

From: Chambers - Hatcher VP <Chambers.Hatcher.VP@fwc.gov.au>
Sent: Wednesday, 20 October 2021 5:32 PM
To: Gabe Kavanagh <Gabe.Kavanagh@unitedworkers.org.au>
Cc: AMOD <AMOD@fwc.gov.au>
Subject: RE: Inquiry re AM2018/9

Dear Mr Kavanagh,

I refer to your email below.

Clause 14.5(b) as set out in the decision and draft determination is an error. It should read (relevant change in bold):

- (b) For the purpose of clause 14.5(a)(ii), an employee will meet the APST applicable to a proficient teacher if the **employee** is assessed by the employer as doing so.

Kind regards,

Elise Delpiano

Associate to Vice President Hatcher

Fair Work Commission

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From: Gabe Kavanagh <Gabe.Kavanagh@unitedworkers.org.au>
Sent: Tuesday, 19 October 2021 3:57 PM
To: Chambers - Hatcher VP <Chambers.Hatcher.VP@fwc.gov.au>
Subject: Inquiry re AM2018/9

Dear Associate

The United Workers Union writes regarding the decision re AM2018/9 handed down on 11 October.

We are seeking assistance regarding equivalency to professional accreditation. At [56] the decision reads (emphasis added):

14.5 Equivalency to proficient accreditation

- a) *For the purpose of Levels 2, 3 and 4 of the classification structure in clause 14.1, an employee will have the equivalent to proficient accreditation if:*

- i. the employee works in a State or Territory where there is no requirement applicable to the employee to be accredited or registered as a Proficient teacher and there is capacity for the employee to voluntarily obtain such accreditation or registration; and*
 - ii. the employee meets the APST applicable to a Proficient teacher.*
- b) For the purpose of clause 14.5(a)(ii), an employee will meet the APST applicable to a Proficient teacher if the **employer is assessed by the employer as doing so.***

Is the intention of 14.5(b) that the employer makes the assessment as to whether the employee meets the criteria at 14.5(a)? We note the provisions at 14.5(c).

Thank you for your assistance with this matter.

Regards,

Gabe Kavanagh
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