31st August 2012

Dear Parents and Guardians

RE: STOP WORK ACTION
WEDNESDAY 5TH SEPTEMBER 2012

You will find below detailed information from the Catholic Education Commission of Victoria Ltd (CECV) regarding the proposed Stop Work Action involving staff of Catholic schools in Victoria. This action will take place next Wednesday 5th September.

Information for Parents

Order to Stop Unprotected Industrial action by the Independent Education Union of Australia

The Catholic Education Commission of Victoria Ltd (CECV) is the authorised representative of all employers of staff in Catholic schools regarding industrial relations matters.

The CECV is negotiating a new multi-enterprise agreement with the Independent Education Union of Australia (IEUA).

The IEUA announced on 1st August 2012 that their members would be stopping work for a full day on 5th September 2012, which is the same day that the Australian Education Union (AEU) is taking industrial action in support of their wages and conditions claim. The IEUA has labelled this stopwork as a day of protest against the Baillieu Government.

The CECV regards industrial action by the IEUA during the current enterprise bargaining negotiations as unreasonable and unwarranted. Apart from the fact that negotiations between the IEUA and CECV had been progressing well, the State Government (against whom the IEUA is taking action) is not the employer of staff in Catholic Schools. It is difficult to interpret the proposed action as anything but support for and endorsement of the AEU, a union that has been vigorously campaigning for a reduction in funding to non-government schools, including Catholic schools.

In general, for industrial action to be lawful it must be protected industrial action. The Fair Work Act 2009 (Cth) (FW Act) clearly sets out when industrial action is protected industrial action. The IEUA action is not protected industrial action as the requirements of the FW Act have not been satisfied.

The CECV decided to obtain an order from the nation’s industrial umpire. Fair Work Australia (FWA) to prevent the IEUA action:

- to minimise the disruption to schools and student learning
- to demonstrate to the community that every effort has been made to minimise the impact of industrial action on parents who have paid school fees in good faith
- to avoid the impact on parents who bear the cost and inconvenience caused by unprotected industrial action in schools, including the need to take paid or unpaid leave from their employment to care for their children or pay for additional childcare.
On 24th August 2012, FWA agreed with the CECV that the proposed IEUA directed stopwork on 5th September 2012 would be unprotected industrial action and was not a political protest. FWA subsequently issued an Order which required the IEUA to stop organising and engaging in industrial action involving Catholic school employees. Any action taken by the IEUA in defiance of this order is not lawful.

The CECV expects that the IEUA and employees in Catholic schools to agree with the industrial umpire’s decision and comply with the order.

The CECV remains committed to negotiating a fair outcome for all staff in Catholic schools.

Given the response that the College Leadership has had from staff, regarding their intentions on 5th September, we will need to make some modifications to the normal class schedules as indicated below:

**Years 7-9:** Classes for these students will take place as normal. There may need to be some modification to the activities which take place within the scheduled class time. Year 7+8 students will need to wear their Sports Uniform on this day.

**Years 10-12:** Formal classes for these year levels will be cancelled, however, should your son wish to attend the College to undertake private study, he may do so. Supervision will be provided by the College.

Students in Years 10-12 who will be attending the College next Wednesday will need to ensure they wear the school uniform and their attendance will be required for the full day. Parents of these students are asked to complete the attached “Attendance Form” and return it to their House Co-ordinator no later than 9:00 am on Tuesday 4th September. This will ensure that the College can make appropriate arrangements to ensure that adequate supervision of your son can take place.

Yours sincerely

Br Garry Coyte FSC
BA, Dip Ed, Grad Dip Arts (RE)
M.Ed Adm., M.Ed Leadership
PRINCIPAL

**ATTACHED:** Attendance Form
ATTENDANCE FORM

Supervised Study Day for Years 10,11+12 – Wednesday 5th Sept 2012

RSVP: Please return this Permission Slip to YOUR SON’S HOUSE CO-ORDINATOR by: Tuesday 4th September 2012

NOTE: Parents of Students in Years 10-12 are asked to complete the following if they wish for their son to attend school on Wednesday 5th September.

My son will be attending school: ☐  Student’s Name: .................................................................

Year Level: .......................................  House: .............................................................................

I understand that my son will be required to wear full school uniform and will be undertaking supervised private study for the day.

Parent’s Signature: ..........................................................................................................................

Parent’s Name: .............................................................................................................................