

The TAFE Commission of NSW Administrative, Support and Related Employees Enterprise Agreement 2016 effective from 1 July 2016 includes provisions for part-year employment arrangement to provide support for educational delivery.

PART-YEAR EMPLOYMENT

TAFE NSW will use part-year employment to meet operational needs to support educational delivery during the TAFE year. Part-year allows for periods of non-attendance when there is no work to perform, typically during student vacations.

It is available to the areas that have student contact or student support, including

- Technical or Class Support
- Security
- College Support Services
- Clerical Support to Teaching Sections
- Student and Learning Support (i.e. Libraries)
- Other areas by agreement with unions.

The maximum number of permanent part-year employees is 650 across TAFE NSW.

CONTRACTED HOURS

Part-year employment should be on a part-time basis but if the employee was engaged as a part-year, full-time employee prior to 2006 they may continue to be engaged on that basis.

TAFE may offer employment to work for no less than 36 weeks and no more than 44 weeks in each calendar year. Annual leave will be calculated and added to their engagement to form part of their contract.

Prior to commencing part-year work the employee must agree to the hours per week and the number of weeks to be worked per year.

Prior to the commencement of each term the employee shall be provided the days plus start and finish times which they will work.

ADDITIONAL HOURS

A part-time employee who works in excess of their contracted hours by mutual arrangement will be paid the additional hours at rates (ordinary + 4/48th). Only directed overtime above 35 hours will be paid at overtime rates.

LEAVE

At the beginning of each year the employee in consultation with the Manager should nominate when they will take their annual leave to ensure that their work schedule designates the period when annual leave can be taken.

Any periods that have not been deemed allocated working periods or annual leave will be considered to be non-attendance.

Other paid leave, such as sick or extended leave, can only be taken against hours/days that the employee is engaged to work and cannot be taken during periods of non-attendance.

Part-year employees may be directed to take their annual leave within the 12-month period but may be deferred to subsequent years by agreement.

Part-year employees are to be paid for any public holidays that they are scheduled to work.

REMUNERATION

Part-year employees have the option to elect to receive 'Pay as You Work' remuneration or an 'Annualised Salary' arrangement. Each year an election is made and will be operative for a minimum of 12 months and may be altered by the staff member no more than annually.

Pay as You Work

The 'Pay as You Work' salary arrangement allows an employee to receive fortnightly salary payments during the periods of the year when they are scheduled to work and when taking annual leave.

An employee will not be paid during periods of the year when the employee is not required to work.

If a 'Pay as You Work' employee ceases employment before the agreed part-year employment period, the employee will be paid for any outstanding entitlements, including annual leave.

Annualised salary

The 'Annualised Salary' payment method allows an employee to receive an average fortnightly salary throughout the 12-month period of the arrangement.

Where no work is scheduled in the non-attendance period the employee will still receive the annualised salary but will not be required to attend work.

Employees selecting the 'Annualised Salary' method cannot defer their annual leave to subsequent years as annual leave forms part of the annual salary and would result in an overpayment.

There are other circumstances which may result in an under/overpayment of annualised salary. Those circumstances include periods of leave without pay, maternity leave, workers compensation claims and termination of employment including resignation. In these cases, a reconciliation will be required and either an additional payment to the employee or repayment from the employee will be necessary.

For Further Assistance

Please contact your local People and Safety Team.