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TRANSCRIPT OF PROCEEDINGS

O/N 123851

TASMANIAN INDUSTRIAL COMMISSION

COMMISSIONER J.P. McALPINE

T No 13614 of 2009

TEACHING SERVICE (TASMANIAN PUBLIC SECTOR) AWARD

**Application pursuant to section 23 of the Industrial
Relations Act 1984 lodged by the Minister administering
the State Service Act 2000 for variation of the above award
re School Psychologist Variations**

HOBART

9.30 AM, MONDAY, 21 DECEMBER 2009

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THE COMMISSIONER: Thank you. Can I have appearances, please?

MS D. CRESpan: If it please the Commission, Debby Crespan appearing on behalf of the Minister Administering the State Service Act and with me is MR
5 MARK WATSON.

MS R. MADSEN: If it pleases the Commission, Madsen, R. appearing on behalf of the Australian Education Union.

10 THE COMMISSIONER: Thank you. Over to you.

MS CRESpan: These variations have taken some time to get to this point and there have been a lot of people involved along the way, so we're very pleased to be here today seeking your support. The lengthy negotiation process has largely been to
15 address how the qualifications of the group of employees recognise and how this is applied to their salary placement. The draft order seeks to provide these employees with salary placement and progression that reflects their qualifications, being for a five-year tertiary trained employee. The order also seeks to put in a range of conditions for senior school psychologists. So if I just go to the variations?

20 THE COMMISSIONER: Yes. So this is your document?

MS CRESpan: Yes.

25 THE COMMISSIONER: So we'll call this M1, just for completeness.

EXHIBIT #M1 DRAFT ORDER

30 THE COMMISSIONER: Okay. Fire away.

MS CRESpan: Okay. Under part 1, Application and Operation of Award, clause 7, Definition, we're seeking to change the title of Guidance Officer and Senior
35 Guidance Officer to School Psychologist and Senior School Psychologist in line with their qualifications and training and - - -

THE COMMISSIONER: Yes. Sorry, hang on. This is part 1. I've only got it going up to 6, Teacher Registration. Am I in the wrong part?

40 MS CRESpan: Sorry, under Definitions.

THE COMMISSIONER: Sorry. Yes, got you now.

45 MS CRESpan: The very last definition. So we're seeking to change the title of Guidance Officer and Senior Guidance Officer to School Psychologist and Senior School Psychologist.

THE COMMISSIONER: Yes.

MS CRESPIAN: And the draft order seeks to make that title change wherever it appears.

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THE COMMISSIONER: Okay.

MS CRESPIAN: Under part 2, Employment Relationship and Related Matters, clause 5, Teacher Year, we've inserted a subclause that will result in seniors attending for duty for an additional two years at a mutually agreed time.

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THE COMMISSIONER: Yes.

MS CRESPIAN: Okay. The bulk of the changes are under part 3, Salary and Related Matters, clause 3, Classification Definitions and clause 4, Classification Bands. Just to explain the current award requires both a teaching degree and a psychology degree to be recognised as a qualified school psychologist, which has been – a number of our employees have been employed uncertificated. Uncertificated results in them commencing on band 1, level 1 of the teaching award and having a maximum incremental point of band 1, level 7.

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THE COMMISSIONER: Yes.

MS CRESPIAN: So the extent of the variations are best detailed in the new table that's been inserted under clause 4, Classification Band, specific to school psychologists and senior school psychologists.

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THE COMMISSIONER: Yes.

MS CRESPIAN: So this variation enables us to recognise the psychology degree as being the essential qualification required and it results in the commencement on band 1, level 4. This is consistent with teaching qualifications. A teacher with a teaching degree commences on band 1, level 4 and increments to band 1, level 12. To acknowledge the employees that attained both the teaching and psych degree, it's proposed that they commence on band 1, level 5 and have accelerated progression to band 1, level 12 by skipping band 1, level 6 and band 1, level 9, and that's consistent with our teachers who have five-year qualifications.

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THE COMMISSIONER: Good.

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MS CRESPIAN: The order also seeks to provide seniors with an upwards translation to band 3, level 3, with both teaching and psychology qualifications required, as agreed with AEU. The final variation is under part 5, Hours of Duty, clause 1. We've inserted a proviso that the normal hours of attendance will be 76 hours a fortnight for our senior school psychologists and by agreement with the AEU we've already commenced payment to employees. So we respectfully submit that the date of operation be effective from 6 August, which is the date the agreement was reached

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by both parties. Just in closing, I believe the application is consistent with the principles of the Commission and does not offend the requirements of section 36 of the Act relating to public-interest considerations.

5 THE COMMISSIONER: Thank you.

MS CRESPAN: So this concludes - unless you have any questions?

THE COMMISSIONER: No. So 6 August?

10

MS CRESPAN: Yes.

THE COMMISSIONER: Okay. Mrs Madsen?

15 MS MADSEN: Thanks, Commissioner. These amendments, as Ms Crespan pointed out, are the result of many years of discussion, numerous working parties and, of course, lengthy negotiations between the AEU and the Department of Education. Our school psychologist members have been seeking to improve recruitment-retention issues with respect to school psychs in the Education
20 Department for some time and in particular that they've been focused on the development of a career structure along with appropriate salary and recognition of the qualifications that they have.

25 These proposed award changes address a range of these issues, as highlighted by our members and as been taken through by Ms Crespan. The change of title better reflects what they actually do. By retaining the dual teaching and psychology qualifications for the senior school psychologist position there is acknowledgment that dual qualifications are extremely important in being able to provide the best outcomes possible for students and staff. There is also acknowledgment that many
30 graduates are undertaking the Masters in Psychology qualification, which is six years of full-time study at university prior to commencing with the Department of Education.

35 The commencing salary better reflects and values this qualification. And further the movement of senior school psychologist to band 3, level 3, acknowledges that seniors were not on the appropriate salary scale commensurate with the level of responsibility, skills and qualifications required of this position. Such changes, we believe, will assist in the recruitment and retention of school psychologists within the Department of Education and as such we fully support them.

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One final comment with respect to the negotiations that got us to these award variations, is one matter that remained unresolved was possible further salary increments for school psychologists and it was understood by the parties that in any future negotiations in relation to the accomplished teacher or whatever it might be
45 called in the future, that anything that comes of those negotiations would flow through to school psychologists. So we're talking about just the base-grade school

psychologists there. So I thought that was important to have that on transcript for any future outcomes. If the Commission pleases.

5 THE COMMISSIONER: Thank you. Are you comfortable with that flow-on thing?

MS CRESPIAN: Thank you.

10 THE COMMISSIONER: You are. All right. Okay. Thanks. There's been an immense bit of work that's gone on. Look, I'm more than comfortable to approve this on or after the first full pay period from 6 August. It certainly doesn't offend the public interest. And with that, I'll approve it. Thank you.

MATTER ADJOURNED INDEFINITELY

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EXHIBIT #M1 DRAFT ORDER

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