

Industrial Relations News



In this issue:

- Welcome from the Executive Director
- Reportable Conduct Scheme
- National Wage Review – Increase in Award Rates
- Staff Laptop Programs and Salary Deductions
- Redundancy Reminder
- WorkSafe Inspections – Stress in Education
- Managing Stress in Education – Seminar
- OHS Consultation
- Are you a Gallagher Bassett Client?
- New OHS Regulations
- Staff News
- Industrial Relations and Occupational Health and Safety Training Sessions
- Summary of Communications

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Welcome from the Executive Director

Welcome to the July 2017 edition of *Industrial Relations News*.

This edition of *Industrial Relations News* contains guidance to schools concerning compliance with the Reportable Conduct Scheme, which is the latest legislative reform to ensure the safety and wellbeing of children and young people.

At this time of the year, some schools may be contemplating changes to staffing requirements, including redundancies, in preparation for 2018. Advice regarding these issues is also provided.

Minimum wage increases are effective from the first full pay period on or after **1 July 2017** for award-based employees. Please note that staff employed under the terms and conditions of the [VCEMEA](#) are not affected.

Occupational Health and Safety (OHS) issues covered in this edition of *Industrial Relations News* includes guidance regarding the WorkCover claims process and also the role of the Return to Work Coordinator. Changes to OHS regulations are also covered in this edition.

Details of training sessions and bookings for Industrial Relations (IR) and Occupational Health and Safety (OHS) can be made on [My PL \(IPLS\)](#) through the CEVN website <https://cevn.cecv.catholic.edu.au> under *Professional Learning / My PL (IPLS)*.

For enquiries regarding any of the matters in this newsletter, please contact the Industrial Relations Unit on 03 9267 0431. Alternatively, please email ceoir@cem.edu.au or any Industrial Relations matters or ohs@cem.edu.au for any OHS or WorkCover issues.

Stephen Elder
EXECUTIVE DIRECTOR

Reportable Conduct Scheme

In response to the *2013 Betrayal of Trust Report*, the Victorian Government has legislated for the introduction of a Reportable Conduct Scheme (RCS) to improve oversight of how organisations respond to allegations of child abuse and child-related misconduct by employees.

From **1 July 2017**, a number of new obligations are now imposed on 'Heads of Entity' under the *Children Wellbeing and Safety Act 2005* (Vic.).

Reportable conduct and investigation

From **1 July 2017**, the 'Head of Entity' in all Victorian schools has a reporting obligation under the RCS. The new obligation is to report 'reportable conduct' alleged against employees (which includes contractors, volunteers, allied health staff and school board members in schools, etc.) to the Commission for Children and Young People (CCYP) within specific legislated timeframes. The 'Head of Entity' also has an obligation to investigate the alleged reportable conduct.

Reportable conduct is defined under the *Child Wellbeing and Safety Act 2005* (Vic) as any of the following:

1. sexual offences (against, with or in the presence of a child)
2. sexual misconduct (against, with or in the presence of a child)
3. physical violence (against, with or in the presence of a child)
4. behaviour that is likely to cause significant emotional or psychological harm
5. significant neglect.

Systems in place

In addition to the above, under section 16K of the *Children Wellbeing and Safety Act 2005* (Vic) 'Heads of Entity' are required to have:

1. a preventative approach to keep children safe
2. systems in place to enable anyone to notify their concerns or allegations that conduct, in line with reportable conduct, has occurred
3. systems in place to allow other people to report to the CCYP if the allegation concerns the head of the organisation

4. investigation processes clearly defined and developed.

Action to assist schools

The CECV has established a Reportable Conduct Working Party, which is looking at this new scheme from a CECV perspective.

Specific communications will also be circulated from each diocesan Catholic Education Office.

The IR Unit is also available to provide advice and support to principals on how to manage reportable conduct matters.

National Wage Review – Increase in Award Rates

At this year's annual wage review, the [Fair Work Commission](#) (FWC) opted to increase the national minimum wage by 3.3%. The decision will see award employees earn a minimum of \$18.29 an hour – an overall increase of 59 cents per hour – and assures a new weekly minimum wage of \$694.90.

It is recommended that schools check the status of Modern Award employees to ensure that they are being paid the appropriate rate. Modern Award employees who earn in excess of the minimum award rates will not be affected so long as the over award salaries are above the new rates.

More information can be found on the [FWC](#) website.

Staff Laptop Programs and Salary Deductions

On **16 June 2017**, the Catholic Education Commission of Victoria Ltd (CECV) distributed a [guidance note](#) and [circular](#) to assist schools to understand the repayments to staff for laptop program(s) that involved staff contributions through salary deductions.

The guidance note is available on the CECV website www.cecv.catholic.edu.au, under *Industrial Relations / Training, Resources & Communications / Implementation Guides / Laptop Programs*.

The guidance note contains illustrative examples and template letters to assist schools in understanding when and how reimbursements may be required to be given to staff members.

The CECV Inter-Diocesan Finance Committee has created a [reimbursement calculator](#) which will assist schools in the calculation of laptop program reimbursement entitlements.

Further information about the interpretation of this guidance note should be directed to the IR Unit on 03 9267 0431 or ceoir@cem.edu.au. If schools have concerns in relation to the reimbursement calculator, the then-principal should contact their appropriate diocesan finance office:

- Melbourne – Finance Helpdesk on 03 9267 0319 or financehelpdesk@cem.edu.au
- Ballarat – Julie Duynhoven on 03 5337 7135 or jduynhoven@ceoballarat.catholic.edu.au
- Sale – Paul Velten on 03 5622 6600 or pvelten@ceosale.catholic.edu.au
- Sandhurst – Ben Higgins on 03 5443 2377 or bhiggins@ceosand.catholic.edu.au.

Redundancy Reminder

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. Appendix 2 of the [VCEMEA](#) contains the redundancy procedures that apply to all staff employed in Catholic schools.

A reminder that, by **Friday 4 August 2017**, being the end of the third week of Term 3, 2017, principals should have identified any potential redundancies taking effect from the start of the 2018 school year and any staff, including staff on leave, should be notified that a potential redundancy situation has been identified.

The June 2017 edition of [Industrial Relations News](#) provides further information to assist principals with the redundancy process and related information concerning introduction of change and variation of part-time hours.

WorkSafe Inspections – Stress in Education

Education and training is one of the top three industries for mental health claims in Victoria. Over the past three years, one in five schools have had reported mental injury claims; however, this is likely to be significantly under-reported. Mental health injuries currently account for 11% of WorkCover claims in Victoria. One of the main causes is work-related stress.

The good news, though, is that work-related stress is both preventable and manageable when identified and action is taken early.

A current focus for WorkSafe Victoria is ensuring schools have the information and resources they need to prevent and manage work-related stress. WorkSafe Victoria inspectors who specialise in psychological health and safety commenced visiting selected independent and Catholic schools in Term 2, and the project will continue throughout Term 3.

WorkSafe Victoria conducted a similar program in Victorian government schools in 2016. Please contact the OHS team for further information or support on 03 9267 0431 or ohs@cem.edu.au.

About WorkSafe Inspectors

WorkSafe inspectors work with duty holders (employers, employees, contractors and visitors) to improve health and safety in Victorian workplaces.

They provide information, education and inspections, and ensure compliance with Victorian occupational health and safety law. Inspectors have powers enshrined in legislation that allow them to enter a workplace during normal working hours, or at any other time if they hold a reasonable belief that there is an immediate risk to anyone's health and safety.

A guide on WorkSafe Victoria inspectors is available in [How inspectors support and enforce health and safety at work](#).

Managing Stress in Education – Seminar

To provide further support to our schools in relation to stress in education, the CECV, in partnership with its WorkCover insurer Gallagher Bassett, is facilitating an event to raise awareness of mental injuries in the workplace.

The seminar is a unique opportunity for school principals, deputy principals, business and human resources managers and employers to network and discuss how to identify and manage mental health injuries in Catholic education.

Topics to be covered include:

- learning how to identify, assess and control work-related stress
- how leaders can manage their own stress
- how to handle difficult conversations
- welfare of school leaders
- how to deal with employees who are stressed or showing early signs of stress.

The keynote speaker for the day will be Dr Peter Cotton, a clinical and organisational psychologist. He has consulted with most Australian workers' compensation authorities on the management and prevention of work-related psychological injuries and has completed studies and work for Victoria Police.

Also in attendance will be a representative from beyondblue who will provide an interactive presentation and discussion forum outlining the WorkSafe issues holistically.

This event will be held at the Catholic Leadership Centre on **21 August 2017 from 9.30 am**. To register, please contact the IR Unit on 03 9267 0431 or ceoir@cem.edu.au by **11 August 2017**. As food and light refreshments will be provided, please advise of any dietary requirements at the time of registering.

OHS Consultation

Schools have a legal responsibility to consult with all staff and other parties (such as emergency teachers, casual employees and contractors) when identifying and assessing hazards or risks, and making decisions about risk control.

OHS consultation involves:

- the sharing of relevant information about OHS with employees
- giving employees the opportunity to express their views and to contribute to the resolution of OHS issues
- valuing the views of employees and taking them into account.

Consultation enables employees to contribute to the decisions that affect their health, safety and welfare. It helps employers and employees to work together to seek solutions leading to healthier and safer workplaces.

Are you a Gallagher Bassett Client?

On the commencement of a new financial year, Gallagher Bassett would like to remind all of their clients of the requirements regarding certifying and estimating remuneration. It is recommended that schools use WorkSafe's [Online Employer Services Portal](#), where clients and authorised intermediaries can manage their policy details all in one convenient location.

Through this portal a school can:

- certify and estimate the [rateable](#) remuneration
- view and download WorkSafe's insurance premium and final claim costs report
- view and download remittance advice statements
- add, amend or cease contact details.

Indexation rates for 2017/18

Employers are advised that WorkSafe has released Indexation rates for 2017/18. Effective **1 July 2017**, Indexation rates apply as follows:

Statutory Maximum Amounts	
Maximum weekly payment for claims received by the Agent from 1 July 2017	\$2,220
Maximum weekly payment for claims received by the Agent from 5 April 2010	\$2,220
Maximum weekly payment for claims received by the Agent from 12 November 1992 – 4 April 2010	\$1,640
Maximum weekly payment pre-12 November 1997 claimant	\$1,310
Minimum workers weekly earnings for post second entitlement period applications	\$192
Maximum capped claim costs used for 2017/18 premium calculation	\$376,100 * figure likely to change when 2018/19 rates are gazetted in 2018
Employer Excess	
Medical & like services	\$692

New OHS Regulations

On **18 June 2017**, Victoria's new Occupational Health and Safety Regulations 2017 (OHS Regulations 2017) took effect – replacing the 2007 version.

The new regulations will not have a major impact on schools, although there are some changes relevant to workplaces where asbestos is present, and they will also affect the following types of workplaces:

- manufacturers/importing suppliers of hazardous substances or agricultural and veterinary chemicals

- the construction industry
- operators of mine or major hazard facilities.

A [summary of changes](#) is available on the WorkSafe website as well as [new OHS and EPS regulations](#) information.

In addition to the changes for OHS Regulations 2017, WorkSafe Victoria has also made changes to Equipment (Public Safety) Regulations which became effective on **18 July 2017**.

Staff News

Doreen Cutajar

The IR Unit farewells Doreen Cutajar, Senior Industrial Relations Advisor, and wishes her well in her new role as Human Resources Manager at Parade College, Bundoora.

Sonia Hutchison

The IR Unit welcomes back Sonia Hutchison, Industrial Relations Advisor, who has recently returned from parental leave.

Michael Stewart

The IR Unit welcomes the appointment of Michael Stewart as Senior Occupational Health and Safety Advisor. Michael is a registered occupational therapist and qualified auditor, with an MBA majoring in health and safety management, and comes to us from the Royal Children's Hospital, Melbourne. He has extensive public sector OHS experience in health care and disability, and as a clinician in both the public and private sectors. Michael's particular area of interest is in the link between physical injury and psychological health and wellbeing.

Charlotte Miraglia

The IR Unit welcomes the appointment of Charlotte Miraglia as Occupational Health and Safety Advisor. Charlotte has previously worked with a broad range of public sector organisations including Public Transport Victoria, Independence Australia and the City of Melbourne, as well as in WorkCover Insurance. Charlotte is a qualified auditor with a Bachelor of Business. She will shortly commence a Master of Ergonomics, Safety and Health with LaTrobe University. Her interests lie in injury management and workplace psychology.

Industrial Relations and Occupational Health and Safety Training Sessions

Training sessions are conducted at the Catholic Leadership Centre. Registration is now open and the details of training sessions and bookings are available on [My PL \(IPLS\)](#) through the [CEVN website](#) under *Professional Learning / My PL (IPLS)*.

Know Your Agreement – School Leaders

This session focuses on the sections of the [VCEMEA](#) 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 as follows:

- Managing Employment Concerns
- Parental Leave
- Introduction of Change
- Redundancy
- Consultation
- Variation of Hours.

Date: 21 August 2017
Time: 10.00 am – 1.00 pm
Activity code: 17IST103C
Registrations close: 11 August 2017

Date: 30 October 2017
Time: 10.00 am – 1.00 pm
Activity code: 17IST103D
Registrations close: 20 October 2017

Return to Work (RTW) Coordinator Training

This two-day course (Victorian WorkCover approved) provides the underpinning knowledge required for RTW Coordinators. According to the current legislation, schools with \$2.338 million or more rateable remuneration (indexed annually) or who have a workers' compensation claim must appoint a suitably trained RTW coordinator.

Date: 16 & 17 November 2017
Time: 9.30 am – 5.00 pm
Activity code: 17IST205B
Registrations close: 8 November 2017

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 a school.

Date: 10 August 2017
Time: 9.30 am – 5.00 pm
Activity code: 17IST203C
Registrations close: 2 August 2017

Date: 26 October 2017
Time: 9.30 am – 5.00 pm
Activity code: 17IST203D
Registrations close: 18 October 2017

Know Your Agreement – Education Support

There is a focus in this session on the sections of the [VCEMEA](#) that are most relevant to Education Support Employees in their role at Catholic schools.

Date: 18 August 2017
Time: 10.00 am – 1.00 pm
Activity code: 17IST101C
Registrations close: 20 August 2017

Date: 27 October 2017
Time: 10.00 am – 1.00 pm
Activity code: 17IST101D
Registrations close: 19 October 2017

Summary of Communications

June

- Circular – [Victorian Catholic Education Bargaining - Update](#)
- Circular – Staff Laptop Programs and Salary Deductions – [Guidance Note](#)

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