

This table is a summary of proposed variations lodged for this award – updated 24 February 2016.

*Educational Services (Teachers) Award 2010*

Some of the items contained in this summary may be determined by the Group 4 Award Stage—Technical and Drafting Full Bench while others may be referred to a separately constituted Full Bench (to be discussed at a conference before an individual Member of the Commission).

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
S1	UV	<a href="#">Submission-11/11/2015</a>	20	<b>Allowances</b> Seeks to include two allowances to reflect change in legislation which have created new roles. A weekly allowance for employee appointed as educational leader and an hourly allowance for responsible person physically present at a child care centre.	Page 1	
S2	An individual	<a href="#">Submission-11/11/2015</a>	Schedule B	<b>Classifications</b> Seeks to insert new classifications of Educational Leader as a result of the Education and Care Services National Regulations. Seeks to insert qualifications for approved anaphylaxis management training.	Para 1-2	
S3			15	<b>Allowances</b> Seeks to insert allowances so the Responsible Person can be appropriately remunerated for additional responsibilities and duties.	Para 3	
S4	AFEI	<a href="#">Submission – 02/03/15</a>	General comment	Expressed interest in award but made no specific submissions.		

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
S5	ISV	<a href="#">Submission – 02/03/15</a>	3	<b>Definitions</b> Definitions for four year trained teachers do not accurately represent qualifications that are accepted and accredited by State and Territory teacher registration or accreditation authorities.	Page 2, Para 1	
S6	IEU	<a href="#">Submission – 02/03/15</a>	3	<b>Definitions – teachers employed as directors</b> Variation of definition of teacher in clause three to ensure coverage of teachers employed as directors previously covered by Children’s Services Award.	Para 1	
S7	CCSA	<a href="#">Submission – 02/03/15</a>	4	<b>Coverage – early childhood teachers</b> Remove coverage of early childhood teachers as award is focused on requirements of schools and their employees and does not cover unique needs of children’s service or early childhood education. CCSA would prefer an industry award that covered the entire children’s services and early childhood education industry, including ECTs, Children’s Services employees and support workers.	Pages 6 – 7	
S8	CCSA	<a href="#">Submission – 02/03/15</a>	10.1(d) & 10.6	<b>Types of employment</b> Seeks removal of fixed term employment at clauses 10.1(d) and 10.6 for early childhood teachers. Needs of children’s services and early childhood education industry can be adequately met by full-time, part-time or casual employment either permanently or on contract.	Page 7	

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
S9	ACA Anors	<a href="#">Submission – 02/03/15</a>	10.4	<b>Roster flexibility</b> Proposed variation to provide employers with greater flexibility to change rosters which may require amendment.	Page 1, para 1	
S10	CCSA	<a href="#">Submission – 02/03/15</a>	10.4(e)	<b>Part-time employment – ECTs</b> Propose part-time arrangements for ECTs should match that of all other employees in the children’s services and early childhood education industry. 10.4(e) would then become redundant and could be deleted.	Page 7	
S11	CCSA	<a href="#">Submission – 02/03/15</a>	10.5	<b>Casual employment – ECTs</b> Descriptions of casual employees for ECTs should be aligned with those in the children’s services award to recognise the common environment and conditions.	Page 7	
S12	CCSA	<a href="#">Submission – 02/03/15</a>	11.4	<b>Notice of termination</b> Propose amending clause to require notice be in writing in accordance with s.117(1) of Act.	Page 7	
S13	ISV	<a href="#">Submission – 02/03/15</a>	13	<b>Classifications</b> For purpose of recognising experience gained whilst the person holds teaching qualifications recognised by relevant state and territory registration or accreditation authority.	Page 2, para 2	

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
S14	FWO	<a href="#">Submission – 02/03/15</a>	10.4(b), 13.4 and 14	<b>Part-time salary scale, pro-rata payment</b> ‘Years of service’ is not defined for purpose of salary progression in clause 14. It is unclear whether the progression each calendar year should be pro-rated each year or whether this should be done on a calendar year.		
S15	IEU	<a href="#">Submission – 02/03/15</a>	14.5(b)(i)	<b>Teachers working a quarter day</b> Proposed variation to ensure employees are only paid the quarter day rate when employed for less than 2 hours and the half day rate when employed for less than 3.8 hours.	Para 3	
S16	CCSA	<a href="#">Submission – 02/03/15</a>	15	<b>Allowances</b> Proposes introduction of allowances for ‘nominated supervisor’ (if also not director), ‘educational leader’ and ‘certified supervisor placed in day-to-day charge to reflect current legislative requirements.	Page 8	
S17	CCSA	<a href="#">Submission – 02/03/15</a>	19	<b>Hours of work – ECTs</b> Seeks variation to clause to permit engagement of early childhood teachers for between 41 – 48 weeks per year to reflect reality of industry. Propose this could be achieved by inserting a clause applicable to ECTs that reflects clause 24.4(a) of the <i>Children’s Services Award 2010</i> .	Page 8	
S18	IEU	<a href="#">Submission – 02/03/15</a>	19.4	<b>Maximum days for distance education teachers</b> Proposed varying award to cap the number of days teachers in distance education can be required to teach to 205.	Para 2	

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S19	ISV	<a href="#">Submission – 02/03/15</a>	20	<b>Breaks</b> Seek to ensure meal break commences no later than five hours after the employee commenced work on the day.	Page 2, para 3	
S20	CCSA	<a href="#">Submission – 02/03/15</a>	22	<b>Pro-rata salary inclusive of annual leave</b> Propose removal of formula for ECTs.	Page 8	
S21	ACA Anors	<a href="#">Submission – 02/03/15</a>	Schedule B	<b>Variations to HOW</b> Propose variation to allow ordinary hours to be worked before 6 am or after 6.30 pm	Page 1, para 2	

#### List of abbreviations

ACA Anors	Australian Childcare Alliance, Australian Business Industrial and New South Wales Business Chamber Ltd
AFEI	Australian Federation of Employers and Industries
CCSA	Community Connections Solutions Australia
FWO	Fair Work Ombudsmen
IEU	Independent Education Union of Australia
ISV	Independent Schools Victoria
UV	United Voice