

ELICOS TEACHERS

Minimum pay and entitlements for all ELICOS teachers are set out in the *Educational Services (Post-Secondary) Award 2010*. The IEU can help union members ensure they receive these legal entitlements.

Am I getting paid properly?

As a minimum, you must be paid according to the Level classification in the *Award*. This is based on years of experience and qualification level.

Service at past ELICOS colleges counts as experience, as does half of up to six years of overseas service or non-ELICOS teaching experience.

Your employer must advise you in writing if it does not accept any of your qualifications or experience. If you and your employer have a disagreement on this issue, the IEU can advise you on your classification.

Categories (mainly to determine starting salary):

Category A:

- Degree and Diploma of Education or equivalent, **AND**:
- Either a Diploma in TESOL **OR** a Postgraduate Diploma in applied Linguistics, languages other than English (LOTE) or multicultural education.

Category A commences at Level 4 and progresses to Level 12.

Category B:

- Degree and Diploma of Education or equivalent plus a recognised TESOL certificate, **OR**
- Degree and Diploma with LOTE/ TESOL method.

Category B commences at Level 3 and progresses to Level 12.

Category C:

- Any degree or diploma (3 year minimum) plus a recognised TESOL certificate, **OR**
- A degree or diploma (3 year minimum) with LOTE/ TESOL method.

Category C commences at Level 2 and progresses to Level 12.

Category D:

- Other qualifications not provided for above at time of employment.

Category D commences at Level 1 and progresses to Level 9.

ELICOS Teachers

| Classification | Casual hourly pay rate (face-to-face teaching) | Sessional or Ongoing full-time weekly wage |
|----------------|---|---|
| Level 1 | \$48.46 | \$969.79 |
| Level 2 | \$49.11 | \$982.72 |
| Level 3 | \$50.08 | \$1,002.15 |
| Level 4 | \$51.06 | \$1,021.77 |
| Level 5 | \$53.12 | \$1,063.10 |
| Level 6 | \$54.50 | \$1,090.65 |
| Level 7 | \$55.75 | \$1,115.74 |
| Level 8 | \$57.13 | \$1,143.29 |
| Level 9 | \$58.51 | \$1,170.97 |
| Level 10 | \$60.30 | \$1,206.71 |
| Level 11 | \$61.96 | \$1,239.98 |
| Level 12 | \$63.43 | \$1,269.36 |

(effective July 2019 to June 2020)

Level progression

Full-time / part-time: You progress to the next level with every 12 months of full-time service (pro-rata for part-time workers), provided there have been no formal conduct or performance issues and you acquire and use the knowledge and skills which you have gained through your work experience.

Casual: You progress once you have undertaken the same number of face-to-face teaching hours as a full-timer would teach in a year at your school OR based on your days of work: 110 days of employment (regardless of the number of hours worked) counts as six months' experience.

Job security + types of employment

Casual: Hourly rate includes a 25% loading on the base rate to account for lack of provisions such as leave entitlements and sick pay. Unfortunately, casuals are employed on a day by day basis and don't have much job security. However, in some cases, where a casual has worked 'regular and systematic hours' for a minimum of six months, they may be eligible to file for unfair dismissal if they are not offered further work.

Sessional employment: An employee engaged to work full-time or part-time regular hours for a period of no less than four weeks and a maximum of 40 weeks in a calendar year is a "sessional employee". Sessional teachers are entitled to leave entitlements which accrue during contract periods and should be paid out when the contract is finished, unless you are re-employed. Sessional teachers should get 2 weeks' notice of re-engagement or otherwise at the expiry of the contract. If an equivalent position exists, generally a sessional employee should have their contract renewed.

Ongoing/permanent: Ongoing or permanent employment can be part-time or full-time. You may terminate your employment with one to four weeks' notice, depending on your length of service. Your employer can only terminate your employment if your position is redundant or in cases of misconduct or proven poor performance.

Conversion: After twelve months of regular service, a casual or sessional employee can apply to convert their employment to ongoing. Contact the IEU for advice.

Superannuation: Your employer must pay an amount equal to 9.5% of your wages into the superannuation scheme of your choice at least quarterly. Check your Super regularly!

What's the deal with contracts?

Do I have a contract?

Yes, everyone has a contract. It can be verbal or written and cannot contravene legal minimum provisions as set out in the *Award* and NES (National Employment Standards). If you find out you have worked under a contract that contravenes minimum entitlements you may be eligible for back pay or other compensation.

Do I have to sign?

As a new employee, it's often hard to negotiate changes to your first contract - but it's still well worth getting advice on it, even after you have signed it. If you are already a permanent/ongoing employee, you cannot be forced to sign a new contract, and it is unlawful for your employer to dismiss you because you don't sign or agree to vary your existing contract. Any variation to an existing contract must be made by agreement.

If you're a member, IEU industrial officers can look at your contract and ensure you are getting your legal entitlements.

Contractor or employee?

Some teachers in private colleges have been asked to provide an ABN and sign contracts to be paid as a business rather than as an employee. This is known as "sham contracting" - disguising an employment relationship as an independent contracting relationship. Sometimes the offer sounds attractive, but it always works against the employee. It is deceptive to the employee, unfair and unlawful - penalties can apply to employers doing this.

Workplace rights

You have a right to *Award* conditions, the right to join a union, the right to a safe working environment and the right to be involved in the collective negotiation of better wages and conditions in an Enterprise Agreement!

If you'd like more information and advice on your rights and entitlements, want the peace-of-mind of knowing that you've got the experts in your corner, or want to be part of the collective effort to improve wages and working conditions, then join online at www.ieuvictas.org.au/join and get active in the Independent Education Union!