

**Demand**

**respect**

**VOTE**

**NO**



# Why TAFE staff should VOTE NO



On Monday 26 August 2013 voting will take place on a new TAFE Enterprise Agreement. This Agreement is not endorsed by the CPSU/PSA and we urge you to VOTE NO.

TAFE has decided that bargaining has finished and is now trying to force through an inferior Agreement for TAFE education support staff.

TAFE is also threatening not to backpay the 2.27% pay increase unless you support their inferior Agreement.

We ask that, before you vote on the offer, you consider the following issues carefully:

## BARGAINING IN GOOD FAITH?

At the commencement of bargaining the CPSU/PSA tabled a comprehensive log of claims that had been developed after extensive consultation with our members.

There were 71 claims and 58 of these would be cost neutral. **However the vast majority of our claims were completely rejected after two meetings and without debate. TAFE has agreed to only three of our claims.**

In addition to rejecting over 95% of our claims TAFE has not shifted from its original bargaining agenda.

## JOB SECURITY UNDER THREAT

A key CPSU/PSA claim is to **maintain permanent employment as the standard form of employment for TAFE staff.**

This was rejected by TAFE, who argued that the new competitive environment in the VET sector means enterprise Agreements must be 'flexible' to ensure business success.

TAFE proposes to be flexible by cutting staff numbers, restricting flexible work practices, relying on temporary, casual and labour hire staff and normalising insecure work practices.

Already **48% of TAFE education support staff are either temporary or casual.** Additionally there are well over 400 labour hire staff employed in positions that should be filled by permanent employees. Since the last Agreement was made in 2012 over 200 jobs have been lost. There will be more restructuring to meet their target of 800 job cuts. TAFE's agenda for staff is best summed up in the comments made by the NSW Minister for Education at the recent NSW parliament budget estimates hearing. He said **"the best interests of staff comes second"**.

**Now more than ever you need the protections contained in your current Enterprise Agreement.**

## PART YEAR EMPLOYMENT = INSECURE EMPLOYMENT

TAFE wants the ability to employ staff on a part year or seasonal basis by standing them down, **without pay** during student vacations.

**The CPSU/PSA opposes employment contracts that force people to be stood down without pay for extended periods (up to 16 weeks a year).**

We successfully prosecuted TAFE in 2009 over the attempt to convert more than 40% of library positions across the South Western Sydney Institute to part year. The Industrial Relations Commission confirmed that TAFE did not have the right to force people to work on a part year basis.

**We cannot give TAFE that right now.**

TAFE says it needs to employ staff part year to meet its "business needs" and to provide TAFE with greater flexibility in a competitive market. **This is code for undermining your job security.**

However, the CPSU/PSA was not completely opposed to part year work; suggesting staff could choose to work part year on a **voluntary 'opt in' basis. TAFE rejected this.** In fact TAFE rejected every single protection that was suggested by the unions.

The proposal TAFE has put forward means a part year employee:

- **will have a forced stand down period of up to 16 weeks a year during which they will not be paid and will not accrue leave**
- **will be directed to take their annual leave at a time determined by TAFE**
- **cannot accumulate annual leave.**

**We Can Do Better... Demand Some Respect...VOTE NO**

If this Agreement is voted in there is nothing to stop TAFE:

- employing all new staff on part year contracts
- forcing all existing temporary staff onto a part year contract when their current contract expires
- restructuring permanent full year jobs as part year.

## EXTENDED LEAVE MAY BE UNDER THREAT

At the moment your entitlement to Extended Leave is sourced from the *Public Sector Employment Act (PSEMA)*. The NSW Government recently replaced the PSEMA with the *Government Sector Employment Act 2013*.

**Extended Leave is no longer in the legislation.** Extended Leave will now be “prescribed” through Regulation.

This means there is **no certainty that existing staff will continue to accrue Extended Leave entitlements in accordance with your current employment conditions.** There is also no certainty that future employees will have the same rights to Extended Leave.

**We asked TAFE to guarantee your existing extended leave provisions by inserting them into the Agreement. TAFE refused our request.**

## FLEXI TIME UNDER THREAT

TAFE says your current flex time arrangements will remain unchanged – until July 2014.

If TAFE does not have a plan to strip away your current flex conditions then they should include your full flex entitlement in the Agreement.

This would ensure that your conditions would remain the same and are enforceable under the Agreement.

**TAFE refuses to include your current flex time arrangements in the Agreement.**

**The only reason that TAFE wants to keep your flex arrangements outside of the Agreement is so they have the option to change them in the future.**

## A FAIR PAY INCREASE?

TAFE will say they cannot offer more than a 2.27% pay increase. This is misleading.

The facts are:

1. TAFE’s pay offer to Teachers remains 2.5% per year  
([https://www.det.nsw.edu.au/media/downloads/about-us/news-at-det/announcements/yr2013/eba\\_2013\\_proposal.pdf](https://www.det.nsw.edu.au/media/downloads/about-us/news-at-det/announcements/yr2013/eba_2013_proposal.pdf))
2. TAFE gave Institute Managers 7.5% over 30 months
3. a number of NSW Public Sector Statutory Authorities recently agreed to pay increases ranging from 2.9% to 4% per year. These include Ausgrid, Pillar, State Water, Delta Electricity, Macquarie Generation and Eraring Energy.
4. TAFE refused to ask the NSW Government if they could give you the same pay increase as Institute Managers.
5. Inflation in Australia is currently at 2.5% and wages growth continues growing at 3%.

## THE DANGER OF A 10 MONTH AGREEMENT

The proposed Agreement will end on 30 June 2014. Institute Managers have an Agreement that expires in 2015. Teachers have been offered an Agreement that expires in 2015. **This means their conditions are protected until 2015.**

TAFE has made it clear they want a very short Agreement to allow them to change the existing classification structure and formalise this in a new Agreement next July. **TAFE wants a new classification structure to allow them to operate more “flexibly” under Smart and Skilled.**

TAFE refused our request to provide a commitment that the review of the classification structure will not lead to a reduction in salaries, conditions and qualifications requirements.

There is the very real possibility that if the coalition wins the Federal election they will make fundamental changes to industrial relations, including weakening your rights to collectively bargain. **A longer Agreement will better protect your rights.**

***We Can Do Better... Demand Some Respect...VOTE NO***

## LIBRARY STAFF UNDER ATTACK

The CPSU/PSA is very concerned that TAFE wants to turn back the clock on the great victory we had for library workers in the **Pay Equity win** of 2002.

This is why TAFE refuses to **guarantee that qualification requirements will not be undermined** in the classification review process.

TAFE also wants to push through library shift changes that will lead to a large number of library workers being disadvantaged. After unilaterally changing the way shift allowances are paid for some TAFE library workers TAFE now wants to push similar disadvantageous changes into even more libraries.

**The Agreement that TAFE wants you to vote on is inferior to the conditions you currently have and will undermine your job security.**

**If you want to maintain your existing conditions of employment you must VOTE NO.**

**A NO VOTE will force TAFE back to the bargaining table to negotiate in good faith. A NO VOTE is the only way to:**

- **maintain existing conditions**
- **protect job security**
- **protect existing leave entitlements**
- **fully protect your Flex Time.**

## Compare TAFE's pay offer for yourself

