

Institute Managers bargaining report

The PSA(CPSU) and Teachers Federation have been negotiating your next enterprise agreement. These negotiations have come to an end with the last meeting held on the afternoon of 3 November 2015.

The PSA(CPSU) has a number of concerns about this agreement and as such, cannot recommend to members to endorse the agreement. However, the final outcome is up to PSA(CPSU) members and Institute Managers to consider and accept or reject. You can find a copy of the draft Agreement and related documents on the PSA(CPSU) website [HERE](http://psa.asn.au/tafe-enterprise-bargaining/).

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Improvements being offered

Change in name to TAFE Managers, which provides a broader identification for managers beyond a particular Institute. This provides more flexibility for TAFE NSW and its structures into the future.

New TAFE Manager Level 6, in addition to the current IM Levels 1-5. This allows for more career progression and for Senior Officers to move into the TAFE Managers stream. Senior Officers are currently under the *TAFE Administrative, Support and Related Staff Agreement*, however, are more appropriately placed with the TAFE Managers.

Being covered by the enterprise agreement gives TAFE Managers access to unfair dismissal and dispute resolution procedures with the Fair Work Commission. This is a low cost jurisdiction when compared to breach of contract claims which must be pursued through the courts.

The standard public sector 2.5 percent pay rise per year for two years is being offered.

Concerning reduction in conditions

A new "Temporary" role, which provides for the contract to be terminated at any time for no reason at all. TAFE has indicated it will adopt an informal policy that all new TAFE Manager roles will be temporary contracts.

Time Off In Lieu is being removed with the right to take an equivalent amount of time off not being retained in the agreement.

The basic weekly hours will increase from 35 to 38 hours a week. Currently, the most you can be directed to work is 35 hours a week. TAFE has used the argument that TOIL will not accrue until 38 hours a week, to justify increasing the weekly hours for all TAFE Managers.

Reducing the negative impact of reduced conditions

Flexible working arrangements will be strongly encouraged in the agreement to be negotiated between the TAFE Manager and their supervisor. This is provided through a new clause which replaces the Time Off In Lieu. The new flexibility clause provides that TAFE Managers cannot be directed to work more than 38 hours in any week, but can average their weekly hours across the year. This provides a default position that TAFE Managers will be able to work flexibly.

TAFE NSW is offering all current Institute Managers with a contractual guarantee that **permanent IM's will retain their permanent status** even if you change roles through a 'business review' or restructure, or apply for a new position including higher graded positions. However this is a contractual guarantee only and cannot be enforced through the enterprise agreement. The enforcement will only exist through a breach of contract claim in the court system.

Notice of Termination is being offered to the new Temporary Roles of a minimum of 13 weeks, or payment in lieu of 13 weeks. This will be included even if the time to the end of the contract is less than 13 weeks. However this will not be in the agreement and can only be enforced through a breach of contract claim through the courts.

What is next?

A meeting via teleconference is organised for PSA(CPSU) Institute Managers for Monday 16 November 1pm to 2pm. The details of the meeting are below. The decision to accept or reject the agreement will be up to PSA(CPSU) members however your union cannot recommend that you accept this offer.

To join the conference

Scheduled for 1pm to 2pm

Monday 16 November 2015

Dial: 1800 904 677

Enter this access code: 0198818

What can you do?

- The most important thing you can do is to ensure that everyone in your workplace has a voice
- Joining your union is the only way to have your voice heard in the continuing enterprise bargaining negotiations
- If you are already a member, increase the bargaining strength of the union by asking your colleagues to join
- Not a member? Join your union today to fight for improvements instead of slashed wages and conditions.

PSA(CPSU) contact

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Join the PSA
membership.psa.asn.au/join

