

Industrial Relations News



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Welcome to the 2015 School Year

Welcome to the January edition of *Industrial Relations News*.

The start of the school year is always a busy time in schools, with salary and allowance increases due under the *Victorian Catholic Education Multi Enterprise Agreement 2013* (VCEMEA).

This edition includes Industrial Relations and Occupational Health and Safety (OHS) Start-of-School-Year Checklists to assist with the beginning of the 2015 school year. There is also important information about managing risks associated with excessive heat, and schools should have made appropriate arrangements in relation to heat and fire risks.

Information is also provided on the new Catholic Education Commission of Victoria Ltd (CECV) *Safe and Sound Practice Guidelines (Occupational Violence)*, along with other industrial relations and OHS issues, including Working with Children (WWC) Check and Victorian Institute of Teaching (VIT) obligations.

If you have any questions about any of the topics in this newsletter, please contact the Industrial Relations Unit on 03 9267 0431 or via email ceoir@ceomelb.catholic.edu.au.

I wish all staff in our schools a safe, happy and learning-filled 2015.

Stephen Elder
EXECUTIVE DIRECTOR

Start-of-School-Year Checklists

To assist in preparing for 2015, attached to this newsletter are two useful checklists to deal with Industrial Relations and OHS issues. Principals are encouraged to use these checklists as an aid in ensuring they are ready for the 2015 school year.

Key aspects of the Industrial Relations checklist include salary and allowance increases in February 2015, letters of appointment and induction of new staff.

The OHS checklist has important information concerning training, consultation, hazard identification, documentation and incident management.

Heat and Fire Risk Management

As schools prepare for staff and students to return to school, it is important to manage the risks posed by fire and excessive heat at this time of year.

Some suggested strategies for managing excessive heat conditions include:

- ensuring staff know how to recognise the symptoms of heat stress including: headache, fainting, confusion, nausea and vomiting
- ensuring first aid officers are available, with processes in place to manage symptoms of heat stress for students and staff
- ensuring the monitoring of students with special needs to maintain adequate hydration;
- encouraging students and staff to stay hydrated by providing regular drink breaks, with water being the most suitable fluid to drink
- modifying or postponing outdoor or sporting activities, as required.

Resources for Assisting in Heat and Fire Readiness

Tips for schools in [Managing Excessive Heat](#) can be found on the CECV website <http://www.cecv.catholic.edu.au> under *Industrial Relations / Occupational Health and Safety / Occupational Health and Safety Guidelines*.

Further tips and resources for staying healthy in the heat can be found on the Victorian Government's website [Better Health Channel](#).

The official Victorian Government FireReady App provides access to timely, relevant and tailored warnings and information from the Country Fire Association (CFA), Metropolitan Fire Brigade (MFB) and Department of Environment and Primary Industry (DEPI).

The [FireReady App](#) is available for both Apple and Android devices and can be downloaded from the CFA website <http://www.cfa.vic.gov.au/>.

[VicEmergency](#), the state's primary site for emergency warnings, also shows incidents in Victoria on a real-time Google Map [display](#).

Letters of Appointment

An employee who has been newly appointed to an ongoing or fixed-term position (including where the employee has held fixed-term positions in previous years) must be given a new letter of appointment.

Where the appointment is on a fixed-term basis, the letter of appointment **must** state the reason for the employment being fixed-term as outlined in Clause 11.2 of the VCMEA.

The letter of appointment:

- establishes the contract of employment between the parties
- binds the parties to the terms of the contract
- indicates clearly the commencement date
- sets out the legal rights of both parties for the period of employment
- cannot be varied by either party without mutual agreement.

A copy of the letter of appointment and signed acceptance by the employee must be kept on file by the school, and the employee should also be provided with a copy.

The IR Unit has updated its letters of appointment templates for teachers, school officers and school services officers.

A range of templates tailored to particular categories enables schools to choose the most appropriate letter for the circumstances. Access to these templates is available on the CECV website <http://www.cecv.catholic.edu.au> under *Industrial Relations / Template Letters*.

Important: Please note that the template letters of appointment are reviewed and updated regularly to take into account changes in legislation. We therefore recommend that the website templates are accessed each time that schools complete letters of appointment, rather than copying over previous letters completed at the school. While this can require re-inserting certain information, it ensures that the letters of appointment that are used by schools are as up-to-date as possible and comply with all legal requirements.

Salary and Allowance Increases – February 2015

Salary increases on or after the first full pay period from **1 February 2015** have been uploaded and are listed as salaries with the suffix FEB15 on the [Online Staffing Records](#) (OSR) on the CEVN website <http://cevn.cecv.catholic.edu.au> under *Staffing & IR / OSR*.

POL1, POL2, POL3 and POL4 allowances and other allowances as required have also been updated. These allowances are listed in the drop down list in OSR under *Allowances* with the suffix FEB15.

Please note that salaries and allowances missing the suffix AUG14 will not automatically be updated.

All POL5 and POL6 must be maintained at their current allowance levels. Once the appointment period for POL5 or POL6 expires, one of the other POL levels must be used.

Salary and Allowance Increases Not Uploaded

For those employed under the classifications 'UC' or 'NA', no bulk salary changes were made in OSR.

School employees responsible for OSR need to make the necessary changes to:

- UC (unclassified)
- NA (not applicable)
- School Services Officer Category D

by ending the current record prior to the first full pay period start date and commencing a new service record from the first full pay period start date in February 2015.

No bulk changes have been made to allowances where a dollar amount needs to be specified.

Salary and Allowance information for the 2015 School Year is available in [Part 3A](#) of the Implementation Guide for Schools on the CECV website <http://www.cecv.catholic.edu.au> under *Industrial Relations / 2013 Agreement Implementation*. Part 3A provides an overview of the changes for the 2015 school year, salary and allowance advice, salary assessment information and a [spreadsheet of tables](#) that will be invaluable for schools.

Victorian Institute of Teaching (VIT) Registration

The *Victorian Education and Training Reform Act 2006* (the Act) requires that all teachers in Victoria be registered with, or gain permission to teach from, the Victorian Institute of Teaching (VIT) before they can be employed in any Victorian school, including Catholic schools.

At the commencement of the year, principals **must** check to ensure that all teaching staff have appropriate registration with the VIT by signing each registration card.

The Victorian Registration and Qualifications Authority (VRQA) also requires that schools keep a register of all teachers containing each teacher's name and their VIT registration number. This must be recorded on the OSR or PRS and should be updated at the beginning of the school year.

Importantly, it is an offence for a person or body to employ or continue to employ a person to teach who is not registered with the VIT.

If a teacher does not have VIT registration (or a non-teacher does not have a WWC – see following article), Clause 14 of the VCCEMA 2013 allows a school to give the employee:

- generally not less than seven days to obtain their registration (a teacher cannot be permitted to teach during these seven days, though they will be paid)
- an opportunity to explain any extenuating circumstances and to clarify the matter.

If, after this period of seven days, the school is satisfied that the lack of registration is due to the employee's actions or omissions, the school may stand the employee down without pay until they provide proof of registration.

Further information on the registration requirements for teachers is available on the [VIT website](http://www.vit.vic.edu.au) <http://www.vit.vic.edu.au>.

Working with Children (WWC) Check

It is an offence under the *Working with Children Act 2005* (the WWC Act) to engage in child-related work without having applied for a WWC Check.

Penalties will apply to both the employer and employee if an employee is without a WWC Check. Any employee whose duties usually involve or are likely to involve work in a school (other than teachers and principals whose WWC is covered by their VIT registration) is considered to be engaged in child-related work as defined in the Act. Teachers and principals who are registered with the VIT are exempt from the WWC Act and do not require a WWC Check.

Recent Changes to Definition of Child-Related Work

As previously outlined in the [November 2014](#) edition of *Industrial Relations News*, recent amendments to the WWC Act are now in effect.

In particular, significant changes have been made to the definition of **child-related work**. This is now described as work where the contact with children is direct, unsupervised, and part of a person's duties.

Also, ministers of religion are now required to get a WWC Check unless the contact they have with children is only occasional and incidental to their work.

Although it is already a requirement in Catholic schools for all employees and parish priests to hold and maintain a WWC Check, it is nevertheless important to be aware of the changes.

WWC Expiry

It is an offence to continue working in child-related work if your WWC Check has expired. A WWC Check can still be renewed anytime during the three-month post-expiry period.

School WWC Register

The VRQA requires that schools have a register of staff with a WWC Check and have procedures for maintaining the register. Principals must sight and retain a record of an employee's WWC Check number, preferably on the PRS. Principals should also verify that WWC Check cards presented to them by employees are marked with the **letter E**.

Employees must inform the Department of Justice within 21 days every time an employee changes employer or address. This is a legal requirement under the WWC Act. By not providing changes in contact and child-related work details within 21 days of a change, the employee is committing an offence with financial penalties.

If a school employee (apart from a teacher or principal) does not have a WWC Check, Clause 14 of the VCCEMA also applies (see above article on VIT registration).

Further information about the WWC Check is available from the Department of Justice website <http://www.justice.vic.gov.au/workingwithchildren/>.

National Police Record Check

All new employees (except teachers and principals whose Police Record Check is covered by their VIT registration) are required to undergo a National Police Record Check (NPRC) before commencing work at the school. This is **in addition** to a WWC Check.

If an NPRC has been initiated but not completed then the offer of employment is conditional upon the employee providing a declaration that the person has not been charged with, or found guilty of any offence that would be incompatible with their position of trust and responsibility. This requirement should be included in any offer of appointment.

Workplace Policy Review

The beginning of the year is a good time to ensure that workplace policies are current and up to date. It is recommended that all employers have a workplace policy on:

- equal opportunity/discrimination in the workplace
- anti-bullying
- social media
- OHS.

[Policy templates](#) are available on the [CECV website](#) under *Industrial Relations / Guidelines*.

Safe and Sound Practice Guidelines (Occupational Violence)

Occupational violence has become a concern across many occupations, including in the broader education sector.

The VWA defines occupational violence as:

any incident in which a person is abused, threatened or assaulted in circumstances relating to their work.

The IR Unit has now developed the *Safe and Sound Practice Guidelines (Occupational Violence)* as a toolkit to assist and manage these issues.

The Guidelines are intended as a practical guide for principals who require advice on how best to handle potential or actual occupational violence within their schools.

In developing the Guidelines, extensive research was undertaken and feedback sought from various stakeholders including:

- primary and secondary principals
- representative/s from each diocese
- the PAVCSS executive
- the Independent Education Union (IEU).

The Guidelines contain information on:

- preventative practices
- intervention practices (along with appropriate incident responses)
- post-incident responsibilities.

The Guidelines also contain:

- contact details for each diocese
- a sample code of conduct for parents
- a sample complaints policy.

The [Guidelines](#) can be obtained from the CECV website <http://www.cecv.catholic.edu.au/> under *Industrial Relations / Guidelines* in preparation for the 2015 school year.

Industrial Relations and OHS Courses: Term 1, 2015

The following Industrial Relations and OHS Professional Learning training sessions are now available for Term 1, 2015:

February 2015

Activity Name:	Activity Date:	Activity Code:	Registrations Close:
Know Your Agreement – Education Support	4 Feb 2015	15IST101A	28 Jan 2015
OHS Hazard Management	11 Feb 2015	15IST201A	4 Feb 2015
OHS Incident Investigation	19 Feb 2015	15IST202A	12 Feb 2015
VCEMEA Leave	19 Feb 2015	15IST102A	12 Feb 2015
OHS for School Leaders	24 Feb 2015	15IST203A	17 Feb 2015
Know Your Agreement – School Leaders	25 Feb 2015	15IST103A	4 Feb 2015

March 2015

Activity Name:	Activity Date:	Activity Code:	Registrations Close:
Salary Assessments	3 March 2015	15IST105A	24 Feb 2015
Basic Claims Management	3 March 2015	15IST204A	24 Feb 2015
Managing Employment Concerns – School Leaders	5 March 2015	15IST104B	26 Feb 2015
Return to Work Coordinator Training	11 March 2015	15IST205A	4 March 2015
Know Your Agreement – School Leaders	17 March 2015	15IST103B	10 March 2015
Know Your Agreement – Education Support	18 March 2015	15IST101B	11 March 2015
OHS Chemical Management	18 March 2015	15IST206A	11 March 2015

Lizzie Blandthorn recently resigned from her Senior Industrial Officer position in the IR Unit after successfully contesting the lower house seat of Pascoe Vale at the Victorian state election in November 2014. We wish Lizzie all the best in her future endeavours.

†

Registration is now open via My PL (IPLS) on the CEVN website <http://cevn.cecv.catholic.edu.au/> under *Professional Learning / My PL (IPLS)*.

Industrial Relations – Staff News

Matthew Dunstan has been appointed as the IR Unit OHS/WorkCover Coordinator, having previously worked as an OHS Officer for the CEOM between 2010 and 2012. In the meantime, he was the OHS Officer at the Catholic Archdiocese of Melbourne.

Matthew has also worked as OHS Coordinator at Outlook Environmental (a not-for-profit environmental organisation) and as an OHS trainer at the Master Builders and Chisholm and Holmesglen Institutes. He is also a published children's author.

We also welcome back Ms Natasha Kelly, Senior Industrial Officer, who has recently returned to the IR Unit from parental leave.

Ms Kate Roberts, IR Unit Team Leader, has recently commenced parental leave.