts the offer of LWOP, the principal/employer should confirm this in writing with the staff member and notify the Director of the relevant Catholic Education Office, the IEU and the IR Unit.

If a suitable position becomes available during LWOP, the principal/employer must notify the staff member. The staff member may elect to either accept the position immediately or continue on LWOP for the remainder of the period and accept the position at the conclusion of the LWOP (in which case the principal/employer must keep the position open for the staff member).

If no position becomes available during the LWOP and there is no change to the redundancy situation, the principal/employer should provide the staff member with notice that their employment will terminate by reason of redundancy at the end of the LWOP. The principal/employer should also advise the Director of the relevant Catholic Education Office, the IEU and the IR Unit that the redundancy will proceed at the end of the LWOP.



Timing: Assistance should be provided from the time the staff member is notified of redundancy until the end of their employment.

11. Redundancy payments

If there is no resolution to the redundancy situation and the staff member's employment at the school/workplace has ended, the next step is for the principal/employer to arrange the relevant payments.

Make redundancy payment no less than **15 days** after end of employment.
(Clause 8(a)(ii) and 8(b) of the VCCEMA)

Amount of redundancy payment

The VCCEMA stipulates the amount of the redundancy payment based on years of continuous service in Catholic Education in Victoria and age (under 45 or 45 years of age and over).

Period of continuous service	Under 45 years of age	45 years of age or over
Less than 1 year	Nil	Nil
1 year but less than 2 years	4 weeks' pay	5 weeks' pay
2 years but less than 3 years	7 weeks' pay	8.75 weeks' pay
3 years but less than 4 years	10 weeks' pay	12.5 weeks' pay
4 years but less than 5 years	12 weeks' pay	15 weeks' pay
5 years but less than 6 years	14 weeks' pay	17.5 weeks' pay
6 years and over	16 weeks' pay	20 weeks' pay
15 years and over	21 weeks' pay	25 weeks' pay

Weeks' pay means the ordinary time rate of pay for the staff member. If the staff member has a Position of Leadership allowance or receives another regular allowance this should be included. Overtime is not included.

Timing of redundancy payment

The redundancy payment should not be made until at least 15 consecutive working days **after** the staff member ends employment at the school/workplace.

If the employee commences employment with another employer in Catholic education within 15 working days of the date of termination then the employee is no longer eligible for the redundancy payment.

The redundancy payment is payment to the employee to take account of the loss of entitlements (including salary, long service leave and sick leave) as a result of the termination of employment.

For staff members who receive school holiday pay, the school holidays are not counted in the 15 consecutive working days. This means that a teacher or category B staff member who is made redundant at the end of the school year will not receive a redundancy payment until the fourth week of term 1.

Principals/employers who are unsure whether the staff member has obtained employment elsewhere in Catholic education should make enquiries before processing the redundancy payment.

The principal/employer must provide a payment advice to the staff member (including the date of redundancy and the amount of the payment).

Other payments

Principals/employers should be aware that the staff member may be entitled to other payments on termination including:

- school holiday pay/annual leave
- leave loading
- payment in lieu of notice of termination
- long service leave (relevant application form required).



Timing: The redundancy payment is to be made no earlier than 15 days after the end of the staff member's employment.



ATTACHMENT 9: Letter to CEO Director, IEU & IR Unit advising of redundancy payment

12. Variation to redundancy

If there is any variation to the redundancy result following the redundancy meeting, the principal/employer should notify the Director of the relevant Catholic Education Office, the IEU and the IR Unit as soon as practicable. For example, if the staff member whose position is declared redundant elects to take LWOP, the principal/employer should advise the parties that the redundancy has been deferred.



Timing: Notify parties as soon as practicable after the variation to redundancy.



ATTACHMENT 10: Letter to CEO Director, IEU & IR Unit advising of variation to redundancy

13. Further Information

Industrial Relations Unit
228 Victoria Parade East Melbourne VIC 3002
Phone (03) 9267 0431
Email ceoir@ceomelb.catholic.edu.au

Catholic Education Office Ballarat
5 Lyons Street South Ballarat VIC 3353
Phone (03) 5337 7135
Email Director@ceoballarat.catholic.edu.au

Catholic Education Office Sale
6 Witton Street Warragul VIC 3820
Phone (03) 5622 6600
Email plow@ceosale.catholic.edu.au

Catholic Education Office Sandhurst
120 Hargreaves Street Bendigo VIC 3552
Phone (03) 5443 2377
Email klawlor@ceosand.catholic.edu.au

14. Resources

Appendix 2 of the [Victorian Catholic Education Multi Enterprise Agreement 2013](#)

Attachment 1	Letter notifying staff of potential redundancy
Attachment 2	Letter notifying CEO Director, IEU & IR Unit of potential redundancy
Attachment 3	Letter to CEO Director, IEU & IR Unit advising resolution of potential redundancy
Attachment 4	Redundancy document
Attachment 5	Letter inviting CEO Director, IEU & IR Unit to redundancy meeting
Attachment 6	Letter to staff member proposing redundancy
Attachment 7	Letter to staff member confirming redundancy
Attachment 8	Letter to CEO Director, IEU & IR Unit confirming redundancy
Attachment 9	Letter to CEO Director, IEU & IR Unit advising of redundancy payment
Attachment 10	Letter to CEO Director, IEU & IR Unit advising of variation to redundancy

Attachment 1: Letter notifying staff of potential redundancy

(Delete heading and guidance notes before printing)

Guidance notes:

- Read clauses 2 and 3 (especially 3(1)) of Appendix 2 of the *Victorian Catholic Education Multi Enterprise Agreement 2013* (VCEMEA).
- **Attach:**
 - CECV Staff Information Sheet – Redundancy Process (Attachment A).
 - Staff Intentions Form (Attachment B).
- The letter directs staff to Appendix 2 of the VCEMEA on the CECV website. For staff with limited internet access, provide a hard copy of Appendix 2.
- After sending this notification, promptly commence (or continue) attempts to resolve the potential redundancy situation.
- **Timing:** as soon as potential redundancy situation is identified.

[Insert date]

[Insert employee's name]

[Insert employee's address]

Dear [Insert employee's name]

Potential Redundancy Situation

The purpose of this notification is to inform you that [Insert name of School/College] (**School/College**) is facing a potential redundancy situation this year.

The potential redundancy situation has been caused by [Insert cause, e.g. a decrease in enrolments/a change in LOTE funding arrangements].

As a result of this change, it appears at this stage that a reduction in employee numbers in [Insert staffing area/s, e.g. geography/administration] of [Insert number, e.g. 2.0 FTE] is necessary.

The **School/College** will be following the redundancy process contained in Appendix 2 of the *Victorian Catholic Education Multi Enterprise Agreement 2013* (VCEMEA), available from www.cecv.catholic.edu.au / Industrial Relations / 2013 Agreement. Attachment A to this letter contains an overview of the redundancy process in the VCEMEA.

The **School/College** is making attempts to resolve the potential redundancy situation, including investigating the following:

- leave arrangements
- redeployment/retraining
- voluntary redundancy requests.

Staff Intentions Form

If it is clear that sufficient staff are likely not to be returning to the **School/College** in [Insert following year], this may assist the **School/College** to avoid redundancies. Accordingly, please indicate on the **attached** Staff Intentions Form if you are contemplating any of the following:

- long service leave, leave without pay or parental leave in [Insert relevant period]
- reduction in your hours of employment in [Insert relevant period]
- resignation from the **School/College**
- any other relevant matters.

Please complete, sign and return the Staff Intentions Form by [Insert date].

Your intentions will not be used as a criterion for determining who (if anyone) is to be made redundant. If you intend to take leave, reduce your hours or resign from your employment, you will also need to advise me formally and separately from the Form.

Voluntary Redundancy Requests

You may indicate on the Staff Intentions Form if you are willing to make a voluntary offer to be declared redundant. It is important that you are aware that a voluntary redundancy request will not automatically be accepted. Whether a voluntary redundancy request resolves the potential redundancy situation will depend on all the circumstances. I recommend that you seek advice before indicating a willingness to make a voluntary offer to be declared redundant.

Please contact [insert contact person's details] by [Insert date] if you wish to make an appointment to discuss with me any matters that may be relevant to the resolution of the potential redundancy situation.

I thank you in advance for your co-operation and support in this difficult time.

Yours sincerely

[Insert principal's name]

Principal

Attachment A: CECV Staff Information Sheet – Redundancy Process

Attachment B: Staff Intentions Form

Attachment A

CECV Staff Information Sheet – Redundancy Process

Introduction

A redundancy at a school occurs when the employer no longer requires a particular job to be done and this results in the termination of employment of one or more staff members. The redundancy process applies only to ongoing employees.

The redundancy process for the Victorian Catholic schools is set out in Appendix 2 of the *Victorian Catholic Education Multi Enterprise Agreement 2013 (VCEMEA)*.

The redundancy process in the VCEMEA aims to:

- Avoid redundancies in Catholic schools
- Delay redundancies where avoidance is not possible
- Endeavour to assist those staff whose positions are declared redundant to find other suitable employment within Catholic education.

Where redundancies cannot be avoided, the redundancy process in the VCEMEA ensures a process that is fair and consistent to staff.

The redundancy process has six steps which are set out in Appendix 2 of the VCEMEA:

- (i) Redundancy identification (clause 3)
- (ii) Redundancy document (clause 4)
- (iii) Redundancy meeting (clause 5)
- (iv) Notifying the redundancy result (clause 6)
- (v) Assistance in re-deployment (clause 7)
- (vi) Variations and redundancy payment advice (clause 8)

The last page of this document is a **flowchart** depicting the redundancy process (Overview of Redundancy Procedures).

1. Step 1 – Redundancy identification

1.1 Identification

The first stage in the redundancy process is when the principal identifies that there is a potential redundancy situation due to a change in one or more of the following:

- program or curriculum
- organisation or structure
- funding
- enrolment decline
- technology.



Timing: Where a potential redundancy would take effect from the start of the following school year, the redundancy process generally commences early in term 3 of the current school year. However, the process may commence at any time during the year.

1.2 Notification of Potential Redundancy

As soon as a potential redundancy situation is identified, the principal will notify staff and the Independent Education Union Victoria Tasmania (**Union**).

Staff will be provided with:

- the reasons for the potential redundancy situation
- access to the redundancy procedures in Appendix 2 of the VCEMEA
- a request for **staff intentions** for the following year (or other period as relevant).

Based on the information provided by staff in the staff intentions form, it may be possible to resolve the redundancy situation through time fraction reductions, leave or voluntary redundancies.



Timing: Staff will be notified as soon as a potential redundancy situation is identified.

1.3 Attempt Resolution

The principal will explore avenues to avoid/delay redundancies, including the following:

- Consideration of staff intentions
- Voluntary redundancy requests (the principal is not compelled to accept voluntary redundancy requests)
- Redeployment (at the school or elsewhere under the same employer) or retraining
- Reorganisation of duties
- Reductions in time fractions (the time fraction of a full-time staff member may only be reduced with the express agreement of that staff member)
- Seeking additional funding.



Timing: The principal will attempt resolution from the time the potential redundancy situation is identified.

2. Step 2 – Redundancy Document

If the potential redundancy situation cannot be resolved, the principal will prepare a **redundancy document** to be provided to the union which contains the following confidential information:

- detailed reasons for the redundancy including relevant information on funding, staffing and enrolments
- number and categories of staff likely to be affected
- number of staff employed and details of their employment
- outline of alternatives investigated.

The **redundancy document** will form the basis of discussion for the redundancy meeting. The information contained in the redundancy document will help the principal and the union agree on the criteria that will be used to identify the staff member(s) who will be declared redundant.



Timing: The principal will provide the redundancy document to the union at least three working days before the redundancy meeting.

3. Step 3 – Redundancy Meeting

If the potential redundancy situation is not resolved, the principal will hold a **redundancy meeting** with the union to seek agreement on the criteria that will be used to identify the staff who will be declared redundant. The principal will nominate and prioritise the factors from clauses 5.4(i) and 5.4(ii) of Appendix 2 of the VCMEA (outlined in the first two columns in the table below) in determining the staff member(s) to be declared redundant.

MUST USE	MAY USE	MUST NOT USE
<ul style="list-style-type: none"> • Needs of school • Work currently being performed that is no longer required • Positions that are required (i.e. school would need to employ new staff if those staff were declared redundant) 	<ul style="list-style-type: none"> • Current contract of employment, current duties • Curriculum programs • Experience, length of service, graduate status • Funding base for staff member • Qualifications, specialist expertise • Voluntary redundancy nomination • Previous redundancy history • Pastoral considerations 	<ul style="list-style-type: none"> • IEU representation/affiliation, employment activity, industrial activity • Sex, age, race, religious belief or activity, political belief or activity, physical features • Pregnancy, breastfeeding, carer status, parental status, absence from work on parental leave • Disability, temporary absence from work because of illness or injury • Lifestyle, marital status sexual orientation, gender identity, lawful sexual activity • Personal association with a person with any of the above attributes • Performance, competence, suitability

It is unlawful to base the decision as to whose position is made redundant on any of the attributes covered by state and federal anti-discrimination laws, for example sex, age and pregnancy. The full list of attributes is included in the third column of the table above. This does not mean that a person with a particular attribute cannot have their position made redundant, only that the attribute must not be a factor in that decision.

Once there is agreement on the redundancy criteria, the principal must advise the union of the name(s) of the staff member(s) who will be made redundant.



Timing: The principal will arrange the redundancy meeting as soon as practicable after the principal has considered alternatives and concluded that the redundancy situation cannot be resolved.

4. Step 4 – Notifying the redundancy result

As soon as practicable after the redundancy meeting, the principal will:

- inform the relevant staff member(s) of the redundancies
- consider the staff member’s response (if any) to the redundancy
- confirm the final decision regarding the redundancy in writing to the staff member
- provide the staff member with notice of termination (where there is no change to the redundancy result)
- confirm the redundancy in writing to the union.

Education support employees and school services officers are entitled to the following notice of termination.

Period of continuous service	45 years of age or less	Over 45 years of age
Less than 1 year	1 week	1 week
1 year but less than 3 years	2 weeks	3 weeks (more than 2 years’ service)
3 years but less than 5 years	3 weeks	4 weeks
5 years and over	4 weeks	5 weeks

Teachers and deputy principals are entitled to the following notice of termination.

Period of continuous service	Notice
Less than 10 years in Catholic education and less than five years in their current school	7 weeks
10 or more years in Catholic education or 5 or more years in their current school	12 weeks (9 of which shall be working weeks)



Timing: The principal will notify the relevant staff member(s) as soon as practicable after the redundancy meeting.



Timing: The principal will send the confirmation of redundancy and the letter to the union within two weeks of the redundancy meeting.

5. Step 5 – Assistance in re-deployment

The principal will provide assistance to any staff member who has been made redundant, including the following:

- Where agreed, meet regularly with the staff member to discuss pastoral and professional issues
- Offer counselling
- With the agreement of the staff member, contact neighbouring schools for redeployment opportunities
- Provide paid leave to attend job interviews etc.
- Offer leave without pay or other leave.

Leave Without Pay (LWOP)

The principal should advise the staff member that they are entitled to take LWOP for the following school year (or another period as appropriate) as a means of delaying and potentially avoiding the

redundancy. The staff member may accept or reject this offer. If the staff member accepts the offer of LWOP, the principal should confirm this in writing with the staff member and notify the union. If a suitable position becomes available during LWOP, the principal must notify the staff member. The staff member may elect to either accept the position immediately or continue on LWOP for the remainder of the period and accept the position at the conclusion of the LWOP (in which case the principal must keep the position open for the staff member).

If no position becomes available during the LWOP and there is no change to the redundancy situation, the principal should provide the staff member with notice that their employment will terminate by reason of redundancy at the end of the LWOP. The principal should also advise the union that the redundancy will proceed at the end of the LWOP.



Timing: The principal will provide assistance from the time the staff member is notified of redundancy until the end of their employment.

Step 6 – Variations and redundancy payment advice

If there is no resolution to the redundancy situation and the staff member's employment at the school/workplace has ended by reason of redundancy, the final step is for the principal to arrange the relevant payments to the staff member.

The redundancy payment is made no earlier than 15 days **after** the end of the staff member's employment.

If the employee commences employment with another employer in Catholic education within 15 working days of the date of termination because of redundancy then the employee is no longer eligible for the redundancy payment. This is because the redundancy payment is paid to the employee to take account of the loss of entitlements (including salary, long service leave and sick leave) and if the employee obtains alternative employment in Catholic education within 15 days there is no such loss of entitlements.

Redundancy payment entitlements

Period of continuous service	Under 45 years of age	45 years of age or over
Less than 1 year	Nil	Nil
1 year but less than 2 years	4 weeks' pay	5 weeks' pay
2 years but less than 3 years	7 weeks' pay	8.75 weeks' pay
3 years but less than 4 years	10 weeks' pay	12.5 weeks' pay
4 years but less than 5 years	12 weeks' pay	15 weeks' pay
5 years but less than 6 years	14 weeks' pay	17.5 weeks' pay
6 years and over	16 weeks' pay	20 weeks' pay
15 years and over	21 weeks' pay	25 weeks' pay

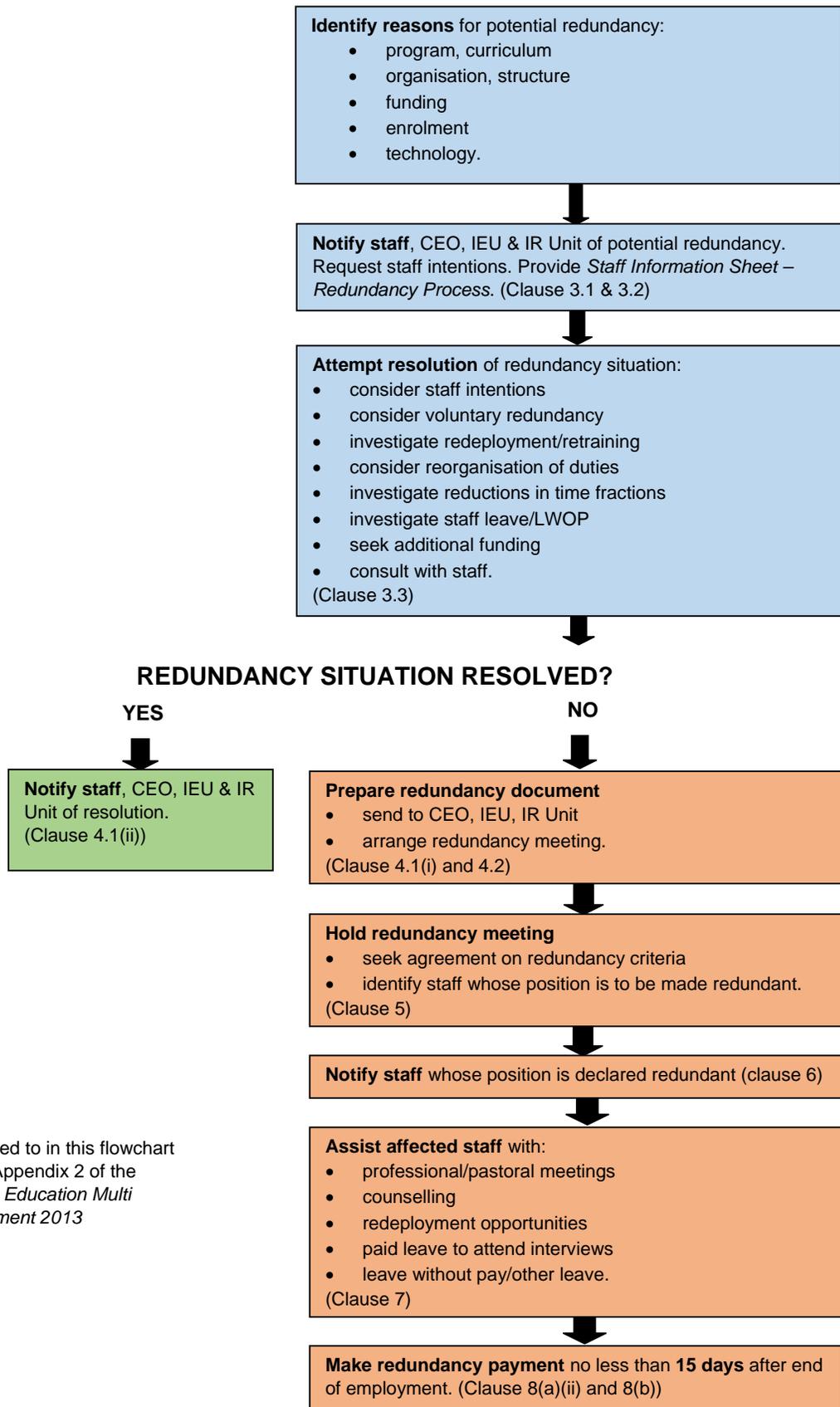


Timing: The redundancy payment is made no earlier than 15 days after the end of the staff member's employment.

6. Resources

Appendix 2 of the *Victorian Catholic Education Multi Enterprise Agreement 2013 (VCMEA)*

Overview of Redundancy Procedures



*All clauses referred to in this flowchart are contained in Appendix 2 of the *Victorian Catholic Education Multi Enterprise Agreement 2013*

Attachment 2: Letter notifying CEO Director, IEU & IR Unit of potential redundancy

(Delete heading and guidance notes before printing)

Guidance notes:

- Read clauses 2 and 3 (especially 3(1)) of Appendix 2 of the *Victorian Catholic Education Multi Enterprise Agreement 2013* (VCEMEA).
- **Attach** copy of the 'Letter notifying staff of potential redundancy'.
- Send to:
 - Director of the relevant Catholic Education Office
 - IEU
 - CECV IR Unit.
- After sending this notification, promptly commence (or continue) attempts to resolve the potential redundancy situation.
- **Timing:** at the same time as you send the 'Letter notifying staff of potential redundancy' (Attachment 1), that is, as soon as potential redundancy situation is identified.

[Insert date]

[Insert employee's name]

[Insert employee's address]

Dear [Insert employee's name]

Potential Redundancy Situation at [Insert name of School/College and town/suburb]

Dear [Insert name]

The purpose of this letter is to advise that a potential redundancy situation exists at [Insert name of School/College] (**School/College**).

I have attached a copy of the formal notification to staff for your information.

The **School/College** will be attempting to resolve the situation in accordance with Appendix 2 of the *Victorian Catholic Education Multi Enterprise Agreement 2013* (VCEMEA). If these efforts are successful, I will provide you with notification of how the situation has been resolved.

If the potential redundancy situation is not resolved, I will arrange a redundancy meeting in accordance with Appendix 2 of the VCEMEA.

Yours sincerely

[Insert principal's name]

Principal

Attachment Letter notifying staff of potential redundancy

Attachment 3: Letter to CEO Director, IEU & IR Unit advising resolution of potential redundancy

(Delete heading and guidance notes before printing)

Guidance notes:

- Read clauses 3 and 4 (especially 4(1)) of Appendix 2 of the *Victorian Catholic Education Multi Enterprise Agreement 2013* (VCEMEA).
- This letter is to be used only if the potential redundancy situation is resolved other than with a declaration of redundancy (other than a voluntary redundancy).
- Send to:
 - Director of the relevant Catholic Education Office
 - IEU
 - CECV IR Unit.
- **Timing:** as soon as potential redundancy situation is resolved.

[Insert date]

Dear [Insert name]

Potential Redundancy Situation at [Insert name of school and town/suburb]

I refer to my letter dated [Insert date] which advised of the existence of a potential redundancy situation at [Insert name of School/College] ('**School/College**').

I am pleased to advise that the situation has been resolved, for the following reasons [Insert resolution, the following are examples]:

- A teacher in the affected area obtained a position at a neighbouring school, meaning there is no longer an excess of staff.
- A staff member was granted parental leave for 2016 meaning that the potential redundancy situation has been delayed for 12 months.
- A school services officer made a voluntary offer to be declared redundant and that offer has been accepted.

Yours sincerely

[Insert principal's name]

Principal

Attachment 4: Redundancy document

Private & Confidential

(Delete heading and guidance notes before printing)

Guidance notes:

- Read clause 4 of Appendix 2 of the *Victorian Catholic Education Multi Enterprise Agreement 2013* (VCEMEA).
- This document will be provided to the CEO, IEU and the IR Unit and will form the basis of much of the discussion in the redundancy meeting.
- Send to:
 - Director of the relevant CEO
 - IEU
 - CECV IR Unit
- Ideally, **attach** redundancy document to the letter inviting the CEO, IEU & IR Unit to the redundancy meeting (Attachment 5) (may provide separately, but be aware of timing requirement).
- **Timing:** provide to CEO, IEU and IR Unit **at least three working days** before redundancy meeting.

[Insert name of School/College and town/suburb]

Redundancy Document

[insert date]

Strictly Private and Confidential

Not for Distribution

Attachment 4: Redundancy document

1. Process to date

[Insert name of School/College] (**School/College**) has followed the process outlined in Step 1 of Appendix 2 of the *Victorian Catholic Education Multi Enterprise Agreement 2013* (VCEMEA), including communications to:

- Employees
- the Director of the Catholic Education Office
- the Independent Education Union Victoria Tasmania (**IEU**),
- the Industrial Relations Unit of the Catholic Education Commission of Victoria.

2. Staff intentions

The **School/College** has considered staff intentions for the [Insert relevant period].

In summary [delete/modify according to situation]:

- [Insert number] employee/s plan to take leave without pay/long service leave/parental leave in [insert relevant period]
- [Insert number] employee/s intend to resign from the School/College
- [Insert number] employee/s have made voluntary redundancy requests
- [Insert details of any other relevant matters].

[Describe any actions taken in relation to staff intentions, the following are examples only:

- The School/College has accepted a leave without pay request from a staff member in the geography area who is employed 0.4 FTE.
- The School/College has accepted a voluntary redundancy request from a school services officer in the maintenance area.]

[Describe impact on the potential redundancy situation, the following is an example:

- This has not resolved the potential redundancy situation because there remains a requirement to reduce the number of staff in geography/maintenance by 0.8 FTE.]

3. Reasons for the potential redundancy

The reasons for the potential redundancy are as follows:

[Insert reasons, the following are examples only:

- Projected enrolments for 2016 are currently between 330 and 350, a reduction from 405 in 2015. The actual enrolments for 2016 are 300.
- The following sources of funding have decreased:
 - LNSLN funding from \$300,000 to \$250,000 for 2016
 - Literacy funding from \$400,000 to \$300,000 for 2016.]

Based on [insert reasons, e.g. the declining enrolments and/or financial position] of the **School/College**, it is expected that there will be an overstaffing at the **School/College** of [insert number] FTE in [Insert year/period]. The **School/College** therefore requires a reduction of [insert number] FTE in [insert year/period].

Attachment 4: Redundancy document

4. Number and categories of staff likely to be affected

[Specify each area, e.g. geography/maintenance/administration]

[Insert number] staff are likely to be affected.

5. Number of staff employed and details of their employment

Please refer to the **attached** spreadsheet containing staff details, positions and FTE [**Attach document with names of staff and details of their employment**]. These details are to be kept confidential and used only for the purpose of discussion in the redundancy meeting.

6. Alternatives investigated

The School has investigated the following options:

6.1 Re-deployment of existing employees within the **School/College**

[Insert information, e.g. no suitable position available/one administration staff member was able to be redeployed as teacher aides].

6.2 Staffing requirements in schools under the authority of the present employer of the **School/College**

[Insert information, e.g. no suitable position available/the School was able to find alternative employment for one part-time staff member at another school in the Parish].

6.3 The possibilities of employment in neighbouring schools

[Insert information, e.g. no suitable position available/the College was able to find alternative employment for one staff member at a neighbouring College].

6.4 Additional funding

[Insert information, e.g. not applicable to this situation/ the School was able to source additional (temporary) funding from the Catholic Education Office, which enabled the School to maintain the employment of one part-time staff member for a further six months].

6.5 Retraining possibilities:

[Insert information, e.g. not applicable to this situation/the School has provided retraining for a school services officer].

6.6 Possible leave arrangements

[Insert information, e.g. the School received no leave requests for 2016/the College has accepted one request for leave without pay for semester one of 2016].

6.7 Voluntary redundancies

[Insert information, e.g. the School received no voluntary redundancy requests/the College received a voluntary redundancy request from one staff member but this was not accepted as it would not have resolved the redundancy situation].

6.8 Special funding to tide over a redundancy gap

[Insert information, e.g. not relevant as the excess staffing is expected to be an ongoing situation/ the School has not been able to secure any special funding from the Parish, Government or Catholic Education Office].

[Include any other information considered relevant]

Attachment 4: Redundancy document

6.9 Summary

Despite the investigation of these alternatives, a reduction of [Insert number] FTE is still required.

[Attach spreadsheet containing staff details, positions and FTE]

Attachment 5: Letter inviting CEO Director, IEU & IR Unit to redundancy meeting

(Delete heading and guidance notes before printing)

Guidance notes:

- Read clause 5 of Appendix 2 of the *Victorian Catholic Education Multi Enterprise Agreement 2013* (VCEMEA).
- Send to:
 - Director of the relevant Catholic Education Office
 - IEU
 - CECV IR Unit.
- Ideally, **attach the** redundancy document (Attachment 4)
- In practice, the Director may send a representative from the Catholic Education Office to the redundancy meeting or else the Director may be satisfied with representation from the IR Unit.
- **Timing:** Arrange the meeting as soon as practicable after considering alternatives and concluding that the potential redundancy situation cannot be resolved.

[Insert date]

Dear [Insert name]

Potential Redundancy Situation at [Insert name of School/College and town/suburb]

I refer to my letter dated [Insert date of letter notifying the CEO Director, IEU & IR Unit of potential redundancy] which advised of the existence of a potential redundancy situation at [Insert name of School/College] (**School/College**).

Despite an extensive investigation by the **School/College** into possible alternatives, the potential redundancy situation has not been resolved.

I must therefore advise that I am convening a redundancy meeting in accordance with Step 3 of Appendix 2 of the *Victorian Catholic Education Multi Enterprise Agreement 2013* (VCEMEA) between the nominated representatives of:

- [Insert relevant Catholic Education Office]
- the Independent Education Union Victoria Tasmania
- the Industrial Relations Unit of the Catholic Education Commission of Victoria
- the **School/College**.

I propose that the redundancy meeting be held at the **School/College** at [Insert date and time]. If you have any difficulties with the scheduled time, please contact me by [Insert date] and I will attempt to arrange a time and place convenient for all of the above parties.

Please find **attached** the redundancy document, outlining the following:

- The reasons for the potential redundancy
- The number and categories of staff likely to be affected
- The number of staff members and details of their employment
- Alternatives investigated.

I confirm that the redundancy document is provided to you in confidence. The information in that document is to be kept confidential and used only for the purpose of discussion in the redundancy meeting.

Yours sincerely

[Insert principal's name]

Principal

Attachment [Insert name of School/College] Redundancy Document

Attachment 6: Letter to staff member proposing redundancy

(Delete heading and guidance notes before printing)

Guidance notes:

- Read clauses 5, 6 and 7 of Appendix 2 of the *Victorian Catholic Education Multi Enterprise Agreement 2013* (VCEMEA).
- Use only for staff member/s declared redundant.
- After sending this letter, allow one week for a response:
 - If there is no response or you have considered the response and decided to proceed with the redundancy, send the 'Letter to staff member confirming redundancy' (Attachment 7) and the 'Letter to CEO Director, IEU & IR Unit confirming redundancy' (Attachment 8).
 - If, after considering the employee's response, you decide not to proceed with the redundancy, reconvene the Step 3 redundancy meeting.
- Ideally, this letter should be provided to the staff member in person, after personally advising them that you are proposing to make their position redundant.
- **Timing:** as soon as practicable after the redundancy meeting.

[Insert date]

[Insert employee's name]

[Insert employee's address]

Dear [Insert employee's name]

Proposed Redundancy

I refer to my letter to staff dated [Insert date] in which I advised you of a potential redundancy situation at [insert name of School/College] (**School/College**). Since that time, the **School/College** has continued to follow the process in Appendix 2 of the *Victorian Catholic Education Multi Enterprise Agreement 2013* (VCEMEA). This has included investigation of alternatives to redundancy and meetings with representatives from the [Insert Catholic Education Office if relevant], Independent Education Union Victoria Tasmania and the Industrial Relations Unit of the Catholic Education Commission of Victoria.

It is with deep regret that I must formally propose that, effective [Insert date, including notice period], your employment will cease on the grounds of redundancy.

Based on your years of service in Catholic Education, you are entitled to a [Insert number of weeks] redundancy payment (to be paid 15 working days after the end of your employment). You are also entitled to be given [Insert number of weeks] notice of termination (or payment in lieu of such).

If there is any reason why you believe that your employment should not be terminated, please provide me written reasons no later than 4pm on [insert date, five working days from date of this letter].

I confirm that the **School/College** will provide assistance to you with a view to helping you obtain a position elsewhere in Catholic education, including [include all relevant forms of assistance]:

- Provision of paid leave to attend job interviews etc.
- Access to counselling.
- With your agreement, I will contact neighbouring schools for redeployment opportunities.
- With your agreement, I [or Business Manager or another member of leadership team as appropriate] will meet with you regularly to discuss pastoral and professional issues.

Any requests by you for other forms of assistance will also be considered.

Leave without pay

I confirm that you may avail yourself of leave without pay (**LWOP**) for **[Insert following school year or relevant period]** in order to defer, or possibly avoid, the redundancy.

If you choose to take LWOP, I will notify you if a suitable position becomes available during your LWOP. You may elect to either accept the position immediately or continue on LWOP for the remainder of the year and accept the position at the conclusion of the LWOP (in which case I will keep the position open for you).

If no suitable position becomes available during your LWOP and there is no change to the redundancy situation, I will provide you with notice that your employment will terminate by reason of redundancy at the end of the LWOP.

If you wish to take up the option of LWOP, please confirm this in writing as soon as practicable.

If you have any questions or wish to further discuss the proposed redundancy please make a time to speak with me.

[Include any additional personal comments.]

Yours sincerely

[Insert principal's name]
Principal

Attachment 7: Letter to staff member confirming redundancy

(Delete heading and guidance notes before printing)

Guidance notes:

- Read clauses 5, 6 and 7 of Appendix 2 of the *Victorian Catholic Education Multi Enterprise Agreement 2013* (VCEMEA).
- Use only for staff member/s to be declared redundant, if there is no response or you have considered the response and decided to proceed with the redundancy.
- This letter constitutes notice of termination. If you have not provided the staff member with sufficient notice, they will be entitled to payment in lieu of part or all of the notice period.
- At the same time as you send this letter, send the 'Letter to CEO Director, IEU & IR Unit confirming redundancy' (Attachment 8).
- **Timing:** 10 working days after Step 3 redundancy meeting and sending 'Letter to staff proposing redundancy' (Attachment 6).

[Insert date]

[Insert employee's name]

[Insert employee's address]

Dear [Insert employee's name]

Redundancy Confirmation

I refer to my letter of [Insert date] in which I formally proposed that, in accordance with Appendix 2 of the *Victorian Catholic Education Multi Enterprise Agreement 2013* (VCEMEA), your employment shall cease on the grounds of redundancy.

[Delete if inapplicable: I have received a written explanation from you giving reasons why your employment should not be terminated on the grounds of redundancy [summarise reasons]. I confirm that I have considered your reasons, but that I have made the decision to continue with the proposed redundancy.]

[Delete if inapplicable: I confirm that I have not received a written response from you.]

I now confirm that effective from [Insert date], your employment will cease on the grounds of redundancy. This letter constitutes notice of the termination of your employment.

As outlined in my previous letter, I confirm that the following assistance will be made available to you:

- Provision of paid leave to attend job interviews etc.
- Access to counselling.
- With your agreement, I will contact neighbouring schools for redeployment opportunities.
- With your agreement, I [or Business Manager or another member of leadership team as appropriate] will meet with you regularly to discuss pastoral and professional issues.
- You may avail yourself of leave without pay (**LWOP**) for [Insert following school year] in order to defer, or possibly avoid, the redundancy. If you wish to take up this option, please advise me in writing as soon as practicable.

Please be assured that any other forms of assistance requested by you will be considered.

I thank you for your contribution to the School/College. [Include additional personal comments.]

Yours sincerely

[Insert principal's name]

Principal

Attachment 8: Letter to CEO Director, IEU & IR Unit confirming redundancy

(Delete heading and guidance notes before printing)

Guidance notes:

- Read clauses 5 and 6 of Appendix 2 of the *Victorian Catholic Education Multi Enterprise Agreement 2013* (VCEMEA).
- Send to:
 - Director of the relevant Catholic Education Office
 - IEU
 - CECV IR Unit.
- At the same time as you send this letter, you should also send 'Letter to staff confirming redundancy' (Attachment 7).
- **Timing:** 10 working days after Step 3 Redundancy Meeting and sending 'Letter to staff proposing redundancy'

[Insert date]

[Insert name]

[Insert address]

Dear [Insert name]

Redundancy Confirmation: [Insert name of School/College and town/suburb]

Dear [Insert name]

The purpose of this letter is to confirm the result of the redundancy situation at the **School/College**.

In accordance with Step 3 of Appendix 2 of the *Victorian Catholic Education Multi Enterprise Agreement 2013* (VCEMEA), a redundancy meeting was held on [insert date]. It was attended by:

- [Insert name/s representing the Catholic Education Office, if relevant]
- [Insert name/s] representing the Independent Education Union Victorian Tasmania
- [Insert name/s] representing the Catholic Education Commission of Victoria Industrial Relations Unit
- [Insert name/s] representing the **School/College**.

During that meeting, the parties agreed on the redundancy criteria and I named [Insert name of staff member/s] as the staff member/s whose position/s is/are to be made redundant.

On [Insert date], I advised [Insert name of staff member] of the proposal to terminate his/her employment by reason of redundancy. By letter dated [Insert date], I have confirmed the decision to proceed with the redundancy and provided [Insert name] with notice of termination, effective [Insert date].

[Add additional paragraphs if more than one staff member.]

Yours sincerely

[Insert principal's name]

Principal

Attachment 9: Letter to CEO Director, IEU & IR Unit advising of redundancy payment

(Delete heading and Guidance Notes before printing)

Guidance Notes:

- Read clauses 1.4, 1.6(b), 7.1(g) and 8 of Appendix 2 of the *Victorian Catholic Education Multi Enterprise Agreement 2013* (VCEMEA).
- Send to:
 - Director of the relevant Catholic Education Office
 - IEU
 - CECV IR Unit.
- Send at same time as redundancy payment is made to staff member/s declared redundant.
- **Timing:** no earlier than 15 working days after date of termination of employment.

[Insert date]

[Insert name]

[Insert address]

Dear [Insert name]

Redundancy Payment at [Insert name of School/College and town/suburb]

Dear [Insert name]

I refer to my letter dated [Insert date of letter to CEO Director, IEU & IR Unit confirming redundancy], in which I confirmed that the staff member/s whose position/s was/were to be made redundant was/were [Insert name/s].

In accordance with Appendix 2 of the *Victorian Catholic Education Multi Enterprise Agreement 2013* (VCEMEA), I wish to advise you that the staff member/s was/were paid the following redundancy payment/s (less the applicable tax):

- [insert name of employee]: [Insert amount] number of weeks' salary
- [insert name of employee]: [Insert amount] number of weeks' salary.

Yours sincerely

[Insert principal's name]

Principal

Attachment 10: Letter to CEO Director, IEU & IR Unit advising of variation to redundancy

(Delete heading and guidance notes before printing)

Guidance notes:

- Read clause 8 of Appendix 2 of the *Victorian Catholic Education Multi Enterprise Agreement 2013* (VCEMEA).
- This letter is to be used if there is a variation to the redundancy following the naming of the staff member in the redundancy meeting. For example, the staff member elects to take LWOP, another staff member resigns.
- Send to:
 - Director of the relevant Catholic Education Office
 - IEU
 - CECV IR Unit.
- **Timing:** as soon as practicable after there is a variation to redundancy result.

[Insert date]

[Insert name]

[Insert address]

Dear [Insert name]

Variation to redundancy result at [Insert name of School/College and town/suburb]

I refer to recent correspondence on this matter, in particular to my letter dated [insert date of most recent letter].

I am pleased to advise you that there has been a variation to the redundancy result at [Insert name of School/College].

[The following are examples of variations. Delete inapplicable paragraphs:

[Insert name] has accepted an offer of leave without pay for the 2016 school year.

[Insert name] has accepted a position at [insert name of school/CEO].

The School/College has received extra funding for the 2016 school year.]

Accordingly, the termination of [insert name]'s employment as a result of redundancy has been [avoided/deferred to the end of next year].

Yours sincerely

[Insert principal's name]

Principal