Branch action wins permanency for fixed term teachers



A group of fixed-term teachers have been given permanency through united action and SSTUWA support.

The nine teachers had been appointed to the school on fixed-term contracts after being selected on merit from a statewide selection process.

Three school terms into their appointment they were asked to re-apply for their positions and were given a list of criteria they were to address in their applications.

The documentation related to this process was brought to the attention of an SSTUWA industrial organiser on a routine school visit.

The member who brought the matter to the attention of the industrial organiser raised it at the branch meeting and the culmination of the branch discussion was to pass a motion seeking the SSTUWA to intervene in the matter and report back to the branch.

The SSTUWA raised the matter with the Department of Education in an Employee Relations Executive Committee (EREC) meeting.

As a result of this intervention the school was directed by the department to cease the process.

As year's end approached the teaching staff was informed that there would be a number of positions that would be advertised at the school and those staff in fixed-term positions were encouraged to apply.

The school's union representative informed the industrial organiser of this situation and that the branch was seeking to have the SSTUWA intervene again.

The SSTUWA then wrote to the department seeking an explanation in relation to clause 7 of the Award which states:

"The Department is committed to the engagement of Teachers and School Administrators on a permanent basis. Fixed term and casual contracts will only be used to the extent that the position is unable to be filled on an ongoing basis due to it being:

(a) For a defined and limited program of work; or

(b) A vacancy due to leave of absence.” The SSTUWA inquired as to why those teachers who had been selected through a full merit selection process and had no performance issues were not being afforded an opportunity to be offered permanency.

The correspondence from the SSTUWA to the department also sought for the status quo to be maintained (no appointments to be made) until the situation had been clarified.

As a result of this action by the SSTUWA the nine staff on fixed-term contacts were offered substantive positions at the school and permanent positions with the department.

The SSTUWA welcomes this outcome and believes a key factor in this case was the combination of the school branch, industrial organiser and SSTUWA office working together in a timely, coordinated and procedural manner.

Authorised by Sally Dennis, General Secretary, The State School Teachers' Union of W.A.
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