

DRAFT DETERMINATION

Fair Work Act 2009

Part 2-3, Div 4 – 4 yearly reviews of modern awards

Educational Services (Teachers) Award 2010

(MA000077)

REVIEW OF MODERN AWARDS

(AM2018/20)

ROSS, PRESIDENT SYDNEY, XX YYY 2019

Review of modern awards to be conducted.

[1] Further to the Decision and Reasons for Decision <<DecisionRef>> in <<FileNo>>, it is determined pursuant to section 156(2)(b)(i) of the *Fair Work Act 2009*, that the *Educational Services (Teachers) Award 2010* be varied as follows.

[2] At clause 3.1 insert the following definition:

Educational leader means a person appointed to lead the development and implementation of educational programs in the service.

[3] At clause 3.1 insert the following definition:

Responsible person means the person designated as such for the purposes of section 162 of the *Education and Care Services National Law* and includes a person in day-to-day charge of a centre and a nominated supervisor.

[4] Insert a new clause 15.3 as follows:

15.3 Educational leader allowance

Note: This only applies to teachers in the children's services and early childhood education industry.

An employee appointed as educational leader will be paid a weekly allowance, dependent on size of the centre, as follows:

<i>Centres with:</i>	<i>% of standard rate</i>	<i>Amount per week</i>
<i>No more than 39 places</i>	<i>6.5</i>	<i>62.31</i>
<i>40-59 places</i>	<i>8.7</i>	<i>83.39</i>
<i>60 and above places</i>	<i>10.9</i>	<i>104.48</i>

[5] Insert a new clause 15.4 as follows:

15.4 Responsible person allowance

Note: This only applies to teachers in the children's services and early childhood education industry.

An employee designated as Responsible Person for the purposes of section 162 of the National Law will be paid an hourly allowance, according to the size of the centre, as follows:

<i>Centres with:</i>	<i>% of (hourly) standard rate</i>	<i>Amount per hour</i>
<i>No more than 39 places</i>	<i>13</i>	<i>3.28</i>
<i>40-59 places</i>	<i>17.5</i>	<i>4.42</i>
<i>60 and above places</i>	<i>21.8</i>	<i>5.50</i>

[6] Renumber clauses 15.3 and 15.4 as clauses 15.5 and 15.6.

[7] Amend clause B.3.2 as follows:

(a) Non-contact time will be provided for the purpose of planning, preparing, researching and programming activities. During non-contact time, an employee will not be required to teach or perform other duties directed by the employer.

(i) An employee responsible for the preparation, implementation and/or evaluation of a developmental program for an individual child or group of children will be entitled to a minimum of ~~two~~ four hours non-contact time per week.

(ii) The educational leader will be entitled to additional non-contact time per week, according to the size of the centre, as follows:

<i>Centres with:</i>	<i>Additional non-contact time</i>
<i>No more than 39 places</i>	<i>2 hours</i>
<i>40-59 places</i>	<i>3 hours</i>
<i>60 and above places</i>	<i>4 hours</i>

The determination shall operate on and from XX YYY 2019.

PRESIDENT