

TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

s55(2) application for approval of an industrial agreement

Minister administering the State Service Act 2000

and

Australian Education Union, Tasmanian Branch

(T14937 of 2022)

TASTAFE TEACHING STAFF INDUSTRIAL AGREEMENT 2021

PRESIDENT D J BARCLAY

HOBART, 25 MAY 2022

Industrial agreement – application for approval – agreement to effect salary increases – Educational Team Leaders – agreement operative from 1 July 2021 and will remain in force until 30 June 2023 - forwarded to registrar for registration

DECISION

[1] On 17 May 2022, the Minister administering the *State Service Act 2000* (MASSA) lodged with the Registrar, pursuant to Section 55(2) of the *Industrial Relations Act 1984* (the Act), *TasTAFE Teaching Staff Industrial Agreement 2021* (the Agreement) for approval. The application also sought the cancellation of the *TasTAFE Teaching Staff Industrial Agreement 2019*.

[2] At the hearing in Hobart on 25 May 2022, Ms Alice Van Galen and Mr Tim Witt appeared on behalf of MASSA and Mr Steve Smith appeared on behalf of the Australian Education Union, Tasmanian Branch (AEU).

[3] The Agreement, save for few exceptions replicates the 2019 Agreement. The main changes relate to including online learning as part of “Direct Learning” learning. The Agreement also provides for modest salary increases and a minor increase in hours for a sessional employee. No benefits under the 2019 agreement are reduced by the Agreement.

[4] I note the inclusion of Educational Team Leaders which is one of the more substantial inclusions in the Agreement. The purpose of the classification is to provide a career path for teachers to move into a management role. Additionally a new clause is inserted relating to Non-attendance Time which replaces the flexible leave clause in the Award. The clause provides that a teacher is entitled to 7 weeks non-attendance time for each completed year of service. Non-attendance time does not accrue from year to year.

[5] In respect to the old agreement its cancellation does not disadvantage any employees to whom it applied. I note that most clauses from the old Agreement are replicated in the Agreement. Accordingly I cancel *TasTAFE Teaching Staff Industrial Agreement 2019*.

[6] All parties submitted that I should approve the Agreement. Some 93% of employees voted in favour of the Agreement. I am satisfied that the Agreement is consistent with the

public interest requirements of the Act, does not disadvantage the employees concerned, and the term of the agreement does not exceed 5 years. I am satisfied that there is genuine consent to the Agreement by the parties to it.

[7] Pursuant to s 55(4) the Agreement is approved with an operative date 1 July 2021 and shall remain in force until 30 June 2023. The file will now be referred to the Registrar for registration of the Agreement in accordance with the requirements of s 56(1) of the Act.



Appearances:

Ms A Van Galen and Mr T Witt for MASSA
Mr S Smith for AEU

Date and place of hearing:

2022
25 May
Hobart