

IN THE FAIR WORK COMMISSION

Section 157 proceeding

Wage rates and classifications - undergraduate qualifications

C2019/5255

IEU SUBMISSIONS IN REPLY

1. This submission deals with inaccuracies in the submissions lodged in this matter by ABI.
2. At 4.4 and 4.6 of those submissions ABI mischaracterizes the subject of modern award proceedings before the Commission. It is clear that Teachers appointed as Directors are covered by the *Educational Services (Teachers) Award 2010* (the Teachers Award), as there is an allowance for Teachers appointed as Directors. Those proceedings relate to an application by the IEU to clarify that Directors with teaching qualifications who are not engaged in face to face teaching employed in Early Childhood Education fall within the sole coverage of the Teachers Award.
3. At 4.17(b) of their submissions ABI asserts that there is “confusion” around coverage of employees with teaching degrees between the Children’s Services Award 2010 (the Children’s Services Award) and the Teachers Award. As teachers are excluded from the coverage of the Children’s Services Award because of the definition of “employee”:
employee means national system employee within the meaning of the Act but does not include an employee covered by the Educational Services (Teachers) Award 2010
the Union considers any confusion is narrowly confined.

4. At 4.17(c) ABI asserts that “other degree qualified professionals” are employed under the Children’s Services Award. This may be the case but that number is small and there is no mandatory requirement for an employee to hold such a qualification pursuant to the relevant classification, Level 6 Director.

5. We are not sure that the statement at 4:17 (d) that “registration of teaching degrees (and recognition by the relevant authority) is a key indicator of award coverage” is correct. The term “registration” is usually used to refer to registration of teachers, not qualifications. There is no system of registration for some classes of teacher in some states, for example Early Childhood Education Teachers in Queensland, yet all Early Childhood Education Teachers are covered by the Teachers Award. There is however a system of recognition of teaching qualifications by teacher registration bodies in some states and by ACECQA and the IEU agrees that is relevant to award coverage.

6. The Union does not agree with the proposal to hear the Children’s Award and Teachers Award together as the classifications in each award are quite different. As pointed out above, the relevant classification in the Children’s Services Award, the Director, that has a reference to an undergraduate degree qualification, does not require the employee to hold that qualification as a condition of appointment to the classification.