

VCEMEA 2013 Implementation Update – February 2014

The following update is provided to principals to assist with the implementation of the [Victorian Catholic Education Multi Enterprise Agreement 2013 \(VCEMEA 2013\)](#).

1. Background

1.1 Printed copies of the VCEMEA 2013

Two printed copies of the VCEMEA 2013 have been sent to all schools by the CECV. Note that the printed copy also includes an index of major topics. The VCEMEA 2013 is also available from the CECV website. If a school requires additional copies of the VCEMEA 2013, please contact the Industrial Relations Unit.

1.2 Industrial Relations Training - VCEMEA 2013

The Industrial Relations Unit is offering training for school staff during February:

13 February 2014	Salary Assessment Training
20 February 2014	Know Your Agreement – Education Support Know Your Agreement – Principals
27 February 2014	Know Your Agreement – Education Support Know Your Agreement – Principals

Registrations for these courses is through [My PL](#) (IPLS) on the CECV website.

1.3 Implementation guide

Part 1 of the [Implementation Guide for Schools \(Guide\)](#) for the VCEMEA 2013 was provided in November 2013.

The Guide has now been updated with information in relation to changes to [leave arrangements](#) (Part 2) and [salaries and allowances](#) for 2014 (Part 3).

Each part of the Guide can be accessed from the [CECV website](#).

1.4 CECV website

The Industrial Relations section of the CECV website is continually being updated to reflect the changes arising from the implementation of the VCEMEA 2013.

In summary following updates have been made:

- A full copy of the VCEMEA 2013 in pdf format
- Provision of updates to the Guide
- New documentation for [salary assessment](#) for teachers
- New template [letters of appointment](#)
- New template [letters for parental leave](#).

The documentation in relation to the bargaining process has now been relocated to the Archive section of the website. In addition a copy of the [Victorian Catholic Education Multi Employer Agreement 2008](#) is also available from the archive section of the CECV website.

Information no longer relevant to the VCEMEA 2013 has been removed from the CECV website.

1.5 Industrial Relations News

The *Industrial Relations News January 2014* provides additional detail in relation to the implementation issues for the start of the 2014 school year. The newsletter also includes a checklist for the start of the 2014 school year.

IR section of CECV website – key changes

The image shows a screenshot of the CECV website's Industrial Relations section. On the left is a navigation menu with categories like 'about the commission', 'FireReady', 'fair funding', and various service areas. The main content area is titled 'CECV Industrial Relations Unit' and contains text about the unit's role and a list of links. On the right, blue callout boxes with arrows point to specific links in the main content, highlighting key changes.

CECV
catholic education commission of victoria ltd

Industrial Relations

about the commission
PREPARE. ACT. SURVIVE.
FireReady Victoria
fair funding for catholic schools

emergency management
catholic schools: overview
catholic schools: directory
industrial relations
policies
publications
parents
positions vacant
projects
related organisations
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CECV Industrial Relations Unit

The Industrial Relations Unit of the Catholic Education Office Melbourne (CEOM) provides an industrial relations service to Catholic schools across Victoria, funded under a Service Level Agreement with the Catholic Education Commission of Victoria Ltd (CECV). It provides service and advice to Parish Priests and School Principals on Industrial Relations, Occupational Health and Safety (OHS), WorkCover and Equal Employment Opportunity (EEO).

The IR Unit also represents Employers in various tribunals and Courts.

This Unit also liaises regularly with:

- the Department of Education and Early Childhood Development (DEECD)
- the Australian Catholic Commission for Employment Relations (ACCER)
- the Independent Education Union (EIU), and
- education and Catholic education offices across Australia

on Industrial Relations issues affecting Catholic Education.

The IR Unit is accountable to the CECV Ltd Board through the Employment Relations Committee of the CECV.

A brief summary of the type of issues that the IR Unit becomes involved in includes, inter alia:

- Enterprise Bargaining negotiations on behalf of Catholic School Employers
- Dismissals
- Managing employment concerns, including performance issues
- Staff discipline
- Contracts of employment
- Letters of appointment
- Occupational Health and Safety (OHS)
- WorkCover
- Awards and Agreements
- Interpretation of industrial conditions
- Research
- Salary assessments
- Advice to Catholic Education Offices on strategic issues

Occupational Health & Safety (OHS)

[2013 Agreement](#)

[2013 Agreement Implementation](#)

[Rates of Pay](#)

[Salary Assessments](#)

[Guidelines](#)

[Template Letters](#)

[Proformas](#)

[Right of Entry](#)

[Modern Awards](#)

[Professional Learning](#)

[Lay Secondary Principals](#)

[Newsletters](#)

[Archive](#)

[Contact Us](#)

[Useful Links](#)

PDF copy of VCMEA 2013 (with index)

Implementation Guide

New rates of pay

New documentation

New letters of appointment and parental leave templates

IR newsletters

Copy of 2008 Agreement and bargaining documents

<http://web.cecv.catholic.edu.au/frameset.htm?page=industrial>

2. Additional back pay arrangements 2013

2.1 Education Support Employees (previously SO3-9 at 1 April 2013)

The back pay arrangements for on-going SO3-9 employees who incremented to SO3-10 on 1 May 2013 resulted in no back pay in November 2013 when the new VCMEA 2013 was implemented. Therefore it is recommended that where an education support employee satisfies **ALL** of the following criteria that a \$600 lump sum payment is made in lieu of back pay:

- (i) The employee was an on-going School Officer 3-9 (ES2-5) on 1 April 2013
- (ii) The employee incremented to School Officer 3-10 (ES2-5) on 1 May 2013
- (iii) The employee was employed in November 2013 as an ES2-5

2.2 Back pay for overtime and additional hours during 2013

In November 2013 to give effect to back pay to staff, the payment of the lump sum bonus and the implementation of the new salary rates, no information was provided in relation to back pay for overtime (education support employees and school services officers) and additional hours (teachers).

It is now recommended that schools make the necessary arrangements to facilitate payment for back pay for overtime and additional hours for eligible employees.

The same eligibility requirements apply as for back pay of salaries that occurred in November 2013.

To simplify administrative arrangements schools may chose an averaging of hours and salary to simplify the calculation of back pay in consultation with eligible staff.

3. Implementation issues 2014 school year

3.1 Salary increases February and August 2014

From the first full pay periods on or after 1 February and 1 August 2014 employees covered by the VCMEA 2013 will be entitled to a salary increase. Part 3 [*Salaries and Allowances \(2014 School Year\)*](#) of the Guide provides detailed information in relation to the applicable salary rates.

3.2 Incremental progression

Incremental progression continues to take place on 1 May 2014 for eligible employees. The major changes are:

- Eligible employees must have 6 months of service between 1 May 2013 and 30 April 2014
- Employees who are subject to an Employee Improvement Plan (clause 13.4(c)) may have their increment withheld.

Part 3 of the Guide details the salary progression for eligible employees on 1 May 2014.

3.3 Structural changes

On 1 May 2014 there are a number of structural changes occurring to the salary scales for all employees except teachers. The changes can include:

- The renumbering of incremental salary points
- Adjustments to the maximum and minimum salary points of some classifications
- The reduction or increase in the number of salary points within a classification.

It is extremely important that the salary scales detailed in Part 3 [*Salaries and Allowances \(2014 School Year\)*](#) of the Guide are followed for all staff. The Guide details the translation for employees who are also not due for an increment on 1 May 2014.

3.4 Salary assessment - teachers

There are three changes to the salary assessment process for teachers:

- The requirement for 6 months of service between 1 May 2013 and 30 April 2014
- The restriction of back pay to 6 months for employees who fail to provide evidence of prior experience
- The inclusion of the [salary assessment information](#) in the induction process for new teachers.

Approved prior experience

From the start of the school year a teacher will require 6 months of approved experience.

Evidence of prior teaching experience

A key change in relation to salary assessment is that new teachers will have a limited amount of time to provide evidence of prior teaching experience which would satisfy a reasonable person. New teachers should be informed of the evidence that is required (see also below requirements in relation to induction).

If a teacher has not provided the evidence of prior experience after 26 weeks of employment, any back payment will not exceed 26 weeks. However, at its discretion, the school may grant an extension where the teacher can demonstrate they have made reasonable endeavours to obtain the evidence. See clause 50.2(b)(iii) of the VCCEMA 2013.

[Salary assessment calculator](#)

The Salary Assessment Calculator has now been updated to incorporate the requirements of the VCCEMA 2013 and can be accessed through CEVN.

3.5 Induction program

Clause 23 of the VCCEMA 2013 provides that an induction program must now be provided to all newly appointed Employees upon their commencement of employment with a school. The program must include:

- materials relevant to the ethos and mission of the school
- provision of and training on school policy and procedures documents
- identification of lines of support and contact persons
- salary assessment information.

3.6 Salary assessment for fixed term Education Support employees for 2014

Under clause 40.2 of the VCCEMA 2013, fixed term employees are assessed by the employees' years of experience and then paid at the appropriate sub-division.

If an employee had a fixed term contract from 2013, and has been offered a subsequent fixed term contract for 2014 (without a break in service) they may technically decrease in salary. This issue has been reviewed and details are provided in Part 3 [Salaries and Allowances \(2014 School Year\)](#) of the Guide to address this issue for the 2014 school year. It is recommended that schools follow the tables in Part 3 of the Guide to determine the appropriate salary level for fixed term employees who have been re-appointed in 2014 after being employed in 2013.

3.7 Category B Education Support Employee and Category B School Services Officer recall

There continues to be an entitlement to recall Category B Education Support Employees (previously known as School Officers) and Category B School Services Officers to duty during school holiday for up to six days (pro-rata for part-time employees) in each school year. Such days shall be immediately after the end of a term or before the beginning of a term except where the principal and the employee agree to another time.

Employees must be given at least four working weeks' notice of a recall, except in the case of an emergency (where the school may not be able to give that period of notice, but in this case the employee may not be able to comply with the recall).

The key change in relation to recall is that employees attending for duty on recall will now also be paid an allowance equal to 72.47% of their pay per day of attendance (see clause 25.9 of the VCMEA 2013).

3.8 Variation to Part-Time Employment

The principal can change a part time employee's number of hours of work and/or days and times of attendance if it can be demonstrated that the change is required because of a change in enrolment, curriculum, program, organisation, structure, technology or funding.

It is now a requirement, under clause 15.1(b) of the VCMEA 2013, for principals to:

- consult with the employee and give due consideration to the impact of the variation on the employee's family and personal responsibilities as well as other relevant circumstances
- advise the employee whether the proposed variation is required because of a change in enrolment, curriculum, program, organisation, structure, technology or funding
- advise the employee of the proposed change to hours and/or days and/or times of attendance in writing.

The VCMEA 2013 also includes a requirement (unless an employee consents to the change) that the employee is to be given eight (previously seven) weeks' written notice of any change to their hours, with an encouragement to be given ten weeks' notice (See clause 15 of the VCMEA 2013).

A key change is also contained within clause 15.2 of the VCMEA. This clause provides that where an employer proposes to reduce the hours of work of an employee, and there is to be a significant reduction of hours (either in one instance or over a period of two years), the employee may choose to accept the reduced hours at the time the significant reduction occurs, or otherwise elect to receive a severance payment.

3.9 New Education Support Classification - Level 5

The previous agreement contained seven classification levels for education support employees (formerly known as school officers). The VCMEA 2013 now has only five levels, and level 5 is a new classification commencing from the start of the 2014 school year.

Level 5 has the following descriptors for the three main education support staffing areas:

- **Administrative Services**

Leading and managing a significant functional unit with a diverse or complex set of functions and substantial resources in a large school.

- **Student Support**

Managing at a high level the delivery of professional support services in a large school, including the development of policy and operational practices to guide the work of others.

- **Curriculum/Resource Services/General**

Leading and managing a significant functional unit with a diverse or complex set of functions and substantial resources in a large school, including initiating, developing and implementing key policy initiatives.

Principals should ensure that staff appointed as Level 5 Education Support employees meet the classification descriptors in Appendix 6 of the VCMEA 2013. Advice can be provided by the IR Unit regarding the classification of employees within the descriptors in Appendix 6.

3.10 [Leave arrangements](#):

Part 2 of the Implementation Guide provides information in relation to changes to leave arrangements for:

- personal leave
- compassionate leave
- long service leave
- voluntary emergency management leave
- trade union training leave
- parental leave.

3.11 Professional registration and working with children checks

The VCEMEA contains new arrangements (clause 14) in relation to employees who require professional registration (such as teachers, school nurses, psychologists, speech pathologists) and Working with Children checks.

Where an employee does not have the required registration or working with children check then the principal should seek an explanation from the employee and provide the employee seven days to obtain the necessary registration and / or working with children check.

During this period the employee continues to be paid. If after 7 days the situation has not been addressed the employee may be stood down without pay.

[Template letters](#) are now available in relation to this issue on the CECV website. Further information on VIT registration and working with children checks is also available in the [Industrial Relations News January 2014](#)

4. Further queries and information

Any queries in relation to the implementation of the VCEMEA 2013 should be directed to the Industrial Relations Unit on (03) 9267 0431 or by email on ceoir@ceomelb.catholic.edu.au.