

Information Sheet No.15

The P&C as Employer

When a P&C Association decides to employ someone such as a canteen manager, it is essential, because of the changing nature of P&C committees, that negotiations about terms of employment (hours of work, wages, etc) take place between the parties concerned and that the agreed decisions **be put in writing**. It is also important that there be regular communication between the employer and the employee(s) with a view to re-negotiating the contract, perhaps at the beginning of each year.

Under the Howard Coalition Government, new laws were enacted (WorkChoices) which included plans for a major revision of the award system and its replacement by Australian Workplace Agreements (AWAs). At the time of writing (January 2007) it is not known whether the Rudd Labor government will make any changes, or when these would occur. Please contact the Workplace Authority (Workplace info line 1300 363) for up-to-date information about the relevance of awards, etc

In 2006, in preparation for the end of awards, P&C Council established a subcommittee to develop a multi-employer collective agreement for P&Cs that employ canteen staff. P&Cs will be offered the opportunity to become part of this agreement. Please contact the office for more information. In the meantime, the following information is still applicable.

Award Rates, Superannuation and Long Service Leave

It is the responsibility of the P&C Association to pay at least the award rate and to make provision for superannuation payments and long service leave. The level of contributions is calculated as a percentage of each employee's gross ordinary time earnings. Employees, including casual and part-time, are entitled to long service leave after sufficient years of service and funds should be set aside for this purpose. ACT WorkCover also provides help through its website: www.workcover.act.gov.au or by phoning on 6205 0200 or emailing workcover@act.gov.au

Contracts & Duty Statements

A contract is an agreement made directly between the employer and the employee. The contract should be fully explained to the employee; it should be signed by the employee. A copy of the contract should be given to the employee. It may build on entitlements included in the award.

The duty statement outlines the exact duties of the employee. Care should be taken not to be too prescriptive as this can lead to inflexibility. A sample duty statement is in *Building Better Workplaces*, an employment guide for P&Cs (now out of print) but which can be obtained by contacting the Council office.

Workers Compensation

There is a legal requirement that all employers must hold a current workers' compensation policy for all its paid employees eg. of canteen staff, outside school hours care workers, special interest teachers, etc . Where a community group is responsible for outside school hours care, the school must ensure that the party responsible has the necessary insurance cover.

A **Rehabilitation Co-ordinator** must be appointed by any P&C Association which takes on the role

Information Sheet No.15

The P&C as Employer (continued)

of employer. When a work-related accident occurs, the task of the Rehabilitation Officer is to report the accident as soon as possible to the insurance company, to assist the employee making the claim to complete the form and to discuss with the insurance company what rehabilitation procedures will be necessary.

Legislation requires that the workers compensation policy, the summary of the Act and the name of the Rehabilitation Co-ordinator be displayed in the place of work.

Keeping an incident report book to list details of any accident (whether it requires medical attention or not) is strongly recommended. The purpose of occupational rehabilitation is to provide an early and safe return to work through early access to occupational rehabilitation services and through consultation between workers, medical experts and the industrial union (where appropriate) to ensure an effective rehabilitation plan. ★