

Part Time Casuals Related Duties – Frequently Asked Questions

What do the new Related Duties provisions mean?

The Related Duties provisions mean that, from July 18, 2005, part time casual (PTC) teachers who teach 10 hours or more a week in one Institute under one or more approved programs shall be entitled to payment for Related Duties on a sliding scale at the teaching duties rate, provided they attend to perform the Related Duties.

How many hours Related Duties does a PTC teacher get paid for each hour of teaching 10 or more hours a week?

Teaching Duties Hours	Related Duties Hours
19 hours or more per week	6 hours 20 minutes
18 hours	6 hours
17 hours	5 hours 40 minutes
16 hours	5 hours 20 minutes
15 hours	5 hours
12 to less than 15 hours	3 hours
10 to less than 12 hours	1 hour

What are the Related Duties payments for?

The payments are “for duties associated with the PTC teacher's teaching section **as well as for duties related to the PTC teacher's direct teaching activities that are set out in subclause 35.7**” of the Employees (Teachers in TAFE and Related Employees) Salaries and Conditions Award 2006.

How are the duties in the Related Duties hours allocated?

The duties in the hours are allocated in the same way as those for full time teachers. The TAFE NSW Part Time Casual Teachers – Conditions of Employment Policy specifically states: *"In the allocation of related duties, it is important that Institutes are aware that part time casual teachers are to be treated no differently than full time teachers (except to acknowledge that part time casual teachers will have less related duties time)."*

So can a head teacher/supervisor/immediate manager/coordinator direct a PTC teacher what to do in their Related Duties time?

No, but It should be discussed. Clearly the consultation between the PTC teacher and her/his supervisor about this has to be genuine, so there must be no undue or inappropriate pressure placed on the PTC teacher.

Full time teachers are not expected to perform on a weekly basis the full list of duties related to teaching that is documented in the TAFE Teachers Award at clause 15, Duties of Teachers. PTC teachers are not expected to do so either. Some of the duties listed might never be performed by full time or PTC teachers.

Between 10 and less than 12 hours a week, where there is only one hour per week Related Duties, the duties in subclause 35.7 will by and large be the only duties performed in most weeks. From 12 hours to less than 15 hours per week, where the Related Duties are three hours per week, there may be some contribution to the duties associated with the section. From 15 to 19 hours per week, where each teaching hour attracts 20 minutes Related Duties, there is more integration in the teaching section.

However as stated above: *"In the allocation of related duties, it is important that Institutes are aware that part time casual teachers are to be treated no differently than full time teachers (except to acknowledge that part time casual teachers will have less related duties time)." A full time teacher teaching a full program of 19 hours per week is paid for 10 hours Duties Related to Teaching compared to a PTC teacher who is paid only 6 hours 20 minutes Related Duties for the same teaching load. Any section duties agreed to therefore, would be proportionately less for a PTC teacher compared to their full time counterpart.*

What sort of duties would be seen as being performed in an average teaching week?

In an average teaching week, Related Duties time is normally taken up with preparation, marking, record keeping (including CLAMS), student contact and staff meetings as occurs now for full time teachers. It is hoped that the contribution that PTC teachers make to their teaching sections is recognised and that they are now more fully integrated into their section.

Does a member of a campus OH&S Committee claim the hours taken up by meetings, campus inspections and associated duties, as Related Duties?

No. Duties of an OH&S Committee member are not "duties related to teaching". They are paid at Duties Other Than Teaching" rate or, if the PTC is scheduled to teach during these periods, paid release is provided.

Is supervising tests and assessments or resits a related duty?

No. Supervising tests, assessments and resits are teaching duties and should be timetabled as such. The hours timetabled for these duties would then contribute towards the Related Duties entitlement for the PTC.

What about training and assessing in the workplace? Are these done in Related Duties time?

No. Time used for training and assessing in the workplace is payable at the teaching rate.

Does the teaching section have to provide PTC teachers who are entitled to Related Duties with a work space to undertake them?

Yes. Institutes and colleges now have an obligation to ensure that PTCs who are entitled to Related Duties time have their own work spaces.

Are these Related Duties hours required to be recorded on an EC form?

Yes. A PTC teacher cannot be paid the hours unless they are recorded on an Establishment Control (EC) form and all the EC forms have now been revised to take the settlement and award variation into account.

Does a PTC have to sign on and sign off when performing Related Duties?

No. As a PTC teacher must record on an EC when and where they perform their Related Duties, there is no need to also sign on and off when carrying out these duties. A PTC's EC is a legal document and accurate record of the Related Duties performed, just as it is for full time teachers.

Does a PTC have to record and report what activities are carried out during their Related Duties time?

No. Full time teachers are not expected to record and report the duties they perform during their Related Duties time and PTC teachers will not be expected to do so either. Consistent with Clause 17.5 of the Award however, it is reasonable for teachers' immediate managers to expect some consultation about what teachers have determined to do in their related duties time.

What is meant by "apportionment" of Related Duties?

"Apportionment" refers to the *division* of the total Related Duties hours, i.e. when and where each part of a week's Related Duties is conducted, not the *nature* of the Related Duties work. For example, a PTC teacher with say, 15 minutes before and after a scheduled class, can use that time towards their total of Related Duties hours. The apportionment and required attendance must be agreed between the PTC and their supervisor/s.

Do I have to attend at specific times for Related Duties?

Teaching and Related Duties hours should be continuous wherever possible. The TAFE Teachers Award subclause 35.10.3 states: "*Split shifts are not to be included as part of a part time casual teacher's approved program unless requested by the part time casual teacher.*" (A split shift is a program which shows a gap in paid attendance at a workplace before a second shift of work. If the break in work is no longer than one hour for a meal break, this is not considered to be a split shift). A PTC teacher therefore cannot be directed to do split shifts. A program which requires a special trip to a campus solely for the purpose of doing Related Duties should also be avoided, unless it is impracticable for the PTC to attend for all of their Related Duties on the same days that they are teaching.

What if a PTC is unable to attend the particular teaching section/campus that attracted the Related Duties payment in order to perform their Related Duties?

In some circumstances it may be difficult or impossible for a PTC to attend the teaching section or campus from which a Related Duties payment originated in order to perform some or all of the Related Duties; for example, in cases where the teaching is delivered off campus or where a PTC has a teaching program across several campuses. Whilst the Related Duties subclause states that PTCs "*shall be entitled to payment for Related Duties, provided that they attend to perform the Related Duties*" it is not specified *where* they should attend. It is therefore possible for a PTC to come to an agreement to perform some or all of their Related Duties at another campus or venue.

What if a staff meeting is held outside a PTC's Related Duties time and the head teacher requests their attendance?

There continues to be provision in the agreement for payment for attendance at staff meetings. If the head teacher schedules a staff meeting outside the PTC's Related Duties time and requires attendance then the head teacher shall pay the Duties Other Than Teaching (DOTT) rate for attendance.

If a PTC teacher also has been paid coordination/consultancy hours will these continue?

Yes. Coordination/consultancy duties were separately recognised in the Industrial Relations Commission decision and will not form part of a PTC's Related Duties time. However, they are not counted as teaching hours for the purposes of determining Related Duties.

Do the Related Duties hours count for leave purposes?

Yes. The hours count as service towards sick leave, personal/carer's leave, bereavement leave, long service leave and unpaid parental leave.

What does the Award variation mean for PTCs travelling on official business?

From February 7, 2005, Schedule 5, Excess Travel and Compensation for Travel on Official Business, was amended to include PTC teachers. For the purposes of travelling compensation, headquarters is defined as the college/campus where the major part of the teacher's approved program is performed. PTC teachers often have separate engagements in different teaching sections across any one Institute. However, if a PTC teacher has more than one engagement within a section supervised by one head teacher across more than one college/campus then the headquarters is that engagement where the most hours are taught and travelling compensation must be paid. Additionally, when PTCs are required, as part of their approved program, to travel to businesses for teaching, workplace training and workplace assessment, travelling compensation must be paid.

What does the settlement relating to temporary teacher appointments mean?

The settlement means that, where it is identified that a teacher will be required to deliver on a temporary basis within one Institute a program of 19 hours or more a week for 12 or more consecutive weeks in a semester, then recruitment action must be taken to employ a TAFE temporary teacher. The 19 hours a week can include coordination as well as teaching hours.

How are the temporary teacher positions identified and advertised?

The Temporary Teacher Policy states that *"the identification process shall involve consultation between relevant Head Teacher/s or immediate supervisor/s, and teaching staff including affected part time casual teachers. Part time casual teachers who work [19 hours or more a week] across more than one teaching section should notify relevant Head Teachers or immediate supervisor/s of their programs"*. Head teachers and supervisors may not be aware of the need to create a Temporary Teacher position unless such a PTC notifies them of their program. Once the Institute is notified of a position being available, then recruitment action will take place. In accordance with Government policy, displaced and excess employees have to be considered in the first instance for these positions.

After that, the positions are to be advertised in the TAFE Gazette and, at the Institute's discretion, internal Institute advertising mechanisms. The pool of applicants is limited to long serving PTC teachers and TAFE temporary teachers within the Institute where the vacancy exists. There is the possibility of external advertising but subject to certain provisos.

Where can I get more information on all these matters?

Details of PTC Teacher and Temporary Teacher entitlements (including rates of pay) can be found in the Crown Employees (Teachers in TAFE and Related Employees) Salaries and Conditions Award 2006, which is available with Federation Advice in the Members' Area of the Federation's website and on the Department of Education and Training (DET) website.

In addition, the DET Industrial Relations Circular (IRC 05/08) which was circulated to all Institutes last year, has information on the Industrial Relations Commission decision in the Pro Rata case and the settlement reached with the New South Wales Teachers' Federation. This circular is available to all staff on request.

Two policies have been developed to assist the implementation of the award variation. These are:

- TAFE NSW Part Time Casual Teachers - Conditions of Employment Policy - published in the TAFE Gazette of 3 August 2005.
- TAFE Temporary Teachers - Conditions of Employment Policy - published in the TAFE Gazette of 20 July 2005.

The Federation also has two leaflets "Know Your Award Rights and Your Working Conditions", one for PTCs and the other for Temporary Teachers.