



# A future you can have faith in.

18 October 2018

All Teaching Staff

## **Re: Advice for the Forthcoming Multi Enterprise Bargaining Process**

Dear Staff

Earlier this week you will have received material announcing the release of a proposed Christian Multi Enterprise Agreement covering the teachers employed in six participating Tasmanian Independent Christian Schools.

You will also have received, by separate email, a document with the heading *Schedule 2.1 Notice of employee representational rights (regulation 2.05)*, the issuing of which signals the start of the negotiation period for the proposed agreement.

The purpose of this letter is to provide you with some additional information not addressed in the documents previously provided in those communications.

Firstly, the main purpose of the *Notice of employee representational rights* is to advise you of your representational rights and how you may nominate a bargaining representative. As all of the schools involved are keen to ensure the benefits of this proposed agreement are passed onto employees as quickly as possible we would like to conduct the negotiation process, hold a ballot at each school and, subject to the outcome of that ballot, lodge the agreement with the Fair Work Commission before the end of the current year. In order to meet this deadline we would need to conclude negotiations by CoB Friday 16 November in order to finalise matters and prepare for a ballot to be conducted during the week commencing Monday 3 December. If we allow five days for the ballot the voting process can be closed at 12.00 Noon on Friday 7 December, and the result determined and declared that afternoon. Subject to a successful ballot result, this would then allow two weeks to prepare and lodge the necessary documents with the Fair Work Commission before Christmas.

Secondly, and this is not detailed in the prescribed notice, you should be aware of who can represent you in the bargaining process. An employee is free to nominate any person as a bargaining representative including:

- him or herself;
- a colleague to represent a group of employees in negotiations;
- an officer of a union; or
- any other person the employee feels is appropriate for the role.

Each of the schools involved respects every employee's right to nominate a bargaining representative should they so choose. It is, however, recommended that careful consideration is given to the number of bargaining representatives nominated. Efficient and timely negotiations, particularly in such a tight timeframe, will be aided by a manageable number of bargaining representatives. It must also be noted that any suggested alterations to the proposed agreement will need to be agreed to by all of the participating schools, and must sit within the financial, cultural and operational boundaries of each school. I'm making this point now purely so that everyone understands the context in which any discussions will take place.

Each school will be represented in the negotiation by Michael Shorter from Independent Schools Tasmania, and he will aim to meet with bargaining representatives, either in person or by phone, in accordance with the proposed timeline as soon as reasonably practicable after being formally advised of an employee's choice of bargaining representative. As I have said, we would like to get negotiations under way as quickly as possible so it would be beneficial if employees who wish to nominate a bargaining representative could consider matters and complete and return their nomination by CoB Tuesday, 23 October 2018. Completed nomination forms should be forwarded/handed to the Business Manager at your school:

- Devonport Christian School – Mrs Kim Hill.
- Leighland Christian School – Mr David Grey.
- Circular Head Christian School – Mr James Arnold.
- Newstead Christian School – Mr Jim Lambie.
- Southern Christian College – Mrs Deanne Edwards.
- Launceston Christian School – Mr Graeme Smith.

Michael Shorter will also be visiting each school during the negotiation period to provide a one-hour briefing to interested teaching staff on the features of the proposed agreement. The date and time for each of these sessions is set out below:

- Devonport Christian School – Friday, 19 October – 3.40pm.
- Leighland, Burnie Campus – Monday, 29 October – 12.00 Noon.
- Leighland, Ulverstone Campus – Monday, 29 October – 3.30pm.
- Circular Head Christian School – Friday, 2 November – 7.30am.
- Newstead Christian School – Tuesday, 6 November – 3.30pm.
- Southern Christian College – Thursday, 8 November – 3.30pm.
- Launceston Christian School – Tuesday, 13 November – 3.30pm.

In addition, and irrespective of whether you wish to nominate a bargaining representative, I recommend that you take the opportunity to chat with me about the agreement and what the participating schools are attempting to achieve in proposing a Christian Multi Enterprise Agreement (CMEA) for your consideration. I also suggest you visit the website, read both the agreement and the supporting documentation, talk to your colleagues and watch the video that has been prepared.

I am excited about the CMEA. It has taken considerable prayer and discussion to arrive at a draft agreement that all principals believe will meet the needs of staff at their respective schools. We are now in a position to put this to you and seek your suggestions and input. I believe we are proposing an agreement that will put our schools at the forefront of the direction the teaching profession is heading across the country, and at the front of the line in Tasmania. The CMEA will provide a framework that further recognises our teaching practice measured against the Australian Professional Standards. Significantly I think, it articulates the distinctive of our Christian schools and embeds the importance of our statements of faith. A CMEA will also speak to our community of unity across our Christian schools. Finally, this agreement on which we now want to hear your views, will not only strengthen conditions of service, but will also bring salary increases.

I know that each of the participating schools look forward to you considering the proposed agreement and sincerely hope that, together, we can achieve a successful outcome to this process within the spirit and intent of 'good faith bargaining'.

Yours sincerely

**Principal**

## **Good Faith Bargaining**

All bargaining representatives must meet the following 'good faith bargaining' requirements:

- attending, and participating in, meetings at reasonable times;
- disclosing relevant information (other than confidential or commercially sensitive information) in a timely manner;
- responding to proposals made by other bargaining representatives for the agreement in a timely manner;
- giving genuine consideration to the proposals of other bargaining representatives for the agreement, and giving reasons for the bargaining representative's responses to those proposals;
- refraining from capricious or unfair conduct that undermines freedom of association or collective bargaining; and
- recognising and bargaining with the other bargaining representatives for the agreement.

The good faith bargaining requirements do not require a bargaining representative to;

- make concessions during bargaining for the agreement.
- reach agreement on the terms to be included in the agreement.

## Bargaining Representative Nomination Form

Name of person making the nomination (print): \_\_\_\_\_

I declare that I have notified the person I'm nominating to represent me in negotiations relating to the Tasmanian Independent Christian Schools (Teachers) Enterprise Agreement 2019 in writing, and they have agreed to accept my nomination:

Name of person being nominated (print): \_\_\_\_\_

Contact details of nominated bargaining representative (print):

Full Address:

Phone:

Email

Signature of person making the nomination: \_\_\_\_\_

Date: \_\_\_\_\_ October, 2018

Please forward this completed form to your School's Business Manager.