



**CATHOLIC  
EDUCATION  
ENTERPRISE  
BARGAINING**

## EB10 SBU Meeting #3 – Tuesday, 21 February 2023

Agenda Item	Discussion	Action/Outcome
<b>1.00 – Welcome</b>		
(a) – Attendances / Apologies	<ul style="list-style-type: none"> <li>Attendances/Apologies are provided in <b>Attachment 1</b> to these Minutes.</li> <li>The term ‘the parties’ means employer and employee representatives.</li> </ul>	See <b>Attachment 1</b> .
(b) – Acknowledgement of Country	Employer representatives presented the Acknowledgement of Country to the meeting.	IEU to prepare for the next meeting.
(c) – Prayer	Employer representatives presented the Prayer to the meeting.	IEU to prepare for the next meeting.
<b>2.00 – General Business</b>		
<b>2.01 – Minutes of the previous meeting</b>		
(a) – Thursday, 2 February 2022	<ul style="list-style-type: none"> <li>The parties acknowledged and noted the delay in the preparation and revision of these minutes.</li> <li>Employee representatives indicated that they would provide a revised set of minutes to the employer no later than the end of the week.</li> <li>The minutes of this meeting will be confirmed out of session.</li> </ul>	IEU to provide by Friday, 24 February 2023 to QCEC
<b>2.02 – Other Procedural Matters</b>		
(a) – Scope/Industrial Context	<ul style="list-style-type: none"> <li>Employee representatives:               <ul style="list-style-type: none"> <li>prefer to negotiate for separate Enterprise Agreements (EAs) with each employer (currently there are twenty-two employers);</li> </ul> </li> </ul>	

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	<ul style="list-style-type: none"> <li>○ acknowledged NERRs distributed by employers limited coverage, which, is not accepted and reserve their right to negotiate on scope pursuant to the “Stuartholme” decision (<a href="#">[2010] FWA FB 1714</a>);</li> <li>○ reserved rights that may arise from the foreshadowed legislative amendments.</li> <li>● Employer representatives: <ul style="list-style-type: none"> <li>○ confirmed that they had consulted with employee representatives about the content of the NERRs prior to distribution; and</li> <li>○ queried the IEU-QNT’s approach given the ACTU’s view on multi-employer bargaining.</li> </ul> </li> <li>● Employee representatives stated they will pursue any legislative vehicle that will maximise their capacity to represent employees.</li> </ul>	
(b) – Sub-Committees	<ul style="list-style-type: none"> <li>● There were no sub-committees established at this meeting.</li> <li>● The parties confirmed the participants to the sub-committees and that the confirmation of meeting dates of these meetings would occur out of session.</li> <li>● Employee representatives confirmed the days of the week most appropriate for the Technical/Drafting sub-committee, specific dates will be confirmed out of session.</li> <li>● Employer representatives confirmed that the sub-committee meetings be scheduled.</li> </ul>	<p>See <b>Attachment 2</b> for members of the sub-committees.</p> <p>The parties to confirm meeting dates out of session.</p>
<b>2.03 – Matters for update</b>		
(a) – claim item 1.8 (School Consultative Committee (SCC))	<ul style="list-style-type: none"> <li>● Employee representatives discussed the revised clause as tabled.</li> <li>● Employer representatives noted their claim regarding removal of legislative provision from the Agreement and queried its interaction with the WHS committee.</li> </ul>	IEU to consider employer position.
(b) – Claim items 3.2 (Alternative School Officer Classification Structure (ASOC))	<ul style="list-style-type: none"> <li>● Employee representatives noted the email correspondence between the parties regarding Alternative School Officer Classification Structure (ASOC) and the review of position descriptions. They also discussed the <b>summary document as tabled</b> and noted that three position descriptions are under development. They also confirmed that additional interviews are being sought by the IEU for the remaining role descriptions.</li> <li>● The parties discussed the utility of the role descriptions. Employee representatives confirmed that it’s up to the employer on if/when they will use the role descriptions.</li> <li>● Employee representatives also welcomed a meeting to consider this matter further.</li> </ul> <p><i>ASOC – Salary Schedule</i></p> <ul style="list-style-type: none"> <li>● Employer representatives sought clarification on the salary schedule tabled.</li> </ul>	<ul style="list-style-type: none"> <li>● IEU to upload developed role descriptions to the SBU SharePoint.</li> <li>● IEU to invite employer representatives to re-establish the JWP for considering and responding to the ASOC role descriptions.</li> </ul>

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	<ul style="list-style-type: none"> <li>• Employee representatives confirmed the key considerations they had in the development of the salary schedule as follows:               <ul style="list-style-type: none"> <li>○ fundamentals regarding a competency regime – 100% rate and the relevant graduations</li> <li>○ the 100% rate was developed from considering industry standards with a 5% structural adjustment made.</li> <li>○ from the 100% rate, tested a variety of graduations taking account of the top rates (5% graduation); and low rates (2% graduation) that were not so low. The rates must account for industry standards across all classification levels, in particular lower levels and top levels. The top level took into account the industry rates.</li> <li>○ Once the salary structure was developed, then compared the rates against the current rates of pay and the APS salaries.</li> <li>○ that professional recognition is provided with 7 or 8 steps in levels 7 and 8, which is believed not to be unusual for professional classifications.</li> </ul> </li> <li>• Employee representatives clarified the employer representatives’ question regarding where the current rates are higher than the proposed rates by indicating that where the rates are higher, the current rates will be maintained until the rates reach the same/similar rate as the new structure.</li> <li>• The parties confirmed that there is further consideration regarding the transitional arrangements for the new structure.</li> </ul>	
(c) – Claim item 3.3 (Part-time teachers)	<ul style="list-style-type: none"> <li>• Employee representatives put this on hold and noted item 3.02 (d), below.</li> <li>• Employee representatives <b>tabled a clause</b> prior to the close of meeting.</li> </ul>	IEU to upload draft revised clause to SBU SharePoint subsequent to this meeting.
(d) – Claim Item 3.4 (Term-Time engagement)	<ul style="list-style-type: none"> <li>• Employee representatives <b>tabled a clause</b> prior to the close of meeting and is a claim for a minimum engagement period of 43 weeks with consequential amendments made in the annualisation of salary clause (clause 4.12).</li> </ul>	IEU to upload draft clause to SBU SharePoint subsequent to this meeting.
<b>3.0 – Log of Claims</b>		
3.01 – Employee Log of Claims		
(a) – Claim Items 1.1 to 1.5 , and 1.9 (Teachers Hours of Duty)	<ul style="list-style-type: none"> <li>• Employee representatives discussed the <b>clause as tabled</b> and noted the following key elements to the claim:               <ul style="list-style-type: none"> <li>○ Reduction in contact time for all teachers</li> <li>○ Increase in PPCT for all teachers, including a reduction in covers for 7 to 12 teachers.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• IEU to upload revised draft clause to SBU SharePoint subsequent to this meeting.</li> </ul>

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	<ul style="list-style-type: none"> <li>○ Composite Classes, including no covers for 7 to 12 teachers.</li> <li>○ Increase in collaborative planning days;</li> <li>○ Professional Development: mandatory and new initiatives;</li> <li>○ Other activities;</li> <li>○ Dispute resolution; and</li> <li>○ Minimum blocks of PPCT of not less than 30 minutes for BCE.</li> </ul> <ul style="list-style-type: none"> <li>• Employer representatives queried 31 hours and new schools, recognition of middle schools, the application of clause S3.X.1; and the term 'new initiative'.</li> <li>• Employee representatives noted that the words 'part-time' will be removed from clause S3.X.1 and that further consideration is required by the parties regarding the application for P to 12 schools.</li> <li>• Employer representatives also noted an inclusion of a Dispute Resolution provision that is out of context from the current EA as the words currently relate to Vacation Leave only. Employee representatives stated employers can consider this as a separate claim.</li> </ul>	<ul style="list-style-type: none"> <li>• BCE to confirm their position about minimum blocks of PPCT.</li> <li>• Further consideration by the parties about the hours of duty for P to 12 schools.</li> </ul>
(b) – Claim Item 1.6 (Range of Duties of Support Staff)	<ul style="list-style-type: none"> <li>• Employee representatives discussed the <b>clause as tabled</b>. Employee representatives advised that clause 8.1 (a), (b) and (g) are new.</li> <li>• Employee representatives responded to the queries made by employer representatives and noted the national and international contexts of how support staff are used in schools.</li> </ul>	IEU to upload draft clause to SBU SharePoint subsequent to this meeting.
(c) – Claim item 1.7 (New Initiatives)	<ul style="list-style-type: none"> <li>• This matter is dealt with in item 3.01 (e) and (h).</li> <li>• Employer representatives queried the nature of the initiatives referred to in the clauses tabled by employee representatives.</li> <li>• Employee representatives confirmed it is intended to include government initiatives as governments have responsibility to ease workload demands on teachers.</li> </ul>	
(d) – Claim Items 1.10 and 1.11 (Nationally Consistent Collection of Data (NCCD))	<ul style="list-style-type: none"> <li>• Employee representatives advised that claim item 1.11 (NCCD Joint Working Party (JWP)) was withdrawn on the basis of the amendments made to the clause tabled in relation to claim item 1.10 (NCCD).</li> <li>• Employee representatives discussed the <b>clause as tabled</b>. They noted that they are using the language of the government; and are open to discuss terminology. They also noted that the core element of the claim is the deployment of resources into the classroom.</li> <li>• Employer representatives queried the similarities between 10.1.3 (c) and (d) (eg. "report/ing" references) and noted that the claim for a JWP has been changed. Employee representatives responded to the queries made by employer representatives.</li> </ul>	IEU to upload draft clause to SBU SharePoint subsequent to this meeting.

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	<ul style="list-style-type: none"> <li>From employee representatives perspective, the key concerns of classroom teachers are: educational outcomes of students; how the work is supported; and the management of students.</li> </ul>	
(e) – Claim Items 3.5 and 3.8 (Positions of Leadership, including Salaries)	<ul style="list-style-type: none"> <li>Employee representatives noted the historical context in the development of this Schedule and the divergence with Education Queensland. Employee representatives are looking for contemporary arrangements.</li> <li>Employee representatives discussed the <b>clause and salaries as tabled</b>. The key elements of the claim are: <ul style="list-style-type: none"> <li>Protection of leadership release time;</li> <li>Allocation of Senior Leaders in schools;</li> <li>For schools sizes greater than 350 – no teaching lines for senior leaders.</li> <li>Increased release time for senior leaders (Table 1 and Table 2).</li> <li>Deletion of the crossover of salaries for Senior Leaders and adding one level to the Deputy Principal (DP) rates.</li> </ul> </li> <li>Employer representatives queried the splitting of the AP/DPs and transitional arrangements for Table 1.</li> <li>Employee representatives indicated that they are not disturbing the current arrangements regarding the splitting of the role; and that further consideration is required for transitioning to the proposed changes.</li> </ul>	IEU to upload draft clause to SBU SharePoint subsequent to this meeting.
(f) – Claim Item 3.6 (Primary Middle Leadership)	<ul style="list-style-type: none"> <li>Employee representatives discussed the <b>clause as tabled</b>. The key elements of the claim are the minimum release time and remuneration provided for the role.</li> <li>Employer representatives queried who this applied to. Employee representatives confirmed it applied to STIES, PLL etc. They also noted that RI schools will have different arrangements which will need to be scheduled at the school level.</li> </ul>	IEU to upload draft clause to SBU SharePoint subsequent to this meeting.
<b>Lunch Break - 1pm to 1:30pm</b>		
(g) – Claim item New (Right to Disconnect)	<ul style="list-style-type: none"> <li>Employee representatives discussed the <b>clause as tabled</b>.</li> <li>Employee representatives noted that it is a psychosocial hazard to be always switched on.</li> <li>Employer representatives suggested an amendment to X.8 to include a requirement at law and that guidance materials are to be provided.</li> <li>The parties discussed the previously developed electronic communication protocols.</li> </ul>	IEU to upload draft clause to SBU SharePoint subsequent to this meeting.

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(h) – Claim Item New (Workload/Work Intensification)	<ul style="list-style-type: none"> <li>• Employee representatives discussed the <b>clause as tabled</b>. It is employees representatives’ position that it is the responsibility of the School Consultative Committee (SCC) to consider. The key elements of the tabled clause are: <ul style="list-style-type: none"> <li>○ Establishment of a 30% reduction over the life of the agreement on workload;</li> <li>○ The SCC to make recommendations to the Principal for final decision.</li> </ul> </li> <li>• Employee representatives stated that this clause is about why are we are working a particular way and how can work be done differently.</li> <li>• Employer representatives had a number of queries about its application, including the current SCC for middle leader structures with different purpose and different membership. Employee representatives responded to the initial queries made by employer representatives.</li> </ul>	IEU to upload draft clause to SBU SharePoint subsequent to this meeting.
<b>3.02 – Employer Log of Claims</b>		
(a) – Guiding Principle 6 (Commencement of Agreement)	<ul style="list-style-type: none"> <li>• Employer representatives discussed the <b>clause as tabled</b>, noting that the nominal expiry date has not been supplied as yet due to employers not believing it is a contentious issue at this stage given the purpose of the clause being tabled. In addition, the employer’s position on back-pay is consistent with the <i>Fair Work Act</i> provisions and recent court decision. Employee representative advised that the court decision is being appealed.</li> </ul>	IEU to review and respond.
(b) – Claim Item 2 (Coverage)	<ul style="list-style-type: none"> <li>• Employer representatives discussed the <b>clause as tabled</b>. Employers noted the rationale of removing the coverage of trainees, apprentices and sports coaches. Employers noted that they also are using the clause from the ‘streamlining’ process and noted the reference to instructional services (sport) employees exclusions that is used in the Modern National Award (MNA).</li> <li>• Employee representatives are concerned about the use of MNA language and the exclusions that are provided. They also noted that the Agreement is a stand-alone agreement and that the MNA does not apply. Employer representatives noted that EB9 coverage clause is based on the coverage of the MNAs, so the MNA language is relevant.</li> </ul>	IEU to review and respond.
(c) – Claim Item 3.3 (Junior Rates)	<ul style="list-style-type: none"> <li>• Employer representatives discussed the <b>clause as tabled</b>. They also stated that the clause tabled is consistent with the MNA provisions. This claim will enable employers to employ juniors for basic roles (eg. filing at peak times to support other administrative staff) at the school level, including opportunities for students, where appropriate.</li> </ul>	IEU to review and respond.
(d) – Claim Item 5.1 (Part-time teachers)	<ul style="list-style-type: none"> <li>• Employer representatives discussed the <b>clause as tabled</b>. In relation to compensation for additional hours, employer representatives are aiming for consistency between this clause and the job share provisions.</li> </ul>	IEU to review and respond.

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	<ul style="list-style-type: none"> <li>Employee representatives noted their tabled claim regarding this matter.</li> </ul>	
(e) – Claim Item 5.2 (Permission to Teach)	<ul style="list-style-type: none"> <li>Employer representatives discussed the <b>clause as tabled</b>. This is an employer claim, but they based the clause tabled on the IEU tabled clause for efficiency purposes.</li> <li>Employee representatives noted the amendments and were concerned about the employer position regarding the qualifications. Employee representatives also requested amendments to the clause regarding 1.1.4 (c) by including the word ‘provisional’ before ‘registration’.</li> </ul>	IEU to review and respond.
(f) – Claim Item 7.1(Parental Leave)	<ul style="list-style-type: none"> <li>Employer representatives discussed the <b>clause as tabled</b>. The tabled clause includes the following: <ul style="list-style-type: none"> <li>‘Stillborn’ paid parental leave arrangements with the definition consistent with the <i>Fair Work Act</i>.</li> <li>Clarification on the rate at which subsequent periods of parental leave are paid.</li> <li>Clarification on the service requirements for paid spousal leave.</li> </ul> </li> </ul>	IEU to review and respond.
(g) – Claim Item 7.2 (Long Service Leave)	<ul style="list-style-type: none"> <li>Employer representatives discussed the <b>clause as tabled</b>. The claim is to direct an employee to take long service leave where they have excessive leave balances and have a discussion with the relevant employee.</li> <li>Employee representatives noted there are points of distinction about access after 10 years and early access after 7 years. Employer representatives did not consider the points of distinction impacting on the rationale of the employer claim.</li> </ul>	IEU to review and respond.
(h) – Claim Item 7.3 (Personal/Carer’s Leave)	<ul style="list-style-type: none"> <li>Employer representatives discussed the <b>clause as tabled</b>.</li> <li>Employee representatives advised that employees in schools have expressed alarm and have taken offence to the employers claim. The clause does not identify an opportunity to respond to the concern; an end date; and nor a review requirement.</li> <li>Employee representatives are prepared to discuss this matter further with employer representatives.</li> <li>Employer representatives noted that workers often raise concerns about their added workload when a colleague is absent on frequent unplanned absences, but they also noted the suggested parameters by the employee representatives had merit and will consider further.</li> </ul>	IEU to review and respond.  Employer representatives to consider parameters suggested by IEUA.
(i) – Claim Item 8 (Multiple Contracts)	<ul style="list-style-type: none"> <li>Employer representatives discussed the <b>clause as tabled</b>. The current scope of the clause has been extended to all classes of employees.</li> <li>Employee representatives do not object to the broadening of the scope of the clause, but have concerns regarding term-time employees agreeing to ordinary rates for 10 hours worked above maximum ordinary hours. Employee representatives are also mindful of the interaction of this clause with the provisions for boarding supervision employees and resident teachers.</li> </ul>	IEU to review and respond.

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	<ul style="list-style-type: none"> <li>Employer representatives noted this is based on requests from employees and restricted to term-time employees on the basis that over the year, it would be consistent with an averaging hours approach.</li> </ul>	
(j) – Claim Item Schedule 2, Item 2 (Dispute Resolution)	<ul style="list-style-type: none"> <li>Employer representatives discussed the clause as tabled.</li> <li>Employee representatives rejected the deletion of reference to ‘any industrial matter’.</li> </ul>	IEU to review and respond.
<b>3.03 – Caucus</b>		
	Not required for this meeting.	
<b>4.0 – Other Business</b>		
Claim Item 2.9 (Part-time SO/SS arrangements)	<ul style="list-style-type: none"> <li>Employee representatives discussed the revised clause as tabled.</li> <li>Employer representatives queried the placement of clause 3.2.3. Employee representatives to consider the matter further.</li> </ul>	
<b>5.00 – Next meeting</b>		
5.01 – Proposed Agenda	<ul style="list-style-type: none"> <li>It is employer representatives’ preference to look at the tabled claims in totality and respond with a total package discussion.</li> <li>It is employee representatives’ position that the parties explore the common ground in the issues to come to an agreement.</li> <li>Employee representatives to confirm agenda items with the employer subsequent to this meeting.</li> <li>The parties to confirm the agenda out of session.</li> </ul>	IEU to draft proposed agenda for employer response. Agenda to be confirmed by the parties out of session.
5.02 – Next Meeting Date	<b>Thursday, 16 March 2023   9.30am</b> Venue: ACU Leadership Centre	IEU to chair the next meeting.
<b>6.00 – Close of meeting [time] – 3:40pm</b>		



**Attendances and Apologies**

<b>Attendances</b>	Employee Representatives:	<ul style="list-style-type: none"> <li>• Terry Burke (TB), Branch Secretary</li> <li>• Paul Giles (PG), Assistant Secretary/Treasurer</li> <li>• Nicole Kapernick (NK), Assistant Secretary</li> <li>• Monique Roosen (MRo), Industrial Services Officer</li> <li>• Jodie Parker (JP), Secondary Teacher</li> <li>• Nigel Mitchell (NM), Secondary Teacher</li> <li>• Cameron Love (CL), Secondary Teacher</li> <li>• Mark Rieken (MRi), Secondary Teacher</li> <li>• Ian Hughes (IH), School Officer</li> <li>• Joanne Ikin (JI), Secondary Teacher</li> </ul>
	Employer Representatives:	<ul style="list-style-type: none"> <li>• Ray Kelly (RK), Workplace Relations Manager, QCEC</li> <li>• Susan Skoien (SK), Administration support to the SBU, QCEC</li> <li>• Colin O’Neill (CO), Brisbane Catholic Education Office</li> <li>• Gary Cooper (GC), Rockhampton Catholic Education Office</li> <li>• Stacy Van der Muelen (SV)</li> <li>• Jonathan Outerbridge (JO), Toowoomba Catholic Education Office</li> <li>• Kristy Greenhatch (KG), Townsville Catholic Education Office</li> <li>• Jenifer Elvery (JE), Religious Institute Schools</li> <li>• Deb Crotty (DC), Catholic Education Service, Cairns</li> <li>• Marsha Daskalakis (MD), Edmund Rice Education Australia, Queensland</li> </ul>
<b>Apologies</b>	Employee Representatives:	<ul style="list-style-type: none"> <li>• Sarah Latham (SL)</li> <li>• Kathleen Jenkins (KJ), Primary Teacher</li> </ul>
	Employer Representatives:	Nil

**Sub-Committee Participants**

<b>Sub-Committee</b>	<b>Participants</b>	
<b>Remote Area</b>	Employee Representatives:	<ul style="list-style-type: none"> <li>• Nicole Kapernick (NK), Assistant Secretary</li> <li>• Monique Roosen (MRo), Industrial Services Officer</li> <li>• Nigel Mitchell (NM), Secondary Teacher</li> </ul>
	Employer Representatives:	<ul style="list-style-type: none"> <li>• Gary Cooper (GC), Rockhampton Catholic Education Office</li> <li>• Jonathan Outerbridge (JO), Toowoomba Catholic Education Office</li> <li>• Deb Crotty (DC), Catholic Education Service, Cairns</li> <li>• Peter Tracy (PT), Edmund Rice Education Australia, Queensland</li> </ul>
<b>Technical/Drafting</b>	Employee Representatives:	<ul style="list-style-type: none"> <li>• Paul Giles (PG), Assistant Secretary/Treasurer</li> <li>• John Spriggs (JS), Senior Industrial Officer</li> <li>• Monique Roosen (MRo), Industrial Services Officer</li> </ul>
	Employer Representatives:	<ul style="list-style-type: none"> <li>• Ray Kelly (RK), Workplace Relations Manager, QCEC</li> <li>• Colin O’Neill (CO), Brisbane Catholic Education Office</li> <li>• Jonathan Outerbridge (JO), Toowoomba Catholic Education Office</li> <li>• Jennifer Elvery, Religious Institute Girls and Boys Schools</li> </ul>