



NSW TEACHERS FEDERATION

women's newsletter July 2012

Impact of Local Schools, Local Decisions on women

Local Schools, Local Decisions (LSLD) is a direct attack on the learning conditions of students, as well as the working conditions of teachers. There is no denying that the teaching service is highly feminised, so any attack on the teaching service is indeed, an attack on women.

The O'Farrell Government is embarking on a massive blame shifting exercise, transferring responsibility and risk. It wants to shift the blame from the Department of Education and Communities and Government for the under-staffing and under-resourcing of schools to principals. LSLD will place principals under pressure, faced with managing a school with shrinking budgets.

LSLD will increase the vulnerability of temporary and casual teachers (who are overwhelmingly women) and has the potential to lock them out of permanent jobs. Under LSLD, schools would be able to decide whether to fill a vacant permanent position with a temporary teacher instead of filling it with a permanent teacher. The concern is that this has the potential to increase the number of temporary positions across the state, thus reducing the number of permanent positions. This in turn reduces the opportunities for temporary and casual teachers to gain permanent employment and without permanency there is no job security.

Job security is paramount in enabling women to be financially secure, it enables them to plan for their future, whether it be buying a home, starting a family or planning for their retirement. No matter what they hope for in the future, without job security and the financial security it brings, these women remain vulnerable.

LSLD has the potential to impact on temporary teachers' access to maternity leave. Paid maternity leave is dependent on 40 weeks of continuous service, in the two years prior to the anticipated date of birth and a temporary engagement which covers the anticipated date of birth. There are cases where a few principals have attempted to cut short temporary engagement of women who are pregnant or principals who fail to offer a temporary engagement to women just because they are pregnant and the concern is that this could increase under LSLD.

There are reports from women who are temporary teachers that they are already engaged in excessive workloads, some of which is self-imposed, in a bid to secure continued employment.

Will temporary teachers who return to work following maternity leave, pursue their right to lactation breaks or will they forgo these because they are concerned that this may jeopardise offers for future work?

Permanent teachers are also in the firing line, which is why guarantees around staffing and executive positions are needed.

LSLD has serious consequences for all teachers and every member has a part to play in defeating the deregulation agenda. Schools have been asked to set up a Federation Campaign Committee and it is vital for the Women's Contacts to play a central role in these committees.

Committees should seek

opportunities to engage with their parents and community, and identify events in the local community which present an opportunity to put your concerns about LSLD to community members, for example a stall at your local markets to collect signatures for the petition. 10,000 signatures are required on the Federation's petition to force debate on LSLD in parliament, therefore every member should be engaging in conversations with community members.

It is often these one-on-one conversations that play an important role in gaining community support.

Federation's website is an excellent resource. Not only does it have the latest information about the campaign, but it also has information about how to establish Federation Campaign Committees and a function that allows you to email your local politician. Visit www.nswtf.org.au/campaigns/salaries-staffing-security.html.

Domestic violence leave

On May 29, Director-General Michele Bruniges signed into effect *Determination 4 of 2012 Domestic Violence Leave*. The determination acknowledges that domestic violence is an issue which impacts on the workplace and secondly it provides five days of domestic violence leave to teachers in schools who experience domestic violence, once they have exhausted their sick leave and FACS leave.

While this provision falls short of the world's best practice of an additional 20 days domestic violence leave, provided by the Surf Shire in Victoria, it certainly is a significant step.

It is disappointing that the Department of Education and

Communities will not be providing principals with training on how to deal with domestic violence in the workplace, but the Australian Domestic Violence Clearinghouse has developed an online training resource, which principals can access. It is in three parts which take about 20 minutes each to complete: Understanding domestic violence; Domestic violence as it impacts the workplace; and Responding to domestic violence in the workplace.

Teachers who are employed by the Board of Studies and NSW Corrective Services as well as TAFE Institute Managers can access domestic violence leave provisions. Federation is currently pursuing access to the domestic vio-

lence leave provision for teachers who work in TAFE.

Links

- Safe at Home Safe at Work, www.dvandwork.unsw.edu.au/
- Safe at Home Safe at Work E-Learning, www.dvandwork.unsw.edu.au/training

Great resources

- www.dvandwork.unsw.edu.au/resources
- www.police.nsw.gov.au/community_issues/domestic__and__family_violence
- www.community.nsw.gov.au/parents_carers_and_families/domestic_and_family_violence/dv_line.html
- The Domestic Violence Line, 1800 656 463, is a statewide free-call number and is available 24 hours, seven days a week.

Lactation breaks

Federation has been successful in achieving access to lactation breaks for women teachers in schools, with the Department of Education and Communities issuing *Determination 3 of 2011 Lactation Breaks*. While this falls short of what Federation called for and fails to provide the appropriate level of resources, it is a step forward in supporting women who wish to continue lactating upon their return to work.

The determination means those women who wish to continue lactating after returning to work will be supported in doing so. Women who work four hours or more will be entitled to two 30-minute lactation breaks per day and those who work less than four hours a day will be entitled to one 30-minute lactation break a day.

Lactation breaks can be used to either breastfeed or to express milk, whichever is most practical and appropriate for the teacher and her child.

Not only does the determination provide for lactation breaks but it also sets out that “every effort” should be made by the principal, in consultation with the teacher, to identify sensible, practical and reasonable ways for the teacher to access:

- a private, lockable, hygienic room or space with a power point and comfortable seating
- facilities for washing hands and equipment
- refrigeration for storage of breast milk
- facilities for convenient storage of breast pumps and related equipment.

When lactation breaks occur

will depend entirely on the needs of the teacher and any decision about when these occur must be done in consultation with the teacher. It is absolutely inappropriate for a teacher simply to be told when the breaks will occur. The negotiation about lactation breaks should happen prior to a teacher returning to work.

Women across Corrective Service and Board of Studies as well as TAFE Institute managers are also able to access the same provisions for lactation breaks, however, Federation is still currently pursuing the provision for all women in TAFE.

If teachers experience problems in accessing lactation breaks or appropriate facilities they should contact the Federation.

Trade Union Training

Trade Union Training is vital in supporting Women's Contacts and Federation Representatives to carry out their roles. Trade Union Training not only provides the knowledge and skills needed to be an effective representative of the Federation but also provides an opportunity to network with other women.

Federation offers some courses purely for women. The Women's Fundamentals courses have the same content as the Fundamentals for Fed Reps and Women's Contacts, as well as a session on women and activism (dealing

with sexual harassment, sex-based discrimination and other issues which are pertinent to women).

Federation encourages you to apply if you are a Women's Contact, Federation Representative or a member of your workplace committee that has yet to undertake Trade Union Training.

Federation will conduct a Women's Potential Officers

Course on October 26 which will be of interest to women who are considering standing in the Relief Officer election in November. For more information about the courses and for application forms head to www.nswtf.org.au/services/training.html or call Women's Coordinator Charmaine O'Sheades on (02) 9217 2100 or 1300 654 369.

course	date	venue	closing date
Women's Fundamentals	October 10-11	Tamworth	Wednesday September 19
Potential Officers Course for Women Only	Friday October 26	Surry Hills	Friday October 12

Temporary teachers and paid maternity leave

There is some confusion in schools about temporary teachers and the right to access paid maternity leave from the Department of Education and Training.

Temporary teachers will be eligible for paid maternity leave (14 weeks full pay or 28 weeks half pay):

- subject to completion of 40 weeks continuous service, which must be completed within the two year period immediately preceding the anticipated date of birth and
 - if the anticipated date of birth falls within a period of temporary engagement (for example the temporary engagement ceases June 30 and the anticipated date of birth is June 20).
- If temporary teachers do not have a temporary engagement that covers the anticipated date of birth they will be ineligible for paid maternity leave from the Department of Education and Communities.

Temporary teachers who are pregnant cannot have

their temporary engagement cut short because they are pregnant, nor should they agree to a shortening of their temporary engagement as it could impact on their ability to access paid maternity leave.

Not offering a temporary teacher work at a school because they are pregnant is unacceptable and is discriminatory. The *Temporary and Casual Teacher Appointment for 2011* memorandum to Principals (DN/10/00353) clearly indicates that this is the case. What this means is, if there is temporary work at the school that the pregnant temporary teacher would have ordinarily been offered, but was not due to their pregnancy, it is discrimination.

Temporary teachers are also entitled to return to the position they were engaged in at the time of taking maternity leave if the temporary engagement is still current. This means if there is any period of time left on the engage-

ment a teacher can return to complete the engagement. (For example: Sally was engaged by Happyvale Public School for the entire school year. Her baby is due on the May 16 and she commences her maternity leave on May 2. Sally is entitled to resume duty on August 8 when her 14 weeks of paid maternity leave concludes. As the temporary engagement is still current, she is able to return to her school.)

Part time temporary teachers are also entitled to paid maternity leave if they meet the eligibility requirements but will be paid pro-rata.

There is no cost to a school if a temporary teacher accesses paid maternity leave; this is paid by the Department.

If you experience any difficulties with accessing paid maternity leave, contact your Organiser or the Women's Coordinator, Charmaine O'Shades, on (02) 9217 2100 or toll free 1300 654 369.

Women and leadership

Women and the Federation

A stocktake of the Federation membership was conducted to ascertain the level of women's participation in the representative structures of the union. It found that the gender composition of the Federation's membership to be 70.75 per cent women.

Does the union's representa-

tive structure mirror its membership? Women account for 63.3 per cent of the total number of Fed Reps across the state, therefore women are under-represented as Fed Reps at a rate of 7.45 per cent.

A gender breakdown of the individual sectors of the union

reveals woman to be, under-represented across all sectors of the union. Women in the post schools fared the best, with an under-representation rate of just 0.07 per cent, however, secondary school women have an under-representation rate of 26.6 per cent.

Fed Reps	women members in the sector	women Fed Reps in the sector	rate of under-representation of women
across Federation	70.7%	63.3%	7.4%
primary	84.4%	74.4%	10%
secondary	60.4%	33.8%	26.6%
post schools	55.1%	54.4%	0.7%

A recent report from the ACTU's Women's Committee, *Women in Australian Unions 2011* found "whilst women tend

to be very active in workplaces, their participation in union activities tended to drop off in formal union structures". Is this

also true of the Federation? percentage of women in total rate of under-representation of women

all Officers	52%	19%
Presidential Officers	33.33%	37.36%
Administrative Officers (including General Secretary)	53.2%	17.8%
Executive	40%	31%
Council	49.67%	21.33%
Annual Conference elected delegates	64.45%	6.55%
Annual Conference total	55.75	15.25%

Women and the DEC

The Department of Education and Communities' *Annual Report 2011*, shows that

while there has been a slight increase in the number of women principals, women still

remain significantly under-promoted within the Department.

Primary schools

classification	difference between 2010 and 2011 figures	rate of under promotion 2011
primary principal class 6	0.9%	(This means that women are not under promoted in this classification) -1.4%
primary principal class 5	1.3%	25.8%
primary principal class 4	2.9%	28.4%
primary principal class 3	-1.5%	30.9%
primary principal class 2	0.6%	35%
primary principal class 1	3.1%	37.4%
total promoted	1.2%	10.9%
total principals	1.2%	
total women in primary schools	0.3%	

Secondary schools

Classification	Difference between 2010 and 2011	Rate of under promotion 2011
secondary principal class 2	1.4%	21.3%
secondary principal class 2	4%	16.6%
total promoted	1.6%	8.2%
total principals	2.3%	
Total women in secondary schools	0.5%	

Women and the Public Service

The NSW Government recently released *Women in NSW 2012*, a report on the progress towards equity in NSW. The report stated women's representation

in Senior Executive Service positions in the NSW public sector (25 per cent) was disproportionately low compared to their representation within the

total public sector workforce (60 per cent). The report can be found at www.women.nsw.gov.au.