

## C-2 Conditions of Employment

### NQS

QA. 4.1	Staffing arrangements.
QA. 4.1.1	Organisation of educators.
QA. 4.2	Professionalism.
QA. 4.2.1	Professional collaboration.
QA. 4.2.2	Professional standards.
QA. 7.1.1	Service philosophy and purpose.
QA. 7.1.2	Management systems.
QA. 7.1.3	Roles and responsibilities.
QA. 7.2.3	Development of professionals.

### National Regulations

Reg. 120	Educators who are under 18 to be supervised
Reg. 168	Education and care service must have policies and procedures

### Policy Statement

We will provide a flexible, harmonious working environment that ensures the rights of employees are met at all times. All staff will be employed under the appropriate awards and conditions, taking into consideration all legal requirements including Equal Employment Act, Income Tax Assessment Act, Superannuation Act, Fair Work Act, and Health, Safety and Welfare Act.

### Related Policies

- Normanhurst West OSHC Policy A-21: Determining the Responsible Person
- Normanhurst West OSHC Policy C-1: Educator Recruitment and Selection
- Normanhurst West OSHC Policy C-3: Educator Orientation and Induction
- Normanhurst West OSHC Policy C-4: Educator Professionalism
- Normanhurst West OSHC Policy C-5: Professional Development
- Normanhurst West OSHC Policy C-6: Educator Review and Appraisal
- Normanhurst West OSHC Policy C-7: Grievance Procedures
- Normanhurst West OSHC Policy C-8: Disciplinary Action
- Normanhurst West OSHC Policy C-9: Relief Staff
- Normanhurst West OSHC Policy C-10: Volunteers/Students/Visitors
- Normanhurst West OSHC Policy C-14: Educator Leave

## Procedure

All relevant conditions set down by the award (Children's Services Award 2010) will apply to all employees, both casual and permanent.

Management will ensure they are aware of the appropriate conditions and keep up to date in relation to any changes in the Award. Educators will also be encouraged to remain up to date with their appropriate conditions and inform management of any changes.

Conditions of employment will be outlined in individual educator's Letter of Offer which will be given to employees upon commencement, and any time their classification, pay rate, or conditions change.

All prospective employees will be required to have any Vaccinations specified as required in Public Health Orders, and will be required to present proof of these vaccinations during the application process. Where prospective employees do not wish to have vaccinations required in Public Health Orders, and do not have an allowable exception, their application for employment will not progress further. Employees are also encouraged to have an annual Flu Vaccination. In the case of an outbreak of a Vaccine Preventable Illness, Educators who are unimmunized may be excluded from the service. At all times, information or recommendations from NSW Health will guide decisions made by the Management Committee.

Any educator employed at the Centre under 18 years of age will always be adequately supervised and will never be left to work alone (Regulation 120).

Educator appraisals will take place after a period of three months in the position. Appraisals will then be conducted on an annual basis. (see C-6 Educator Review and Appraisal)

All Educators will maintain professional behaviour at all times (see C-4: Educator Professionalism).

All grievance issues are to follow the appropriate procedures as outlined in the Grievance and Disciplinary Action Policies.

Educators will be paid fortnightly via bank transfer as advised by Management.

Educators will receive the Superannuation Guarantee, currently at 10%.

Applications for annual leave must have 4 weeks prior notice and be approved by the Director, and advised to the Management committee. Reasons for refusal of annual leave may include: Educators already on leave; the leave being requested during a period of leave blackout; Insufficient notice of annual leave, insufficient leave balance; or any other operational factors that may make the taking of leave an issue for the centre. Applications for extended annual leave (over 2 weeks) must be approved by the Management Committee. Further information on the taking of annual leave can be found in C-14: Educator Leave Policy.

Periods of leave blackout are the first 4 weeks of Term 4 each year, and the first 3 weeks of Term 1 each year. These time periods are peak operational times for the organization due to enrolments and new families and children commencing.

Leave without pay will only be approved in extenuating circumstances, and only where the employee has no annual leave balance remaining. Permanent employees will be required to keep an annual leave balance to enable payment through any shut down period in December / January. Further information on the taking of Leave Without Pay can be found in C-14: Educator Leave Policy.

The Management Committee, based on each individual's request, will determine applications for leave without pay.

Personal / Carer's Leave is available for permanent employees of the service, in line with the Children's Services Award. A Doctor's Certificate is required for absences of 2 days in a row of more, or an absence on a day either side of a weekend or long weekend.

In the instance that an employee requires Personal / Carer's leave, the Director must be informed as a matter of priority, including the nature of the leave, expected length of leave, and the number of leave hours being taken, split between face to face hours and admin. This must be put through on Deputy and approved by the Director. Further information on how to apply for personal / Carer's leave can be found in C-14 Educator Leave Policy

Permanent Staff are also entitled to pay for Public Holidays, on days the employee would usually work. As admin hours can be completed on any day, Public Holidays will be paid out at 1/5 of a full-time employees work hours for the week (i.e. 7.6hrs), and for Part Time employees, their regular face to face hours, plus 1/5<sup>th</sup> of the weekly admin.

## Sources

- Education and Care Services National Regulations 2011
- National Quality Standard
- Children's Services Award 2010
- Equal Employment Opportunity (Commonwealth Authorities) Act 1987
- Income Tax Assessment 1997
- Work Health and Safety Act 2011
- Superannuation Act 1990
- Fair Work Act 2009
- Network of Community Activities Policy – "Staffing"- Section B: Conditions of Employment
- NSW Health

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