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Sent: Tuesday, 16 June 2020 3:57 PM
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Carol Matthews <carol@ieu.asn.au>; Anthony Odgers <aodgers@ieu.org.au>
Subject: AM2018/18 and AM2018/20 – Children’s Services Award 2010 and Educational Services (Teachers) Award 2010

Dear Associate,

Re: AM2018/18 and AM2018/20 – Children’s Services Award 2010 and Educational Services (Teachers) Award 2010

I refer to the Full Bench’s Decision of 10 June 2020 in the above matter [2020] FWCFB 3011.

At paragraphs [550] – [551] the Full Bench expressed its provisional view that clause 14.5 of the Teachers Award be varied to:

- Provide that casual employees are paid the appropriate minimum classification rate plus a 25 percent casual loading for all time worked; and
- Provide minimum engagement periods, consistent with the current award term.

Community Connections Solutions Australia Limited (CCSA) supports the provisional view expressed by the Full Bench with respect to its application to the early childhood education and care (ECEC) sector. CCSA does not have a view on whether the Full Bench’s provisional view should be applied in the school sector.

Adoption of the Full Bench’s provisional view would harmonise payment arrangements for casual early childhood teachers with the arrangements for other ECEC casual employees, particularly those engaged under the *Children’s Services Award 2010*. CCSA’s view is that this supports attainment of the modern awards objective, in particular Section 134(1)(g):

the need to ensure a simple, easy to understand, stable and sustainable modern award system for Australia that avoids unnecessary overlap of modern awards

Harmonising payment arrangements of all ECEC casual employees would improve ease of understanding by the small and micro businesses, usually without significant human resources specialists, that are the predominant employers in the ECEC sector. Additionally, a simpler approach of a fixed hours amount for a minimum engagement would be likely to support increased compliance by these employers.

Therefore, to gain the maximum benefit from adoption of the Full Bench’s provisional view, CCSA respectfully submits that the minimum engagement period for casual teachers employed in a children’s service or early childhood education service should be expressed as 2 hours, rather than as a “quarter day”. Expressing the minimum engagement in this more precise way reduces the likelihood of disputes over what constitutes the length of a day, especially given the variable engagement patterns that can exist within a single ECEC service such as those that operate both long day care and preschool rooms.

Implementing the Full Bench’s provisional view would require amendment of Table B.1.2 of Schedule B in the Exposure draft. CCSA’s recommendation is that the description of Table B.1.2 be adjusted to be the minimum pay rates for casual employees engaged in schools, and for casual teachers employed in early childhood services. A separate Table B.1.3 could then show the hourly rates payable to early childhood teachers. NOTE: for the purposes of this submission, rates including an additional 4% for teachers employed in early childhood services operating for at least 48 weeks per year are included in the draft tables. This issue is awaiting Decision by a separate Full Bench in Matter AM2020/24.

B.1.2 Casual employees – minimum rates of pay

Pay Level	Teachers employed in a school	Early childhood teachers	
		Employed in early childhood services NOT operating for at least 48 weeks per year	Employed in early childhood services operating for at least 48 weeks per year (Schedule A)
Minimum Engagement	Half Day	2 hours	2 hours
	\$	\$	\$
Level 1	123.41	64.96	67.56
Level 2	125.96	66.30	68.94
Level 3	129.39	68.10	70.82
Level 4	134.05	70.56	73.38
Level 5	138.72	73.02	75.94
Level 6	143.07	75.30	78.32
Level 7	147.42	77.58	80.70
Level 8	152.08	80.04	83.24
Level 9	156.76	82.50	85.80
Level 10	161.43	84.96	88.36
Level 11	166.10	87.42	90.92
Level 12	170.76	89.88	93.48

B.1.3 Casual employees – hourly rates of pay for early childhood teachers

Pay Level	Early childhood teachers	
	Employed in early childhood services NOT operating for at least 48 weeks per year	Employed in early childhood services operating for at least 48 weeks per year (Schedule A)
	\$	\$
Level 1	32.48	33.78
Level 2	33.15	34.47
Level 3	34.05	35.41
Level 4	35.28	36.69
Level 5	36.51	37.97
Level 6	37.65	39.16
Level 7	38.79	40.35
Level 8 *	40.02	41.62

Level 9	41.25	42.90
Level 10	42.48	44.18
Level 11	43.71	45.46
Level 12	44.94	46.74

* Maximum rate for a casual teacher engaged for less than five consecutive days

Mendham.

Megan Mendham
Chief Executive Officer

Kind Regards,

John Gunn



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*Together we acknowledge the contributions of the traditional custodians of this land.
We acknowledge the contribution of Aboriginal Australians, Torres Strait Islander peoples,
and non-Aboriginal Australians to the education and care of all children and people in this
country in which we live in and share*