

## SCHEDULE 2

### EARLY CHILDHOOD EDUCATION AND CARE EMPLOYEES MINIMUM CONDITIONS OF EMPLOYMENT

The following minimum conditions apply to employees engaged in centre-based services.

#### 1. Area, Incidence, and Duration

- i) This Schedule will apply to all employers and employees operating an Early Education and Care centre-based service in:
  - a. local government in New South Wales; and
  - b. in the local government industry in New South Wales as defined in clause 47 (ii) of this Award
- ii) In the event of a conflict between this Schedule and the Award, the Schedule will prevail to the extent of the conflict.

#### 2. Definitions

- (i) *Award* means the Local Government (State) Award.
- (ii) *Centre-based service* means an education and care service other than a family day care service. This includes most long day care, preschool and outside school hours care services that are delivered at a centre that provides education and care on a regular basis to children under 13 years of age.
- (iii) *Educational Leader* means an appropriately qualified and experienced educator, coordinator or other individual designated in writing by the Employer to lead the development and implementation of educational programs in the service.
- (iv) *Responsible Person* is the person appointed by the Employer to oversee the day-to-day operation of a service. The Employer must ensure that a Responsible Person is present at a centre all times that the centre is educating and caring for children. A Responsible Person is:
  - (a) A person with management or control
  - (b) A nominated supervisor
  - (c) A person in day-to-day charge of the service.
- (v) *Training and accreditation* includes but is not limited to:
  - (a) Approved first aid training
  - (b) Food safety training
  - (c) Approved anaphylaxis management training
  - (d) Approved emergency asthma management training

#### 3. Non-contact Time

- (i) An employee responsible for the preparation, implementation and/or evaluation of a developmental program for children is entitled to non-contact time per week.
- (ii) An employee as described under subclause 3(i) is entitled to non-contact time of:
  - (a) a minimum of two hours per week; plus
  - (b) an additional 30 minutes per week for every room with 10 or more children attending in the week; and
  - (c) an additional 30 minutes per week for every additional five children attending the room in that week after the first 11 children.
- (iii) Employers and Employees may establish an alternative arrangement as described under subclause 3(ii) by written agreement providing such arrangement is no less advantageous to employees overall than the conditions provided herein.
- (iv) An employee appointed as the Educational Leader will be entitled to non-contact time per week.
- (v) The Educational Leader will be entitled to a minimum non-contact of 5 hours per week. Additional non-contact will not be unreasonably refused.
- (vi) During non-contact time, an employee will not be required to supervise children or perform other duties as directed by the employer.
- (vii) Non-contact time is to be paid and rostered during the employee's ordinary shift.
- (viii) Non-contact time will be rostered in advance in blocks of not less than one hour.
- (ix) Where non-contact time is cancelled or interrupted it is to be rostered as soon as possible thereafter.

#### **4. Breaks**

- i) Where the Employer requires an Employee to remain on the premises during a break, the break shall be paid at ordinary time.

#### **5. Opening/Closing Centres**

- i) Employees required by the Employer to open or close a centre will be rostered and paid for that time at their ordinary rate of pay or in conjunction with Clause 21 Overtime of the Local Government (State) Award.
- ii) Where an Employee is required by the Employer to remain on premises outside of their rostered hours to supervise the collection of a child, such time will be treated as overtime or will be taken as time off in lieu where requested by the Employee and approved by the Employer to be taken at a mutually convenient time.

## **6. Training and Accreditation Costs**

- i) Where an Employee is required by legislation or the Employer to hold a licence, accreditation, qualification, clearance or certificate all training and accreditation costs will be paid by the Employer.
- ii) Where practicable, the Employer will facilitate the training during ordinary working hours.
- iii) Time spent undertaking training during ordinary working hours will be paid by the Employer.
- iv) Training that occurs outside of ordinary working hours will attract relevant penalties under the Local Government (State) Award or will be treated as time off in lieu where requested by the Employee and approved by the Employer to be taken at a mutually convenient time.

## **7. Professional Development**

- i) Children's Services Employees will be eligible for four ordinary hours paid time for professional development in each year of service. The entitlement is not cumulative from year to year and will not be paid out if not taken. The Employee's Centre Director will consult with the Employee to identify what professional development opportunities would be most beneficial for the Employee.
- ii) Teachers (other than casuals) will be eligible for 16 hours' paid time (or other equivalent benefit and pro-rate for part-time Teachers) for professional development, linked to Teacher registration/accreditation, Teacher induction, internal and external professional development, and networking and mentoring activities.

## **8. Placement**

- i) Where an employee is required to undertake placement at an alternative service in the course of obtaining a related qualification, time spent in that placement will be paid by the employer at the employee's ordinary rate of pay providing that service is operated by another local government employer.
- ii) The employer will assist in finding and placing an employee at an alternative service providing that service is operated by another local government employer.

## **9. Allowances**

- i) Responsible Person Allowance

Where the Employer requires an Employee (other than a Centre Director) to act as the Responsible Person, they will be paid an allowance as provided in Table 1 of this Schedule for the time appointed as the Responsible Person.

- ii) Educational Leader Allowance

Where the Employer requires an Employee (other than a Centre Director) to act as the Educational Leader, they will be paid an allowance as provided in Table 1 of this Schedule for those periods in which they are the appointed Educational Leader.

This clause is not to be read to the exclusion of Clause 12 Payment for Relief Duties/Work of the Local Government (State) Award in circumstances where an Employee is required to relieve in a position which is at a higher level within the salary system.

*N.B For the avoidance of doubt, the Responsible Person and Educational Leader allowance will be paid for the time actually spent in those roles and may be paid on a pro-rata basis.*

iii) Broken Shift Allowance

Where an Employee is rostered to work two separate shifts in a day or there is a break in a single shift greater than the rest break, they will be paid an allowance equivalent to the on-call allowance as provided by 21.C of the Award.

**10. Sick Leave**

i) In addition to clause 23.A *Sick Leave* of the Award, employees who are unable to attend for duty due to illness or injury shall be entitled during each year of service to a further five days sick leave at ordinary pay.

ii) The additional leave will not accrue.

**11. Savings and transitional**

Nothing in this Schedule shall be construed so as to require the reduction or alteration of more advantageous benefits or conditions under any existing arrangements.

**TABLE 1 - ALLOWANCES**

	First Pay Period	First Pay Period	First Pay Period
Clause 7(i) Responsible Person	\$7.97 p.h	\$8.25 p.h	\$8.50 p.h
Clause 7(ii) Educational Leader	\$151.51 p.w	\$156.81 p.w	\$161.51 p.w