



**INDEPENDENT EDUCATION UNION OF AUSTRALIA**

Ground Floor, 120 Clarendon Street, Southbank, Victoria 3006

PO Box 1301, South Melbourne, Victoria 3205

Ph: (03) 9254 1830

Fax: (03) 9254 1835

Email: [ieu@ieu.org.au](mailto:ieu@ieu.org.au)

8 June 2007

Committee Secretary  
Senate Employment, Workplace Relations and Education Committee  
Department of the Senate  
PO Box 6100  
Parliament House  
Canberra ACT 2600 Australia  
**Email:** [eet.sen@aph.gov.au](mailto:eet.sen@aph.gov.au)

Dear Committee Secretary,

Please find attached the IEUA's submission to the Inquiry into the *Workplace Relations Amendment (A Stronger Safety Net) Bill 2007*

Yours sincerely

Lynne Rolley  
Federal Secretary

## **Introduction**

The Independent Education Union of Australia (IEUA) is the federally registered union which represents teachers and support staff in non-government education institutions including early childhood centres, schools and post secondary training institutions, across all the states and territories of Australia.

The union currently has a membership of more than 63,000. In the school sector, the membership density is approximately 65% thus giving the union a legitimate and authoritative voice on professional and industrial issues on behalf of members

The IEUA supports the ACTU submission to the Senate Committee's inquiry into the Workplace Relations Amendment (A Stronger Safety Net) Bill 2007 ("the government Bill") and the Workplace Relations (Restoring Family Work Balance) Amendment Bill 2007 ("the Family First Bill").

Like the ACTU, the IEUA does not support either Bill, on the grounds that neither Bill will achieve its stated objectives. The IEUA believes that the government Bill will not guarantee a strong safety net for working families, and the Family First Bill does not restore family time.

In particular, the IEUA draws attention to the following aspects of the proposed legislation

### **Proposed s.346E(c) would exclude employees earning less than \$75,000 from the "fairness" test on AWAs**

To the extent that AWAs currently or may operate in the future in the non-government school sector, it is predominantly in the area of senior staff or promotion positions within schools. This can or may include positions such as principals, assistant/deputy principals and coordinators/ heads of department.

Current industrial agreements covering such positions in non-government schools, including both the catholic systemic sector and the independent school sector, in almost all instances provide for salary rates in excess of \$75,000.

Further, recent industrial agreements reached in Independent schools in NSW for example, indicate that all teachers after three years of service would be beyond the proposed 'fairness' threshold.

Consequently, the alleged protection availed by the proposed legislation would not apply to many, and eventually most, teaching staff in the school sector in Australia.

**Proposed s.246E(1)(b)(i) will require the Workplace Authority Director to determine whether an employee is employed in an industry of occupation that is “usually covered by an award”. The reference to being “usually covered by an award” refers to federal awards (see s.4(1))**

In all jurisdictions other than Victoria and the Territories, the relevant award underpinning the work of staff, including teachers and support staff, has been a State Award, now NAPSAs. The proposed legislation would leave all such workers excluded from the ‘fairness test’.

The amendment to Schedule 8 will not protect most of these workers because many had been employed under a certified agreement made either before or after the commencement of WorkChoices and consequently the NAPSA was not the underpinning industrial instrument.

### **Conclusion**

The IEUA calls on the Senate to reject the current Bills.