

Industrial Relations News



In this issue:

- Welcome from the Executive Director
- Salary Changes 1 May 2015
- Additional Qualifications Attainment Recognition
- Pro-rata School Holiday Pay and Annual Leave Loading
- Graduate Teacher Payment
- Gallagher Bassett Education Leadership Networking Lunch
- Smoking Bans In and Near Schools
- Independent Contractor Series Part 2
- OHS FAQs
- Influenza
- Updated OHS Checklist
- Ladders
- Industrial Relations and OHS Training Courses: Term 2, 2015
- Term 2 IR & OHS Training Course Descriptors
- Summary of Communications: Term 1, 2015

ISSUE NO. 3
APRIL 2015

ISSN: 1834-5069

Welcome from the Executive Director

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

The beginning of Term 2 promises to be a busy time in schools, with incremental salary increases and other salary adjustments effective from 1 May 2015.

This edition of *Industrial Relations News* contains guidance on these changes, along with important information on a number of Industrial Relations and OHS issues relevant to Victorian Catholic schools.

In Term 2, the Industrial Relations Unit (IR Unit) will continue the rollout of Industrial Relations and Occupational Health and Safety (OHS) training sessions, including sessions on Parental Leave and Managing Employment Concerns.

The details of Industrial Relations and OHS training sessions can be found, and bookings made, on My PL (IPLS) through the CEVN website <http://cevn.cecv.catholic.edu.au> under *Professional Learning / My PL (IPLS)*.

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

Stephen Elder
EXECUTIVE DIRECTOR

Salary Changes 1 May 2015

Incremental progression

Incremental progression for ongoing staff occurs on 1 May 2015. This means that increases in salary must take effect from 1 May 2015 even though the actual payment may not be made until after 1 May 2015.

An ongoing employee must have **6 months of service** between 1 May 2014 and 30 April 2015 to qualify for incremental progression.

Where employees are subject to an Employee Improvement Plan (EIP) under Clause 13.4 of the [Victorian Catholic Education Multi Enterprise Agreement 2013](#) (VCEMEA), incremental progression may be withheld until the EIP has been concluded. Any incremental progression should occur (along with backpay of the incremental salary increase) at the conclusion of the EIP, other than where the EIP results in termination of employment under Clause 13.5(d) of the [VCEMEA](#).

Details regarding incremental progression and classification structures are contained in [Part 3A Salaries and Allowances \(2015 School Year\)](#) of the 2013 Agreement Implementation Guide, which can be accessed from the CECV website www.cecv.catholic.edu.au.

Other changes on 1 May 2015

On 1 May 2015 there are a number of structural changes occurring to the salary scales for some principals and education support employees. These changes 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.

An employee may receive a salary increase effective from 1 May 2015 as a result of one or more of these changes even though the employee is not eligible for incremental progression.

It is extremely important that the salary scales detailed in [Part 3A: Salaries and Allowances](#) (2015 School Year) of the Guide are followed for all staff.

Salary progression Level 3–7 education support employees

The [Victorian Catholic Education Multi Enterprise Agreement 2013](#) (VCEMEA) in Clause 41.2(b) provides specific provisions in relation to the salary progression of Education Support employees classified as Level 3–7.

An Education Support employee at Level 3–7 on 30 April 2015 can progress to the next incremental level on 1 May 2015 **only** if the employee can 'satisfactorily demonstrate to the Employer that they meet the qualifications and experience criteria' (Appendix 6, Clause 1.3 (e)). Because of the decreasing number of Level 3 subdivisions, the employees who progress will continue to be classified as Level 3–7 despite receiving a salary increase, whereas those who don't progress remain at the same salary as before, but will be classified as Level 3–6 from 1 May 2015.

Specific details of this process can be found in [Part 4A Guidelines for Salary Progression on 1 May 2015 \(Education Support Level 3–7\)](#), which can be accessed from the CECV website www.cecv.catholic.edu.au under *Industrial Relations*.

Additional Qualification Attainment Recognition

Principals are advised that teachers who successfully complete a Master's degree or its equivalent or higher are entitled to advance up the incremental scale by one sub-division. Importantly, the additional sub-division shall only be granted from **1 May 2015** following the date on which the extra qualification was attained.

The [VCEMEA](#) recognises the attainment of up to two Master's degrees or its equivalent, or higher, for incremental progression purposes in Clause 52.

The teacher must advise the principal in writing of the acquisition of the additional qualification(s) and produce satisfactory evidence, such as an academic transcript.

The additional qualification should be entered on the Personnel Record System (PRS). Once entered, this qualification will provide a credit (one extra year) of approved teaching experience in the Salary Assessment Calculator on the CEVN website <http://cevn.cecv.catholic.edu.au>.

Pro-rata School Holiday Pay and Annual Leave Loading

[Part 5A: Guidelines for calculation of pro-rata school holiday pay and annual leave loading](#) of the VCCEMA Implementation Guide for Schools is now available on the [CECV website](#) under *Industrial Relations*. It includes guidelines for the calculation of pro-rata school holiday pay and annual leave loading.

It is important that all principals, business managers and school administration officers understand how to implement the changes. Part 5A of the VCCEMA Implementation Guide details the rules and the formula for the calculation of pro-rata school holiday pay and annual leave loading.

Graduate Teacher Payment

A reminder that the Graduate Teacher Payment applies to ongoing teachers who commenced employment at subdivision T1–1 prior to 1 May 2014.

Eligible ongoing graduate teachers are entitled to be paid a lump sum on progression to subdivision T1–2 in May 2015. The lump sum payment compensates graduate teachers for the fact that they do not progress from T1–1 to T1–2 for over 12 months.

The Graduate Teacher Payment should be made in the first full pay period on or after **1 May 2015**.

The payment amounts in the following table are for an ongoing full time graduate teacher. A pro-rata calculation should be applied for eligible ongoing part time teachers.

Provisions regarding the Graduate Teacher Payment are contained within Clause 51 of the [VCCEMA](#).

Commencement of Employment:	Lump Sum Payment:
Between 2 November 2013 and 1 December 2013	\$298
Between 2 December 2013 and 1 January 2014	\$244
Between 2 January 2014 and 1 February 2014	\$189
Between 2 February 2014 and 1 March 2014	\$126
Between 2 March 2014 and 1 April 2014	\$63

No such thing as a free lunch? Don't believe it!

Gallagher Bassett, the Workcover insurer of the Catholic Education Office, is pleased to invite school leaders to attend an Education Industry networking lunch with refreshments.

This forum will provide a rich opportunity to network with leaders from organisations operating in the education sector.

Discussions will encompass topical issues, key challenges and emerging issues with a view to defining industry best practice through shared experiences and knowledge.

Motivated school leaders are invited to register their interest to attend this forum, to be held during the July/August period in the Melbourne CBD.

For further details, see the [CECV website](#) under *Industrial Relations / Communications*.

Victorian Government widens smoking bans to include all schools from 13 April 2015

Principals are advised that, as from **13 April 2015**, smoking will be banned within four metres of an entrance to all primary and secondary schools in Victoria, and within the school grounds, under an amendment to the *Tobacco Act 1987* (Vic.). The Tobacco Act 1987 can be viewed at www.legislation.vic.gov.au/.

The ban that was scheduled to start in July was brought forward to coincide with the beginning of Term 2.

Smokers caught 'lighting up' within four metres of school entrances or within school grounds, face an on-the-spot fine of \$147.

Signs and other communication materials, such as posters and brochures, are available to order free-of-charge from the Department of Health and Human Services (DHHS). These can be ordered from the Tobacco Reforms website www.health.vic.gov.au/tobaccoreforms.

Schools are required to install 'No Smoking' signs at each entrance as soon as practicable. Schools are encouraged to download and print PDF versions of the signs from the website below while they wait for their ordered signs. www.health.vic.gov.au/tobaccoreforms/smoke-free-learning-enviro/index.htm.

Frequently asked questions can be accessed at the above website and further information regarding the smoking bans can be obtained by contacting the Tobacco Control Section of the DHHS, on 03 9096 0469, or via email tobacco.policy@health.vic.gov.au.

Practical guidance on the smoking bans including an information kit can be accessed on the [CECV website](#) under *Occupational Health & Safety*.

Independent Contractor Series Part 2: Engaging a Worker through a Labour Hire Entity

The IR Unit recently published the document *Engaging External Labour Providers and Casuals: A Guide for Schools*. The Guide considers four options for engaging independent contractors and casuals who are not covered by the VCEMEA:

- engaging a worker through a labour hire entity
- engaging a worker as an independent contractor
- engaging the worker as a casual
- asking parents to directly engage labour hire providers.

This article summarises the first of those options, engaging a worker through a labour hire entity.

How does it work?

A school enters into a contract for services with a labour hire entity and the entity supplies the school with a worker in exchange for a fee. The worker performs services for the school but remains an employee of the labour hire entity, not the school.

The contract between the school and the labour hire entity will usually cover such matters as the scope of services to be provided to the school, fees for the services, insurance, the process for termination of the services and the process in the event of a dispute between the parties.

What are some examples of labour hire arrangements?

Examples of schools engaging workers through labour hire entities include obtaining:

- emergency teachers from a teaching agency
- casual administration staff through a temping agency
- instrumental music tutors through a specialist agency.

Independent Contractor Series Part 2 (continued)

What are the pros and cons of labour hire arrangements?

Advantages	Disadvantages
<ul style="list-style-type: none"> Obtain staff at short notice Access services without committing to an employment relationship, e.g. where there is no ongoing need for staff Arrangements generally terminated on short notice (depending on the contract) Lessen the administrative burden on schools re obtaining new staff 	<ul style="list-style-type: none"> More expensive than direct employment (given agency fees) Less control over labour hire employees (e.g. performance concerns managed by labour hire entity) May not be able to request particular person performs the services If school wishes to directly employ the worker, contract with labor hire entity may prohibit them from doing so or require them to pay a fee. There is a small risk, that a court / tribunal may find the worker is an employee of the school and therefore the school has certain liabilities.

What steps should a school take when engaging a labour hire worker?

It is recommended that schools:

- establish their requirements for labour (e.g. determine what skills, experience and qualifications they need, for what period of time)
- establish whether the prospective labour hire entity can provide them with the labour they require
- make sure they understand the costs associated with engaging the worker
- confirm that the labor hire entity has performed any required pre-employment checks (e.g. working with children check, national criminal records check)
- review the contract for services with the labour hire entity, paying close attention to the termination provisions and provisions that detail the school's requirements (e.g. in relation to qualifications or checks of the worker)
- provide the labour hire entity with copies of specific school policies to ensure the worker complies with such (e.g. OHS, anti-bullying, equal opportunity).

What induction does a labour hire worker require?

Schools should provide labour hire workers with a modified induction that covers the following matters:

- location of work area and amenities
- relevant policies (e.g. OHS, anti-bullying, equal opportunity)
- evacuation procedures
- first-aid facilities.

Ideally, schools should require the worker to sign a document confirming they have been informed of the above matters. A useful way of covering off on these matters is to prepare a standard handbook for workers engaged through a labour hire entity (or contractors and casuals) to read and sign upon commencement.

For specific enquiries, please contact the IR Unit. The Guide (and accompanying template letters) are available from the [CECV website](#) under *Industrial Relations / Guidelines*.

OHS FAQs

Does my school need a Return-To-Work Coordinator?

- An employer with a rateable remuneration of \$2.169 million or more must have a nominated Return-to-Work (RTW) coordinator appointed at all times.
- An employer with a rateable remuneration of less than \$2 million must nominate and appoint a RTW coordinator for the duration of the employer's return to work obligations to an injured worker.

Influenza

The influenza season is coming. Influenza outbreaks are seasonal, usually occurring between late autumn and early spring.

Influenza, commonly known as the flu, is spread during coughing, sneezing and talking and is highly contagious.

Encourage good personal hygiene to help reduce the spread of germs. Staff and students should be advised to:

- Cover their mouth and nose when they cough or sneeze and throw used tissues into rubbish bins.
- Wash their hands with soap and water or use an alcohol-based hand sanitiser, especially after they cough or sneeze.
- Avoid touching their eyes, nose or mouth – germs spread this way.
- Avoid close contact with people who are sick and stay home when they are sick – this will help to prevent others from getting sick.

Further information is available on the Department of Health and Human Services website www.health.vic.gov.au or the Better Health Channel website www.betterhealth.vic.gov.au.

Updated OHS Checklist

The 'OHS School Inspection Checklist' has been updated for 2015 and renamed the 'OHS School Safety Assessment Checklist'. The new checklist is available on the [CECV website](#) under *Industrial Relations / Occupational Health & Safety*.

If your school would like a free safety assessment conducted, please contact the OHS officers at the IR Unit on 03 9267 0431.

Ladders

Slips, trips and falls are a major safety issue in schools.

Ladders become an issue when retrieving balls from roofs, erecting signs and banners, displaying student's work, accessing high shelves, etc.

Heights OVER than two metres

Specific OHS regulations apply for working at heights above two metres. Working on ladders at heights over two metres and accessing roofs to collect footballs should only be done by qualified tradespeople such as plumbers.

Heights LESS than two metres

School staff can still be injured from heights under two metres. A typical scenario is a staff member falling off a chair while displaying student work in a classroom.

For heights less than two metres, schools and principals have responsibilities to consider alternative methods of doing the work so that ladders do not need to be used. For example:

- Install rope and pulley systems to raise and lower artwork and banners, working from the ground with long handled devices to remove balls from roofs, etc.
- Provide step ladders that have a minimum **120 kg load capacity** and comply with the **Australian Standard AS/NZS 1892 Portable Ladders**.

- Instruct staff (at staff meetings, induction handbook, etc.) not to stand on improvised devices such as chairs, windowsills, milk crates, etc. Note: It is important to keep records of this such as minutes of meetings, signed induction records, etc.
- Provide instructions on how to use ladders. An example of some safety instructions for ladders is available on the [CECV website](#) under *Industrial Relations / Occupational Health & Safety*

For heights less than two metres, staff have a responsibility to:

- **NOT** stand on chairs, milk crates, windowsills, tables.
- Use stepladders and other equipment provided by the school.
- Follow any safety instructions provided by the school.
- Wear appropriate non-slip footwear, i.e. no high heels or thongs.
- Report damaged ladders and other hazards to the school.

Further information

WorkSafe website:

- [Prevention of Falls – Ladders](#): brochure on methods of reducing the likelihood of injuries from falls, both above and below two metres.
- Selection and safe use of portable ladders: www.worksafe.vic.gov.au/_data/assets/pdf_file/0008/60488/guidanc_ladders9.pdf

CECV website:

- Instructions on how to use ladders: www.cecv.catholic.edu.au under *Industrial Relations / Occupational Health & Safety*
- CECV OHS video *Slips, Trips and Falls*: www.cecv.catholic.edu.au/vcsa/ohands/ohs_in_schools.html

Industrial Relations and OHS Training Courses: Term 2, 2015

The following Industrial Relations and OHS Professional Learning training sessions are available for Term 2, 2015:

April 2015

Training Session:	Date:
OHS Chemical Management	22 April 2015
Basic Claims Management	29 April 2015
Know Your Agreement – School Leaders	30 April 2015

May 2015

Training Session:	Date:
Return-to-Work Coordinator Training	13 & 14 May 2015
OHS For School Leaders	20 May 2015

June 2015

Training Session:	Date:
Safe and Sound Practice Guidelines (Occupational Violence)	3 June 2015
OHS Incident Investigation	10 June 2015
Redundancy & Introduction of Change	11 June 2015
VCMEA Leave	17 June 2015
OHS Hazard Management	18 June 2015
OHS Chemical Management	23 June 2015

Details of Industrial Relations and OHS training sessions can be found, and bookings made, on My PL (IPLS) through the CEVN website <http://cevn.catholic.edu.au> under *Professional Learning / My PL (IPLS)*.

Term 2 IR & OHS Training Course Descriptors

22 April – OHS Chemical Management

This workshop provides knowledge on how to systematically store and manage all chemicals kept or used on the school site, including how to develop a chemical (hazardous substance and dangerous goods) register, what types of chemicals to include and the requirements for Material Safety Data Sheets (MSDS).

29 April – Basic Claims Management

Do you know what to do if one of your workers lodges a WorkCover claim? This workshop provides an overview of the claims management process, including employer obligations and return to work requirements.

17 March – Know Your Agreement

This session focuses on the sections of the VCMEA that are most commonly referred to by principals in their role of managing employees. The program would also be of benefit to business managers and deputy principals.

Some of the key provisions covered are:

- managing employment concerns
- parental leave
- introduction of Change/Redundancy.

13 & 14 May – Return-to-Work Coordinator Training

This two-day course (Victorian WorkCover approved) provides the underpinning knowledge required for RTW Coordinators. According to the current legislation, schools with \$2.169 million or more rateable remuneration (indexed annually) must appoint a suitably trained RTW coordinator.

20 May – OHS for School Leaders

This one-day course provides an overview of the legal responsibilities for managing OHS within the school environment, including employer and employee responsibilities, strategies to address the most common OHS issues in schools and how to make safety a priority in your school.

10 June – OHS Incident Investigation

This workshop provides knowledge and guidance on the process involved in managing/investigating workplace incidents, including incident reporting, the incident investigation process and the Victorian WorkCover Authority Incident Notification requirements.

11 June – Redundancy & Introduction of Change

This workshop focuses on the sections of the VCMEA that are most commonly referred to by principals in their role of managing change. The program would also be of benefit to business managers and deputy principals.

17 June – VCMEA Leave

This workshop focuses on the sections of the VCMEA that are most commonly referred to by principals, deputy principals and business managers in their role of managing leave entitlements.

18 June – OHS Hazard Management

This course provides knowledge and guidance on how to systematically identify and control hazards in the school environment, including asbestos, manual handling, slips/trips and falls, contractors and other relevant hazards.

Summary of Communications: March 2015

- [Incremental Progression and Salary Changes – 1 May 2015](#)
- [Part 4a: Guidelines for salary progression on 1 May 2015](#)
- [Part 5A: Guidelines for calculation of pro-rata school holiday pay and annual leave loading](#)
- [Gallagher Bassett Education Industry Networking Lunch – July / August 2015](#)

†