

DECISIONS OF COUNCIL

4 & 5 SEPTEMBER 2015

1. CONDOLENCES

Kevin Cook.

2. ERIC PEARSON STUDY GRANT

Michelle McCormack is the successful recipient of the Eric Pearson grant.

Report received.

3. SCHOOLS FUNDING CAMPAIGN

NSW public school communities have been campaigning for schools funding reform for many decades at state and federal level. The success of the campaign led to the historic review into schools funding, the release of the Gonski recommendations and the subsequent NSW-Commonwealth Gonski Agreement signed in April 2013.

The signing of the agreement by the then NSW premier, Barry O'Farrell, and prime minister, Julia Gillard, promised to deliver \$5 billion of additional funding to NSW schools for six years from 2014 and also resulted in the stopping of the state government's \$1 billion cuts to public schools, announced in September 2012.

The Federation remains committed to the primary goal of achieving bipartisan support for the full funding of Gonski prior to the next federal election. As the Gonski Review argued, "Australia and its children, now and in the future, deserve nothing less."

Targeted seat strategy

The NSW Gonski Local Coordinators have completed their first round of training events for principals, teachers and parents. The training events focused on supporting schools to develop their Gonski stories and then share the initiatives and programs with staff, parents and the school community.

The next phase of the targeted seat campaign will include taking the stories to the wider community, at local forums and public meetings to be held throughout the electorate. This will include engaging with local politicians and prospective candidates.

Across all NSW federal electorates

NSWTF Organisers and Association activists have also been coordinating Gonski events in non-targeted seats. As with events and activities in targeted seats, local principal and parent groups have provided strong support in many of these electorates. Work in the non-targeted seats will be informed by the targeted seat strategy.

Gonski stories

Federation will continue to encourage and support all schools to develop and share their Gonski stories with their communities as the means to build pressure on all politicians and political parties to support the full funding of Gonski.

Increasingly, schools are reporting improvements in student learning as a result of additional Gonski funding. But until the implementation of the NSW Gonski Agreement reaches the point where all schools are funded according to student need, at the Schooling Resource Standard, Gonski stories will continue to include unmet student needs, unfulfilled school community aspirations and the call for all political parties to support a fully-funded NSW Gonski Agreement.

Broadening support for Gonski

Support from other organisations for Gonski continues to grow. The National Reform Summit held on August 26 in Sydney to consider economic and social reform, that included leaders from politics, business, unions and community organisations, formally resolved in its Action Plan that governments should “Ensure all schools are operating at a resources standard that meets the needs of all students on the principle of needs-based funding.”

Clearly, this is a strong and community-wide call on the Abbott Government to fully fund and support the Gonski schools funding reforms.

National Gonski Week commencing on Monday 26 October

The current phase of the Gonski campaign is building towards National Gonski Week (NGW), coinciding with national Children’s Week, commencing on Monday, 26 October and concluding on World Teachers Day on Friday, 30 October.

Schools will be asked to celebrate National Gonski Week with at least one event that could include the following:

- a Gonski morning tea, Grandparent Day, community breakfast or similar function that involves teachers, parents and allied staff;
- inviting local Federal and State MPs to the school to hear Gonski stories;
- sharing the school’s Gonski story and the potential for greater achievement if years 5 and 6 were fully funded. Parents and teachers are to deliver this message to local MPs;
- distributing information to parents and the local community;
- viewing the new national Gonski video which will be produced for the week;
- teachers wearing green;
- signing up teachers and parents to *igiveagonski.com.au*

Activities should be organised to ensure that local media stories are generated and shared on social media.

Ongoing support

To support the ongoing campaign Federation will:

- encourage schools to celebrate National Gonski Week (NGW) by hosting a community event. Schools will be provided with bulk copies of material for distribution during NGW. Schools will also be encouraged to invite local politicians to their NGW community event;
- support the national event in Sydney being planned for World Teachers' Day on Friday, October 30 and provide additional information once details have been finalised by the AEU;
- provide a pro-forma colour leaflet template, together with a financial grant from the Public Education Fund, for use by schools to positively promote achievements made possible by Gonski funding. This strategy will aim to have all schools in targeted seats produce a high-quality leaflet for distribution to parents/community members and, where practicable, to place advertisements in local newspapers as an individual school or a group of schools. Schools in all other electorates will also be encouraged to apply to Federation to access this promotional strategy. The use of social media to generate publicity will be an essential aspect of this strategy;
- distribute to schools the new Gonski merchandise that has been ordered;
- continue to collaborate with allied principal and parent groups, unions, non-government organisations at the state and national level, as well as with AEU colleagues in other state branches;
- raise with the AEU a process for organisations to register their support for the Gonski campaign and for the AEU to provide those organisations with support material to advance the campaign.

4. POLITICISATION OF THE AUSTRALIAN INSTITUTE FOR TEACHING AND SCHOOL LEADERSHIP (AITSL)

The NSW Teachers Federation and the Australian Education Union have previously cooperated with the work of the Australian Institute for Teaching and School Leadership (AITSL) since it was established. Key to this cooperation has been the right for the teaching profession to be represented on the AITSL Board and its committees by AEU members.

The nature and role of AITSL, however, have been changed. On June 3, 2015, Federal Education Minister Christopher Pyne wrote to the AEU to say that the AITSL board no longer comprises representatives of educational organisations.

Instead of the teaching profession being represented by members of the AEU, the AITSL Board is now comprised of the direct political appointments of the Federal Education Minister. In response to this change, the AEU Federal Executive on August 13, 2015 endorsed a decision to

- Cease cooperation with the current politicised AITSL and its work; and
- continue to support the implementation of professional standards, practices and processes that have been initiated by AITSL prior to June 2015, and negotiated into industrial awards, agreements and teacher registration/accreditation requirements.

Federation supports this AEU decision.

Accordingly, members are to be advised that the policies, practices and processes produced by AITSL from June 2015 are not to be accepted as educationally sound or reflective of the views of the teaching profession.

Federation will monitor developments with AITSL and provide further advice to members as necessary.

5. WORKERS COMPENSATION IMPROVEMENTS

Council congratulates all of the workers who have participated in the combined union campaign against the 2012 cuts to injured workers' entitlements by the NSW Government. The campaign, led by Unions NSW, over the last three years has highlighted the devastating impact of these cuts on injured workers and their families at rallies, in lobbying activities and at other events.

The voices of injured workers were reinforced by a Unions NSW commissioned report undertaken by Macquarie University (December, 2013) which demonstrated that the 2012 amendments to workers compensation legislation were responsible for an increasing shift in the cost of workplace injuries from the WorkCover Scheme onto injured workers and their families. In addition, the failure of the scheme to provide adequate medical and financial support meant costs were also being passed onto Centrelink and Medicare. The report also revealed that while workers were suffering, employers had benefited from premium reductions of around 17 per cent and that the WorkCover Scheme had an estimated surplus of approximately \$2.5 billion.

The *Workers Compensation Amendment Bill 2015*, which received the assent of state parliament on August 21, has not restored the pre-2012 entitlements. The proposed changes have addressed, in part, some of the issues raised by the Federation and other unions in various submissions calling for improvements for injured workers, including:

- new provisions for “workers with high needs” defined as more than 20 per cent permanent whole person impairment (WPI). These workers may have some capacity to work, often for a limited number of hours per week. Currently, workers who are unable to work a minimum of 15 hours per week cannot have their wages topped up with workers compensation after 130 weeks. The proposed changes remove this requirement around minimum hours for workers who have been assessed as “high needs”. “Workers with high needs” will also be able to access approved medical expenses for life related to their injury;
- all workers, regardless of their level of impairment, will receive “reasonably necessary” medical expenses for a minimum of two years from the claim date or when weekly payments cease. This is an increase of one year. Similarly, workers assessed between 11-20 per cent WPI will be able to access approved medical expenses for up to five years from the claim date or when weekly payments cease;
- workers who are injured when they are close to retirement age will receive weekly payments for up to 12 months after reaching retirement age. Currently, these payments cease on reaching retirement age;
- compensation for certain kinds of approved medical treatment and artificial aids such as hearing aids will no longer have a time limit of one year;

- injured workers who require additional surgery (secondary surgery) will be covered for this surgery as long as it is approved within two years of the earlier surgery being approved.

In terms of the most serious permanent and incapacitating injuries suffered by workers, the proposed improvements include:

- an increase to the amount paid to the dependants of a worker who has died in a workplace fatality from \$524,000 to \$750,000. There has also been an increase in funeral benefits from \$9000 to \$15,000.
- renaming a “seriously injured worker” with a permanent WPI of more than 30 per cent as a “worker with highest needs”. This level of impairment generally means the worker cannot undertake any type of work. These workers will receive an increase in weekly payments to a minimum of \$788 per week;
- an increase in the amount of lump sum compensation for permanent impairment, which will be indexed with CPI. Workers can still only bring one claim for permanent impairment compensation;
- up to \$1000 is available for expenses such as tools and work clothes for injured workers who cannot return to their previous job and have to take up a new position;
- workers with more than 20 per cent WPI who have received weekly payments for 78 weeks will be able to receive up to \$8000 for retraining assistance which will be paid directly to the registered training organisation.

Regulations are to be drafted that will include the commencement date for these changes and more detail about the changes. There will be changes to the method of calculating a worker's pre-injury average earnings but it is not clear what these changes will be.

The Federation will monitor the development of the Regulations and provide advice to members about the changes. The Federation will also continue to participate in the Unions NSW campaign to ensure appropriate protections and entitlements for injured workers.

6. EQUAL PAY FOR ALL: ACKNOWLEDGING THE ACTUAL EXPERIENCE OF TEMPORARY AND CASUAL TEACHERS

It is pleasing to know that all teachers commencing employment with the Department of Education (DoE) from 2016 will be able to have all casual, temporary and permanent service count toward their progression up the standards-based salary scale.

On the other hand, temporary and casual teachers who commenced employment between 2001 and 2015 will be financially disadvantaged as their pay might not acknowledge their actual experience. For example, in years to come, an experienced pre-2016 teacher who has been engaged in a variety of lengthy temporary engagements with the DoE will be remunerated for their experience on days engaged on temporary engagements but could only be paid as a graduate teacher (Band 1 rate) for casual teaching days. These teachers effectively need to do twice the service to move up on the pay scale. This predicament will be their situation until they can eventually attain tenure in a school.

In the lead-up to the 2017-2019 new Salaries and Conditions Award, Council calls upon Federation's Executive to negotiate a better financial outcome for pre-2016 temporary and casual teachers. We ask that all of their service be counted toward their progression up the

standards-based salary scale in order to have access to the same pay and conditions of their 2016 counterparts.

Council asks that we pursue the central payment of all casual and temporary teachers. They should not be part of the local school budget.

7. FLU VACCINE

The Federation calls on the Department to provide free flu and other appropriate vaccinations at work for teachers in public education workplaces each year.

8. SAVE OUR STEEL – PORT KEMBLA

NSW Teachers Federation Council supports the Save our Steel – Port Kembla campaign and acknowledges the critical importance of the steel industry to the local Illawarra community and to the economy and our national security.

TAFE teachers and school teachers on the South Coast understand the importance of the steel industry in the creation of local jobs directly from the Port Kembla site and indirectly from supporting industries. TAFE teachers in construction trades across the state have for decades used Wollongong steel in the education of their apprentices.

Australian governments, local, state and federal, use large quantities of steel in taxpayer-funded infrastructure and other projects. The campaign will look to ensure governments enact a procurement policy to buy Australian steel.

Governments around the world such as in the United States and Canada have been for decades using locally produced steel for their public projects.

Council will support the campaign to pursue a requirement for Australian governments to use Australian steel in government projects, including for the necessary construction of wind turbines to help achieve renewable energy targets beyond 2020. This aim will increase demand for Australian steel and contribute to a sustainable steel industry into the future.

9. TRUCK DEPOT – GRAFTON

The Grafton Teachers Association calls on Senior Officers to engage in discussions with the Department of Education regarding the Super Depot (truck depot) to be built next to South Grafton High School which will impact on the high school, primary schools and their communities with regard to noise pollution, traffic congestion, toxins and pathogens in the construction phase and the long-term effects of the Super Depot on this community.