

**REGISTER OF
ENTERPRISE AGREEMENTS**

ENTERPRISE AGREEMENT NO: EA01/122

TITLE: Teachers - St Lucy's School Ltd Enterprise Agreement 1999

I.R.C. NO: 2000/5370

DATE APPROVED/COMMENCEMENT: 14 February 2001

TERM: 24 months

**NEW AGREEMENT OR
VARIATION: New**

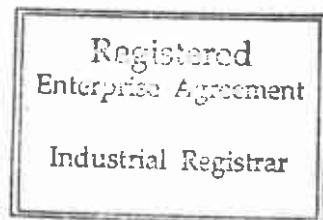
GAZETTAL REFERENCE: 11 May 2001

DATE TERMINATED:

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**COVERAGE/DESCRIPTION OF
EMPLOYEES: Applies to teachers employed at the School**

**PARTIES: Trustees of the Dominican Sisters of Eastern Australia -&- New South Wales
Independent Education Union**



Enterprise Agreement

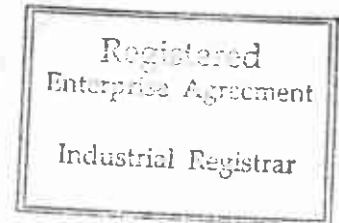
Teachers employed by St Lucy's School Ltd

Arrangement

Clause No.

Subject Matter

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11.	Performance Appraisal
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Attachment A	Principles of Employment



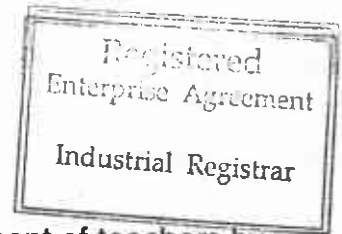
1. Parties to the Agreement

This Agreement is made between St Lucy's School Ltd (the "School") and the NSW Independent Education Union (the "IEU"), a registered industrial union of employees.

2. Title and Scope of the Agreement

The title of this Agreement shall be the Teachers - St Lucy's School Ltd Enterprise Agreement 1999.

This Agreement shall apply to teachers employed by the School on or after the date of registration.



3. Award

Except as provided by this Agreement, the conditions of employment of teachers by the School will be in accordance with the *Teachers (Catholic Independent Schools) (State) Award* (the "Award").

4. Objects of the Agreement

In reaching this Agreement, the School and the teachers have recognised:

- (a) the need to maintain a working environment in which education can be provided in harmony with the School's call to mission in the charism of St. Dominic and the Dominican Sisters as expressed through the school's philosophy and mission and the current policies of the Trustees of the Dominican Sisters;
- (b) the importance of creating and maintaining an environment where spiritual development is encouraged;
- (c) that this Agreement is intended to assist and promote the delivery of education of a high quality in the School consistent with the approach of the independent school sector reported in the 1992 State Wage Case Decisions of the Industrial Commission of NSW;
- (d) a mutual responsibility to maintain and develop the quality of education at the School and the public perception of its people and programs;
- (e) the autonomy and authority of the School, as well as the professional standing of the teaching staff in the School;
- (f) the variety of managerial and educational arrangements that exist requiring flexibility in the application of regulations that govern employment practices;
- (g) that productivity and efficiency have a growing influence in educational policies and practices. These improvements can be either qualitative or quantitative in nature and will not necessarily require additional school resourcing;

- (h) the need for teacher performance review as part of a teacher's ongoing professional development in accordance with the 1989 Structural Efficiency Agreement;
- (i) the need to maintain the long term financial viability of the School.



5. Catholic Ethos

- (a) The School is a Catholic Independent School administered by the Trustees of the Dominican Sisters of Eastern Australia. It was established and exists within the community to support parental efforts in the development of the faith of their children.

The School is a Catholic day school committed to the education and care of youth who are blind and visually impaired or who may also have other disabilities. It also caters for those who may benefit from the special educational services provided by the School.

The staff and students endeavour to work together to form a school community based on the Christian values of love, justice and freedom.

The School also prepares and assists students who have the potential to be fully integrated into a regular school in their local community.

- (b) The School and the teachers are committed to the School's Vision Statement and its underlying ethos and philosophy as a Catholic school.
- (c) The School and the teachers agree to accept and support the Principles of Employment. These Principles of Employment form part of this Agreement as Attachment "A".

6. Curriculum Proficiency – Vision Impairment

- (a) The teachers acknowledge the need to have an understanding of vision impairment and its impact on all areas of a student's development.
- (b) The School has an expectation of the teachers that they have satisfactorily completed a school-based course in reading and writing Braille up to Grade 2 standard, which will be provided by the School. The School will provide the teachers with the necessary support to ensure that the completion of this course is possible.

- (c) A teacher not already so qualified, however, will be expected to complete such a qualification when deemed necessary by the Principal.
- (d) The teachers shall undertake Braille refresher courses and upgrade their qualification when deemed necessary by the Principal.
- (e) The School and the teachers recognise that teachers have an ongoing need and shared responsibility with the School to become proficient with the specific technology used at the School, as well as any necessary software.
- (f) The teachers should be familiar with low vision aids, large print, orientation and mobility and curriculum modifications. This is a joint responsibility of the teachers and the School.

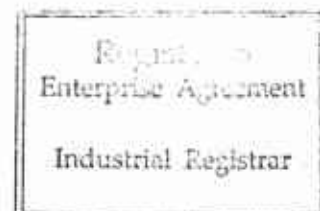
7. Co-Curricular Activities

The School and the teachers recognise that teachers are required to participate in co-curricular activities in accordance with practice at the School. The interests and expertise of the teachers will be considered in the management of such activities.

8. School Behaviour/Policy

- (a) As many students at the School require specific behaviour intervention, the School has an expectation of the teachers that they be familiar with and skilled in Positive Behaviour strategies in accordance with the School's policy in this regard. Such behaviour intervention for an individual student, however, shall be determined collaboratively via a 'whole of school' approach with other teachers, other professionals and the student's parents, and is to be applied and monitored by the teachers consistently across school environments.
- (b) Ongoing inservice in this vital area is a shared responsibility between the School and the teachers.

The School will provide ongoing inservice in the area of School Behaviour/Policy at the expense of the School.



9. Team Work

- (a) The School has an expectation of the teachers that they shall be capable of developing and implementing Individual Education Programs for students which comply with the School's policy on meeting the specific needs of each student.
- (b) The School and the teachers recognise, however, the need within the School to work in a team environment and that educational decisions involving particular students will be made as part of a collegiate approach.

10. Professional Development

- (a) Teachers, as professionals, have an ongoing need to participate in professional development to meet the demands caused by changes in curriculum, School policy and in the community's expectations of schools.
- (b) The School and the teachers shall work towards professional development, skill development and school improvement in accordance with section 4.1 to 4.8 inclusive of the 1989 Structural Efficiency Agreement.
- (c) Appropriate inservice experiences are an essential component of ongoing professional development for teachers. It is expected that a reasonable proportion of such experiences for teachers will occur out of ordinary school hours. Important areas include literacy, personal development, technology (specifically computer literacy), personal productivity and the use of technology as a teaching tool.
- (d) The School is prepared to discuss various ways of supporting professional development for the teachers. For example, part-payment for tuition fees, payment for course materials, and examination leave.
- (e) Agreed performance appraisal will form part of this ongoing professional development for the teachers.

11. Performance Appraisal

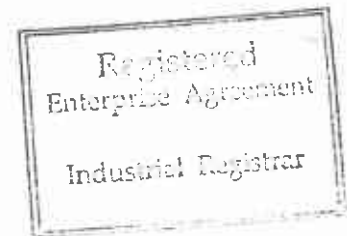
- (a) The School and the teachers agree that a system of performance appraisal shall be implemented as a regular feature of teaching at the School.



- (b) The School will establish a working party to develop a system of performance review. Such a working party will include representatives of the School Executive, elected teachers on staff, and the IEU representative.

Negotiations shall include, but not be limited to, the following:

- Assessment of performance and achievements;
 - Collaborative goal setting;
 - Professional development;
 - An appeals mechanism;
 - An agreed process for the School and the teachers to monitor the effectiveness of the performance review process.
- (c) Any final performance review system has to be agreed to by the School and the teachers before it is implemented. The School and the teachers will not withhold their consent unreasonably to the performance review system.



12. Dispute Avoidance and Grievance Procedure

- (a) The objective of these procedures is the avoidance and resolution of industrial disputation, arising under this Agreement, by measures based on consultation, co-operation and negotiation.
- (b) Without prejudice to either party, the parties to this Agreement shall ensure the continuation of work in accordance with the Award, this Agreement and custom and practice in the School.
- (c) (i) In the event of any matter arising under this Agreement which is of concern or interest, the teacher shall discuss this matter with the Principal or his/her nominee.
- (i) If the matter is not resolved at this level, the teacher may refer this matter to the IEU, who will discuss the matter with the Principal or his/her nominee.

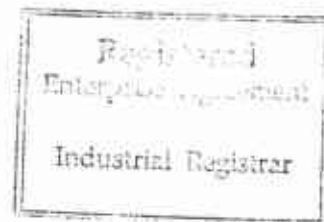
- (ii) If the matter remains unresolved, it shall be referred to the General Secretary of the IEU or his/her nominee and the Executive Director of the Catholic Commission for Employment Relations or his/her nominee for discussion and appropriate action.
- (iii) If this matter cannot be resolved at this level it may be referred to the Industrial Relations Commission of NSW or its successor.
- (d) Nothing contained in this procedure shall prevent the General Secretary of the IEU or his/her nominee or the Executive Director of the Catholic Commission for Employment Relations or his/her nominee from entering into negotiations at any level either at the request of a member or on their own initiative in respect of matters in dispute should such action be considered conducive to achieving resolution of the dispute.

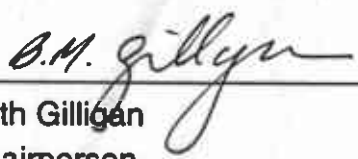
13. Duress

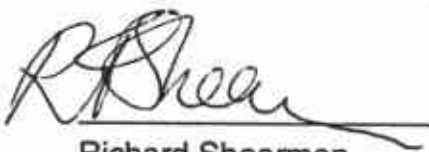
This Agreement was not entered into by either party under duress from the other party or any other person or persons.

14. Term

This Agreement shall come into force from the date of registration and shall continue in force for a period of two years from that date.




Beth Gilligan
Chairperson
St Lucy's School Ltd Board


Richard Shearman
General Secretary
NSW Independent Education
Union

PRINCIPLES OF EMPLOYMENT

The Catholic Church has established schools to fulfill the vision that is expressed in the Gospels. St Lucy's School Ltd (the School) is expected to provide quality education for its children in an environment that reflects Gospel values.

The School performs a key role in the delivery of the mission of the Catholic Church.

In an environment of mutual respect for the dignity of all people, teachers will be expected to support the mission of the School and the Dominican order by:

1. regarding themselves as being in co-operative partnership with parents, pastors and the Catholic community generally working towards the achievement of the School's mission;
2. showing respect for and acting in a manner that avoids injury to the religious susceptibilities of the adherents of the Catholic religion.

Principles of Employment provisions in letters of appointment issued by the School shall reflect the wording of this agreement.

THE MISSION OF ST LUCY'S SCHOOL

St Lucy's is a school founded and governed by the Dominican Sisters. It is managed by a Board of Directors under the sponsorship of the Dominicans who appoint the Principal.

In the living story of St Lucy's the beliefs, values, vision and history of the Dominican Sisters are respected. The elements of the Dominican charism are reflected in St Lucy's school basically and summarily as follows:

St Lucy's is a community of love and service based on the Gospel of Jesus Christ.

- ◆ It is committed to the search for Truth and claims this as the school motto.
- ◆ It is committed to the education of the whole person and to each child's full development.
- ◆ It believes in the beauty and mystery of the created world and promotes prayer and reflection.

