

CONDITIONS OF EMPLOYMENT FOR CHIEF EDUCATION OFFICERS COVERED BY THE CROWN
EMPLOYEES (CHIEF EDUCATION OFFICERS – DEPARTMENT OF EDUCATION AND TRAINING)
SALARIES AND CONDITIONS AWARD 2009

AGREEMENT UNDER THE TEACHING SERVICE ACT 1980

**CONDITIONS OF EMPLOYMENT FOR CHIEF EDUCATION OFFICERS COVERED
BY THE CROWN EMPLOYEES (CHIEF EDUCATION OFFICERS – DEPARTMENT
OF EDUCATION AND TRAINING) SALARIES AND CONDITIONS AWARD 2009**

1. Purpose

The purpose of this agreement made pursuant to Section 14 of the *Teaching Service Act 1980* is to set out the conditions of employment applicable to chief education officers covered by the *Crown Employees (Chief Education Officers – Department of Education and Training) Salaries and Conditions Award 2009*.

2. Coverage

This agreement shall apply to all chief education officers covered by the *Crown Employees (Chief Education Officers – Department of Education and Training) Salaries and Conditions Award 2009*.

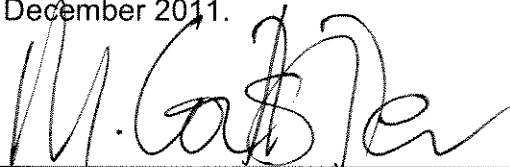
3. Conditions of Employment

Conditions of employment for chief education officers shall be as set out in Schedule 1 attached to this agreement.

4. Date of Effect

This agreement shall take effect from 1 January 2009 and shall remain in force until 31 December 2011.

Signed:



Director-General of Education and Training

Date

8 May 2009

Signed:



Secretary, Institute of Senior Educational Administrators of NSW

Date

13 May 2009

Schedule 1.

This schedule sets out the source instruments from which provisions relevant to CEOs are drawn and summarises the conditions. A glossary is attached at the end of the schedule.

Employment Conditions	Entitlement
Adoption Leave	
Source	TSA Determination No.3 of 2007, or successor provisions.
Summary of Conditions	CEOs have access to 12 months full-time unpaid adoption leave. Full-time paid adoption leave of up to 14 weeks may be available.
Annual Leave Loading	
Source	Section 6-17.12 of the <u>Personnel Handbook</u> , or successor provisions.
Summary of Conditions	Annual leave loading is calculated at 17.5% and shall not exceed the amount which would have been payable to a staff member in receipt of salary equivalent to the maximum salary for a Grade 12 Clerk.
Bereavement Leave	
Source	Section 6.8 of the <u>Personnel Handbook</u> , or successor provisions.
Summary of Conditions	On the death of a family member additional paid family and community service leave of up to 2 days may be granted per occasion.
Climatic Allowance	
Source	TSA Determination 20 of 1980, or successor provisions. CEOs located in the Broken Hill School Education Group will be entitled to receive the disability allowance as contained in Section 10.2.2.7 of the <u>Teachers Handbook</u> , or successor provisions.
Summary of Conditions	CEOs may be eligible for a climatic allowance depending on the location of their appointment.
Family and Community Service Leave	
Source	Section 6.8 of the <u>Personnel Handbook</u> , or successor provisions.
Summary of Conditions	CEOs may be eligible for family and community service leave on full pay for reasons relating to unplanned and emergency family responsibilities or other emergencies. Staff members accrue: <ul style="list-style-type: none"> • 2.5 days during the first and second year of service: and • 1 working day for each year of service thereafter.
Higher Duties Allowance	
Source	TSA Determination No.26 of 1983 and Section 1.5 of the <u>Teachers Handbook</u> or successor provisions.
Summary of Conditions	Eligible CEOs may receive a higher duties allowance for periods of acting in a higher position provided no allowance is payable for periods of less than five consecutive working days. The allowance may be paid during leave only where the leave is taken after 12 months of acting in a higher position has been completed.

CONDITIONS OF EMPLOYMENT FOR CHIEF EDUCATION OFFICERS COVERED BY THE CROWN 3
 EMPLOYEES (CHIEF EDUCATION OFFICERS – DEPARTMENT OF EDUCATION AND TRAINING)
 SALARIES AND CONDITIONS AWARD 2009

Leave Without Pay	
Source	Section 6.9 of the <u>Personnel Handbook</u> , or successor provisions.
Summary of Conditions	<p>Full time or part time CEOs may be granted leave without pay if good and sufficient reason is shown, provided that for the period of leave without pay it is convenient for the Department for the employee to be absent for the time proposed. The period of leave without pay that may be granted is up to three years full or part time for one continuous absence. However, a position may be permanently backfilled where the total period of leave exceeds 12mths.</p> <p>Leave without pay will not be granted during a temporary appointment to a CEO position unless special circumstances exist.</p>
Long Service Leave/ Extended Leave	
Source	Section 4.9 of the <u>Teachers Handbook</u> and TSA Determination 6 of 2006, or successor provisions.
Summary of Conditions	<p>CEOs are entitled to 2 calendar months leave on full pay after 10 years net service and 15 calendar days for every completed year thereafter. After 7 years net service CEOs are entitled to take a pro rata amount of extended leave.</p> <p>CEOs may elect to take extended leave at double pay.</p> <p>Unless special circumstances exist, the taking of long service leave during a temporary appointment may need to be negotiated for a mutually convenient time. Leave will be paid at a temporary CEO's salary rate for that portion of the leave which falls within the period of the CEO's appointment.</p>
Maternity Leave	
Source	Section 4.10 of the <u>Teachers Handbook</u> and TSA Determination No.1 of 2007, or successor provisions.
Summary of Conditions	CEOs have access to 12 months full-time unpaid maternity leave. Full-time paid maternity leave of up to 14 weeks may be available.
Military Leave	
Source	Section 6.11 of the <u>Personnel Handbook</u> , or successor provisions.
Summary of Conditions	Leave of up to 28 days on full pay is available for volunteer part time members of the defence forces reserves depending of the requirements of the reserve force to which the employee belongs.
Part time Employment	
Source	Sections 7.6, 4.2.7, 4.8.27, 4.10.14, 4.12.5 of the <u>Teachers Handbook</u> , and TSA Determinations 1, 2 and 3 of 2007, or successor provisions.
Summary of Conditions	<p>CEOs have access to the following categories of part time employment:</p> <ul style="list-style-type: none"> • permanent part time work • part time adoption, maternity and parental leave • part time leave without pay

CONDITIONS OF EMPLOYMENT FOR CHIEF EDUCATION OFFICERS COVERED BY THE CROWN 4
 EMPLOYEES (CHIEF EDUCATION OFFICERS – DEPARTMENT OF EDUCATION AND TRAINING)
 SALARIES AND CONDITIONS AWARD 2009

Parental Leave	
Source	TSA Determination No.2 of 2007, or successor provisions.
Summary of Conditions	CEOs have access to 12 months full-time unpaid parental leave. Full-time paid parental leave of up to one week may be available.
Personal Carers Leave	
Source	Section 6.15 of the <u>Personnel Handbook</u> , or successor provisions.
Summary of Conditions	Where family and community service leave is exhausted a CEO with responsibilities to a family member who needs the CEO's care and support, may elect to use available paid sick leave, subject to specified conditions. Casual CEOs are entitled to unpaid personal carers leave.
Recreation Leave	
Source	Section 6.17 of the <u>Personnel Handbook</u> , or successor provisions.
Summary of Conditions	Normally 20 working days per year (an additional 5 days for those in the central and western division).
Sick Leave	
Source	Section 6.18.6 of the <u>Personnel Handbook</u> , or successor provisions.
Summary of Conditions	On appointment to a CEO position, public service sick leave conditions apply. If the public service sick leave entitlement is exhausted a CEO can access any Teaching Service cumulative sick leave entitlement.
Special Leave	
Source	Section 6.19 of the <u>Personnel Handbook</u> , or successor provisions.
Summary of Conditions	Special leave may be available for a range of activities including certain union delegate activities, jury service, being a witness at court, emergency volunteer activities, return home for transferred employees, Olympic and Commonwealth games competitors and other miscellaneous activities.
Study Assistance	
Source	Sections 6.20.3 – 6.20.7 of the <u>Personnel Handbook</u> , or successor provisions.
Summary of Conditions	Study assistance may be granted as: <ul style="list-style-type: none"> • Study time leave – available at full pay for up to four hours a week for part time study. • Study leave - available at half, full or no pay to assist CEOs for full time study.
Subsistence Allowances	
Source	Section 7-17 of <u>Personnel Handbook</u> , or successor provisions.
Summary of Conditions	Any authorised official travel and expenses reasonably incurred by a CEO required to perform duty at a location other than their normal headquarters shall be met by the Department.

CONDITIONS OF EMPLOYMENT FOR CHIEF EDUCATION OFFICERS COVERED BY THE CROWN 5
 EMPLOYEES (CHIEF EDUCATION OFFICERS – DEPARTMENT OF EDUCATION AND TRAINING)
 SALARIES AND CONDITIONS AWARD 2009

Travelling Compensation	
Source	Section 7-17.3 of the Personnel Handbook, or successor provisions.
Summary of Conditions	CEOs may be entitled to payment for excess travel time or time in lieu arrangements for travel on official business.
Transferred Officers	
Source	TSA Determination No.1 of 2001 or successor provisions.
Summary of Conditions	A CEO appointed to a new location who finds it necessary to leave their existing residence and to seek and take up a new residence may be entitled to compensation.
Workers Compensation	
Source	Section 4.17 of the <u>Teachers Handbook</u> or successor provisions.
Summary of Conditions	CEOs may claim workers compensation for injury/illness incurred in the course of employment.

CASUAL ENTITLEMENTS	
Bereavement Entitlement	
Source	TSA Determination No. 5 of 2006 or successor provisions.
Summary of Conditions	Casual CEOs are entitled to not be available for work for two days per occasion on the death of a family member. The casual CEO is not entitled to any payment for the period of non attendance.
Adoption, Maternity and Parental Leave	
Source	TSA Determination No. 5 of 2006 or successor provisions.
Summary of Conditions	Regular casual CEOs have access to 12 months full-time unpaid adoption, maternity or parental leave.
Personal Carers Entitlement	
Source	TSA Determination No. 5 of 2006 or successor provisions.
Summary of Conditions	Casual CEOs are entitled to not be available for work for two days per occasion for personal carers reasons. The casual CEO is not entitled to any payment for the period of non attendance.

Glossary:

CEO:	Chief Education Officer
Determination:	Under Section 13 of the <i>Teaching Services Act 1980</i> the Director-General may determine the conditions of employment of members of the Teaching Service
Personnel Handbook:	The Personnel Handbook of the Public Service of NSW (available at: http://www.dpc.nsw.gov.au/publications/personnel_handbook)
TSA:	<i>Teaching Service Act 1980</i>
Teachers Handbook:	The NSW Department of Education and Training Teachers Handbook (available at: https://www.det.nsw.edu.au/employment/awardcon/handbooktoc.htm)