

9 December 2019

Mr Stewart Little  
State Branch Secretary  
Community and Public Sector Union NSW  
Public Service Association

**By Email:** cpsu.nsw@psa.asn.au  
tpearce@psa.asn.au  
No. of Pages: 3

**Enterprise Bargaining for a Proposed New  
TAFE Commission of NSW  
TAFE Managers Enterprise Agreement 2019**

Dear Mr Little,

On behalf of the Technical and Further Education Commission t/as TAFE NSW, we write in relation to the enterprise bargaining for a proposed new *TAFE Commission of NSW TAFE Managers Enterprise Agreement 2019 (Managers EA)*.

**Overview of Enterprise Bargaining for a Proposed New Managers EA**

As you may be aware, TAFE NSW has been engaged in enterprise bargaining for a proposed new Managers EA with the Australian Education Union New South Wales Teachers Federation (**AEU NSW TF**) and the Community Public Sector Union New South Wales (**CPSU**). This has involved three formal meetings being conducted between the parties on 18 and 25 November 2019 and 6 December 2019 which have been constructive and fruitful as a result.

On 25 November 2018 during the second formal meeting between the parties, TAFE NSW tabled a draft version of what a proposed new Managers EA may look like which had tracked changes that reflected the items that TAFE NSW was seeking that was tabled during the first formal meeting on 18 November 2019.

Between 25 November 2019 when the second formal meeting occurred and 6 December 2019 when the third formal meeting took place, the parties engaged in further enterprise bargaining which involved corresponding by email about specific items, most notably with respect to the proposed salary and superannuation increases for the second year of a proposed new Managers EA that would be for a duration of two years.

TAFE NSW has genuinely considered the alternative put forward by the AEU NSW TF with respect to a 2.28% salary increase and a 0.22% superannuation increase for the second year in 2021 of a proposed new Managers EA which we understand is the same as what NSW public school teachers have recently voted to support. However, TAFE NSW contends that its proposal of a 2.04% salary increase and a 0.5% superannuation increase for the second year in 2021 of a proposed new Managers EA is in the best interests of managers, particularly for the reason that many of them are responsible for leading employees

that are covered by the *TAFE NSW Administrative, Support and Related Employees Enterprise Agreement 2019* who will receive that same salary and superannuation increase during both the second and third years of that enterprise agreement.

### **The Proposed New Managers EA**

Following genuine consideration of all the matters raised by the AEU NSW TF, the CPSU and other bargaining representatives during enterprise bargaining, TAFE NSW has finalised a proposed new Managers EA which includes the following key changes that have been made when compared to the current *TAFE NSW Managers Enterprise Agreement 2017*:

- (a) Salary and superannuation Increases of:
  - (i) 2.5% salary increase from the first pay period to commence on or after 1 January 2020; and
  - (ii) 2.04% salary increase from the first pay period to commence on or after 1 January 2021; and
  - (iii) 0.5% superannuation increase from the first pay period to commence on or after 1 January 2021.
- (b) Reduce the current probationary period from 12 months to six months which aligns with the minimum employment period under the *Fair Work Act 2009* (Cth).
- (c) Enhance domestic violence leave in accordance with the NSW Government Treasury Circular 19-08 that was published on 28 June 2019, while also ensuring a minimum of five days unpaid domestic violence leave is provided for as required by the *Fair Work Act 2009* (Cth).
- (d) Apply cosmetic, not substantive, changes which includes updating content to ensure currency of the proposed new Managers EA.

### **Conclusion of Enterprise Bargaining for a Proposed New Managers EA**

Throughout the enterprise bargaining process TAFE NSW has acted in good faith by responding to matters raised by the AEU NSW TF and also the CPSU, and has worked productively with both Unions when drafting the proposed new Managers EA with tracked changes for ease of reference.

TAFE NSW believes that enterprise bargaining has now reached the point where all of the matters that have been raised have been genuinely considered by all parties and reasons provided to one another to support any final changes being made to the proposed new Managers EA. Accordingly, TAFE NSW hopes to move to the next stage of the enterprise bargaining process which involves providing access to managers for a period of seven days to the proposed new Managers EA and subsequently conducting a ballot.

In relation to the next stage of the enterprise bargaining process, the timeline that TAFE NSW is working towards is as follows:

<b>Activity</b>	<b>Dates</b>
Access Period to the Proposed New Managers EA	10 – 17 December 2019
Ballot of Managers to be Covered by the Proposed New Managers EA	18 – 20 December 2019
Declaration of the Ballot Result	20 December 2019
Lodge Required Documentation with the Fair Work Commission for Approval*	23 – 31 December 2019

\* This is subject to a majority of managers who cast a valid vote during the ballot indicating they support the proposed new Managers EA.

TAFE NSW plans to use Corpvote, who is a private company that has expertise in managing independent and secure electronic and telephone voting processes. Corpvote conducted the ballot for the TAFE NSW *Teachers and Related Employees Enterprise Agreement 2016* and also the recent *TAFE NSW Administrative, Support and Related Employees Enterprise Agreement 2019*.

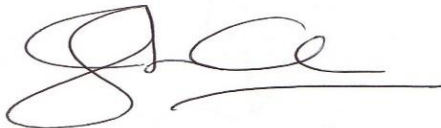
Managers, including those who are on leave, will receive voting information sent to their work email address which will also be posted to their home residential address. This information will contain the details about how to vote by email, telephone or text message (SMS).

I would like to thank the AEU NSW TF, the CPSU and also other bargaining representatives for the constructive dialogue during enterprise bargaining for the proposed new Managers EA. If you would like to formally indicate your position in relation to the proposed new Managers EA you are welcome to do so. TAFE NSW would welcome support from the AEU NSW TF, the CPSU and other bargaining representatives for the proposed new Managers EA.

### Queries

If you have any queries in relation to this written correspondence, please do not hesitate to contact me by phoning 0434 781 630 and/or you can send an email to [Julian.Oliveux1@tafensw.edu.au](mailto:Julian.Oliveux1@tafensw.edu.au).

Yours sincerely



Julian Oliveux  
**A/Head of Workplace Relations**  
**TAFE NSW**

Cc: Mr Thane Pearce  
Manager, National System  
Community and Public Sector Union NSW  
Public Service Association