

# Institute Managers bargaining report

The PSA(CPSU) and Teachers Federation met with the TAFE bargaining representatives on 8 October 2015 to discuss your next enterprise agreement.

There are some positive developments with TAFE NSW moving considerably from some of their initial claims. However, the PSA(CPSU) continues to have concerns over their proposals.

## ***Increase the standard working hours from 35 to 38 hours***

The proposal by TAFE NSW includes a claim that Institute Managers cannot currently accrue additional hours until they have worked 38 hours a week. The PSA(CPSU) does not accept this proposal and will continue to advocate for the working week to remain 35 hours.

## ***Remove access to time off in lieu (TOIL)***

TAFE NSW indicated there is an expectation Institute Managers will negotiate at a local level how their weekly hours are worked. TAFE NSW is not proposing to have an appeal/review process if the negotiations fail.

The PSA(CPSU) wants to ensure there is fair access to flexible work practices. TAFE appears to remain committed to the local managers negotiating these arrangements. The PSA(CPSU) opposes the increase of the standard working hours and the loss of TOIL.

## ***Permanent employees to remain permanent***

TAFE NSW has listened to the concerns the

PSA raised regarding moving all Institute Managers onto temporary contracts and has proposed keeping all permanent Institute Managers as permanent employees. This includes retaining permanent status through any business review changes and any positions Institute Managers apply for, including promotional positions.

There is no guarantee this will continue past the start date of the enterprise agreement. The PSA(CPSU) is requesting TAFE NSW provide a clear enforceable commitment regarding this.

## ***Severance/notice period for the new specified term contracts***

Specified term contracts are the new form of temporary contract TAFE NSW is proposing. This is different to a temporary contract for a fixed term in that TAFE NSW is seeking the ability to terminate the contract at any time. Previously, the proposal from TAFE NSW specified term contracts could be terminated at any time without notice.

Resulting from the objections raised by the PSA(CPSU), TAFE NSW now is proposing to have a mandatory 13 weeks notice or payment in lieu of notice. During the discussions on 8 October, TAFE NSW confirmed that the 13 weeks notice (or payment in lieu) would apply even when a specified term contract expired; was not renewed; and notice was provided only at the very end of the contract.

The current proposal by TAFE NSW is to write these commitments into the new employment

contracts. However, as the draft contracts are not part of the enterprise agreement, they can be changed shortly after the agreement is finalised.

The PSA(CPSU) has requested that the 13 weeks notice (or payment in lieu of notice) be included in the enterprise agreement. This would mean that it could not be removed or reduced during the life of the agreement. TAFE indicated they were open to the idea however the PSA(CPSU) will continue to oppose the policy position that all new TAFE Managers be on specified term contracts.

### ***Some temporary Institute Managers may automatically move to specified term contracts***

TAFE is proposing to have Institute/Executive Directors directly appoint current temporary Institute Managers to a specified term contract without going through an additional external merit application. This is welcome news; however, a specified term contract remains another form of temporary employment.

This proposal is also linked to TAFE NSW offering priority assessment for TAFE Managers on temporary or specified term contracts when their contract is up for renewal. The offer of a new contract with priority assessment will be decided by the Institute/Executive Directors on a case by case basis. TAFE NSW continues to insist that any contract that is up for renewal may be advertised externally.

### ***Other staff on higher duties as Institute Managers***

There are a range of administrative and teaching staff doing higher duties as Institute Managers who have a substantive position covered by the *Administrative & Support Staff*

*Enterprise Agreement* or the *Teachers Enterprise Agreement*. Unlike the proposal to give priority assessment to the Institute Managers currently on temporary contracts, there is no proposal by TAFE NSW for these employees.

The PSA(CPSU) is requesting further information about what TAFE NSW is proposing for these employees and requesting the same consideration be given to Institute Managers on higher duties as is proposed for Institute Managers on temporary contracts.

### ***TAFE NSW proposals to improve offer to Institute Managers a welcome development***

The PSA(CPSU) will keep a close eye on the proposals to ensure they are put into effect and will not be able to be withdrawn during the life of the agreement.

The union hopes that further positive developments are able to be reported shortly. We next meet (or at least exchange correspondence) by 22 October. The PSA(CPSU) will update members again after that time. In the meantime, please provide feedback and comments to the union at [bstephens@psa.asn.au](mailto:bstephens@psa.asn.au)

### ***What can you do?***

Joining the PSA (CPSU) 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 the PSA (CPSU)** today to fight for improvements instead of slashed wages and conditions.

[\(https://membership.psa.asn.au/join/\)](https://membership.psa.asn.au/join/)



**Join the PSA**  
**[membership.psa.asn.au/join](https://membership.psa.asn.au/join)**

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