

The TAFE Commission of NSW Administrative, Support and Related Employees Enterprise Agreement 2016 effective from 1 July 2016 includes a transition of staff from multiple classifications to the new contemporary classification structure. This transition will come into effect from the 13 January 2017.

There are a number of employment conditions (either new or modified) that are to be implemented as an outcome of the new agreement.

Information regarding the different conditions and how to implement them are detailed below.

NEW CLASSIFICATION STRUCTURE

There are now three work streams:

Learning and Business Support Stream – The majority of staff will transition to the New 'TAFE worker' classification in the Learning and Business Support Stream.

The levels within the new TAFE worker salary scale have steps built in for additional pay increases (similar to the current increments for clerical roles).

- If an employee's job level moves to a higher pay rate in the new structure, their pay rate will increase.
- If an employee's job level moves to a lower pay rate in the new structure, their pay rate will be protected and they will only receive further increases when the new rate catches up in the future.

Library Stream – Library staff remain on the current salary structure (including Librarian Grade 4 and 5).

Childcare Stream – Early Childhood Educators remain on the current salary structure.

CONDITIONS OF EMPLOYMENT

The conditions of employment apply to all classifications covered by the Enterprise Agreement.

TYPES OF EMPLOYMENT

Full-time Employees

All full-time employees are employed for 35 hours per week from the transition.

The working pattern can be arranged flexibly from Monday to Friday (inclusive). Hours may be averaged over the week to suit operational needs.

Part-time Employees

All part-time employees will receive pro-rata entitlements based on the rates of full-time employees.

Additional mutually arranged hours up to the normal full-time hours will be at the ordinary rate + 4/48th in lieu of annual leave.

Only directed overtime will be paid at overtime rates.

Flex Workers

Flex Workers have the option to schedule their work flexibly from Monday to Friday (inclusive) with their Manager's approval. Their contract hours are 35 per week with the option to work additional hours towards Flex Time to meet business needs.

- Bandwidth hours have increased; they are now from 6am to 9pm
- Can take up to six flex days within the 12-week settlement period
- Can carry forward 21 hours into the next settlement period (note: banked time provision has been removed)
- Core hours have been removed and replaced with locally defined operational business hours
- Any accrued flex hours must be taken prior to an employees' last date of service as payment for flex is not available upon separation

Rostered Workers

A rostered worker is an employee who works in accordance with a roster as directed by the employer. They are required to commence work at a specific time and work for a defined period in accordance with a roster.

Rosters should be issued at least seven days prior to commencement of the roster. Where practical, 48 hours' notice is required to change a shift.

Employees must be consulted for any changes to their regular roster.

- A full-time rostered employee is entitled to three rostered days off over a 12-week work cycle
- The required 36 hours and 45 minutes per week can be rostered flexibly over Monday to Friday to meet business needs
- Depending on the finishing time of the roster, the employee may be entitled to a shift allowance

Part-Year Employment

Part-year employment is available for part-time employees to provide support to educational delivery.

- Part-year employees can only be employed on a part-time basis unless employed as 'part-year full-time' prior to 2006 (these may continue)
- Employees can be engaged to work for a minimum 36 and maximum 44 weeks a year
- Annual leave will be added to the engagement to form part of an employees' contract
- Part-year employment will have periods of non-attendance
- Paid leave can only be taken against hours/days that the employee is engaged for. It cannot be taken during periods of non-attendance
- Employees have the option to elect to receive 'Pay as you Work' remuneration or an 'Annualised Salary' arrangement

Casual Employment

Casual employees are engaged on an irregular or intermittent basis and are engaged and paid on an hourly basis. Based on the casual nature of employment a loading is paid to compensate for all leave, other than Long Service Leave (LSL).

Loadings are as follows:

- 25% for work performed on Monday to Friday
- 50% for work performed on Saturday
- 75% for work performed on Sunday
- 150% for worked performed on public holidays

Casuals are paid a minimum of 3 hours per day and overtime is paid after 9 hours.

Except:

- Disability Classroom Support who have minimum 2 hours and maximum 8 hours
- Examination supervisors only have minimum hours of 1.5 if their examination is cancelled with less than 24 hours' notice

OTHER CONDITIONS

Conditions of employment have been standardised across the Agreement.

Overtime

Payment for overtime shall only be made where the employee works directed overtime.

Overtime rates will only be paid for directed overtime after 35 hours in a week have been worked.

Overtime rates for all employees will be:

- Monday to Friday – time + ½ first 2 hours; double time thereafter
- Saturday – time + ½ first 2 hours; double time thereafter
- Sunday – double time for all hours
- Public holidays – double time + ½ for all hours

Overtime for all staff, except seven-day shift workers has a minimum payment of 3 hours for work performed on Saturday, Sunday or public holidays.

Shift Allowances

Shift allowances have been consolidated and have new definitions, mostly using finishing times instead of starting times.

Shift Type	Criteria	Penalty Rates
Day	6am to 6:30pm	None
Morning	Commencing after 12am and before 6am	15%
Afternoon	Finishing after 6:30pm and at or before 12am	15%
Night	Finishing after 12am and at or before 6am	15%
Permanent Night (Not less than 4 consecutive weeks)	Finishing after 12am and at or before 6am	30%
Saturday	All ordinary work on Saturdays (min 3hrs)	50%
Sunday	All ordinary work on Sunday (min 3hrs)	100%
Public holidays	Ordinary work on a public holidays	150%

Broken Shifts

Broken shifts can only be performed by employees who deliver security services, requiring a security license.

- Maximum spread of hours between a broken shift is 12 hours
- Maximum unpaid break for employees working broken shifts is 5 hours

Broken shift allowances	Penalty rates
Broken shift	Paid a daily amount specified in Schedule B, Item 5 This amount is inclusive of excess fare allowance Employees receiving broken shift allowance are not entitled to other shift allowances except as listed below
Shift commences after 12am and before 6am	15% paid for each hour worked between such hours
Shift finishes after 7pm	15% paid for each hour worked after 7pm

ALLOWANCES

Allowances have been consolidated and obsolete allowances have been removed or incorporated into the new pay structure.

Allowances	Description
Community Language (Clause 33)	Applicable to all employees
Higher Duties (Clause 35)	Applicable to all employees
Use of Private Motor Vehicle (Clause 68)	Applicable to all employees
Broken Shift (Clause 48)	Payable only to security employees
Remote Area (Clause 70)	Payable to employees in remote areas
Travel (Part VI)	Applicable to all employees to be based on reimbursement of actual expenses
Certified Supervisor (Clause 36)	Applicable only to Children's Centres employees
Dirty Work (Clause 38)	Applied to all employees, replacing the dirty, epoxy, noxious substances, confined spaces and chokage allowances
First Aid (Clause 34)	Will have 2 levels, basic and occupational (all security will only get occupational)
Height (Clause 37)	Applied to all employees, replacing height, roof and towers allowances
Overtime Meal (Clause 55)	Actuals are payable when 72 hours' notice is <u>not</u> given
Travel Assistance on Vacation (Clause 73)	Still applicable to Broken Hill employees
Tools (Clause 39)	Payable to trades <u>if TAFE does not provide tools</u>
Laundry (Clause 79)	Will be paid at a standard weekly rate

For Further Assistance

Please contact your local People and Safety Team.