



Our Ref: 1711210038

Ms Vicki Telfer PSM
Commissioner for Public Employment
Via email: vicki.telfer@nt.gov.au; cc: mark.hathaway@nt.gov.au

18 November 2021

Dear Commissioner

Vicki

Re: Offer for a new teachers and assistant teachers enterprise agreement

I acknowledge your letter dated 3 November 2021 setting out the terms of your offer for a new enterprise agreement covering teaching staff in the Department of Education. Over the past several months AEU representatives have engaged in productive, good faith bargaining with representatives from your office and the Department.

We acknowledge the improvements in the suite of NTPS common conditions that provide greater flexibility to employees and recognise the diversity of the workforce. We further acknowledge that you have agreed to a number of AEU claims, such as in relation to security of employment, study leave, affirming the status of relief teachers as NTPS casual employees and the coverage of ongoing principals in this agreement.

However, our bargaining team is not supportive of the offer in its entirety and will not be recommending it to our Executive or our membership. I will detail some of our key concerns below. What follows is not an exhaustive attempt to address all elements of the offer, rather a list of some of the major objections or concerns we have identified.

Four-year pay and allowances freeze

The proposal to freeze the salaries of all classifications as well as salary-related allowances does not account for cost of living increases nor the need for teacher salaries to remain nationally competitive. Accepting such a freeze would push Territory teacher salaries from near the top of the nation to close to the bottom, and likely be disastrous for recruitment and retention.

Length of agreement

The AEU is not opposed in principle to a four-year agreement, but given the proposed four-year pay freeze, and a commitment to pass on increases in the event the Government revises its wages policy upwards, we cannot support a longer agreement.

Electricity subsidy

The proposal to require all employees in departmental-supplied housing to pay for their electricity in return for paying an allowance has not been greeted with enthusiasm by our members. As expected, for those members currently not liable for electricity costs view this change as a loss of conditions and likely

impediment to future recruitment to those communities. Those employees who currently pay for their electricity did not view this issue as a priority. There was some enthusiasm for the idea among those who believed the subsidy would be of material benefit to local Aboriginal staff employed as assistant teachers, however this enthusiasm vanished when it was explained the subsidy would only be available to employees in GEH, and as such very few ATs would be eligible.

Stand down

We welcome the attempt to clearly define stand down and eligibility. However, we do not support the proposal to link payment during stand down to days of service during the preceding term. This effectively makes payment during the stand down period a form of accrued leave, rather than an administrative arrangement based on schools' unique operational schedule, teachers' working arrangements and the need to reconcile the fact that public sector employees accrue six weeks of recreation leave each year but schools are closed to students for 12. Employees who are on unpaid leave for more than 15 days during a term already forego loss of income, leave accrual and other benefits. Reducing their pay during the stand down period penalises the employee because there is no capacity for them to make up the days lost.

Mid-career teacher progression

We have some reservations about inclusion of this clause without more detail being provided as to the assessment criteria and how widely this measure is intended to be used.

Workloads and wellbeing

We acknowledge the inclusion of a reference to the Department's Teacher Wellbeing Strategy, which does include a project to address teacher workload, but beyond that the proposed agreement does not address union claims with respect to managing workload nor provide any other commitments in this area.

Katherine housing

Katherine teaching employees have no certainty beyond 2022 regarding their housing entitlements. Our claim to create certainty for members in Katherine about their housing subsidy is unresolved, pending the outcome of a review commissioned by the Department.

Increases to salaries and superannuation not funded

Although this matter is beyond your remit because it relates to the budget and wages policy, we feel compelled to point out that the Government has not made additional funding available to agencies to cover the \$1000 annual payments, nor the required increases in the superannuation guarantee. Our estimate is the combined annual cost of these commitments is about \$6-7 million. Paying for even these meagre benefits will come at the expense of schools' existing budgets. In larger schools it may mean the loss of teachers.

Concerns regarding short timeframe of the offer and ballot

In addition to the concerns about the content of the agreement, we have some procedural reservations. The short time frame of the offer and ballot makes it virtually impossible to address any of the concerns detailed above. The member consultation period has been short and coincided with a peak work period for teaching staff. As such, we have only been able to undertake limited member consultation. Furthermore, a full draft of the proposed agreement was only provided to our office on Friday 12 November, and this draft in many areas does not reflect in-principle agreements reached during bargaining. With the access period scheduled to commence on Monday 22 November, there is no time to negotiate meaningful changes to the draft or to

conduct a thorough review of the revised draft. We acknowledge that external pressures on your office such as the implementation of the vaccine mandate and covid-related lockouts and lockdowns have contributed.

With that said, we look forward to our members having the opportunity to express their views on the offer via the employee ballot.

Should you wish to discuss this matter further, I may be contacted on 8948 5399.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Jarvis Ryan', with a stylized flourish at the end.

Jarvis Ryan
Branch President