



PPTA TE WEHENGARUA ANNUAL CONFERENCE 2017

DAY RELIEF TEACHERS – VICTIMS OF CASUALISATION

2017 PPTA CONFERENCE PAPER FROM THE WAIKATO REGION



This paper outlines the issues faced by day relief teachers, including their terms of employment, their difficulties in gaining a school's agreement to act as lead school for the purpose of attestation and certification, and their inclusion and participation as PPTA members in the branch/es they relieve in. It proposes a number of ways that branches can support these members.

RECOMMENDATIONS

1. That the report be received
2. That PPTA branches monitor relief teachers' conditions of work and encourage relief teachers to join PPTA
3. That PPTA develop guidelines for schools, for members who are day relievers and for branches on the employment, conditions and issues of relief teachers and how they can be supported by and involved in the union

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1. INTRODUCTION

- 1.1 At the 2016 PPTA annual conference, a paper from the Auckland region and the Establishing Teachers' Committee titled Teachers in the precariat: fixed-term contracts and the effects on establishing teachers, was presented. The paper outlined the uncertainty of employment and conditions of work for many establishing teachers on fixed term contracts, which meant that continuity of employment as they worked towards full registration was compromised. The Waikato region proposed an additional recommendation to that paper "That NZPPTA develop and distribute a guide for schools on the employment of relief teachers, by the beginning of the 2017 school year." This was in response to anecdotal information, which revealed concerns about the conditions of employment and differences between schools in how relief teachers were used by schools. This recommendation was withdrawn in favour of presenting a separate paper and draft guidelines for schools to be presented at the 2017 annual conference.

2. WHO DOES THE PAPER COVER?

- 2.1 The 2016 Auckland paper outlined many of the issues facing teachers on fixed term contracts, particularly establishing teachers. However, there are many other teachers attached to schools that also face issues and problems, which need to be addressed. Schools rely on a pool of teachers in the community who can fill relieving positions, both short and long term, as well as day relief. The 2016 paper focused on the issues of fixed term teachers in longer term positions. This paper covers day relieving teachers. It will hopefully serve as a timely reminder to branches to be aware of specific conditions of employment found in the collective agreement for this particular group of fixed-term teachers and in the fact sheets available through the PPTA field offices.
- 2.2 The profile of teachers in the day relief pool include:
- those who do not wish to work full time, due to commitments such as childcare, but also provide income for the household and family;
 - those who have worked full time for a number of years and wish to reduce their commitment to allow time for other interests, but keep active and gain an income as well in a semi-retired capacity;
 - those who would like to have full time employment, but are unable to secure these positions and are forced to accept whatever employment is available, if only for a short time, to cover financial commitments. This group would include some establishing teachers, who would find that being attached to a school doing relief work may result in more secure work in the future;
 - part time teachers who temporarily increase hours to cover relief classes; and
 - teachers experiencing burn-out who are opting to do day-to-day relief teaching, which meant they did not have to do assessments¹.

3. THE RIGHTS OF DAY RELIEVERS

- 3.1 Many day relievers are not PPTA members. They are a vulnerable group of fixed term teachers who feel reluctant to complain as it could mean the end of their employment at the school.

¹ See Stuff, 4th April 2017, "Teachers Opting for Relief Work over Full Time Positions, due to Heavy Workloads ". While focused on the Primary School Sector it indicated increasing signs of more experienced teachers applying for relief positions for these reasons

- 3.2 There are specific employment conditions for day relievers. It is important that teachers taking these positions know what these are, and particularly important that they get agreements in writing.
- 3.3 The references in the Secondary Teachers' Collective Agreement covering Fixed Term day relief positions include 3.2.3, 3.2.5, 4.4, 4.5.2 4.8.4, 5.2.6, 7.7, Appendix D (1.6).

4. PAYMENT

- 4.1 Day relievers are paid at a maximum rate of step 6 of the salary scale, even if they would otherwise be eligible to be paid at the top step. Their payment for relief includes holiday pay.

5. HOURS

- 5.1 Day relievers can either be employed by the hour or by the day.
- 5.2 They cannot be employed for less than two hours on any day and they must be paid for an hour if there is a gap of an hour and a half between duties.

6. EXPECTATIONS

- 6.1 If they are employed by the day they are paid at 1/190th of step 6 (or their actual rate if lower than step 6) and they can be regarded as 'replacing a teacher' so they might be given classroom cover/teaching and form time, grounds duty etc. during the normal school day.
- 6.2 If they are employed by the hour then for each hour employed they are paid at 1/950th of step 6 (or their actual rate if lower than step 6). In this case they should only be expected to work for the hours they are actually paid. So, if they are asked to do form time, grounds duty etc. then these are hours that should be included for payment.
- 6.3 Often employers do not tell relievers beforehand whether they are being paid by the hour or by the day, and they confuse the expectations they can have for those paid by the hour.

7. CERTIFICATION AND ATTESTATION

- 7.1 Day relievers have to be certificated and require attestation if they are still progressing up the salary scale. Attestation and certification require that a school acts as an 'employing school' to do their attestation and endorse their certification.

8. ALLOWANCES

- 8.1 There is a travel allowance for day relievers who travel more than 20km a day to get to and from the school they are relieving at. They can claim an additional travel allowance if they have to transport a child to childcare to be able to relieve.

9. THEIR EMPLOYMENT AGREEMENT

- 9.1 Day relievers have an employment agreement with the school the moment they are asked and agree to do work. This should be in writing. While the teacher may be a casual appointment the employer is still responsible for them if there are questions about competence or behaviour (for example complaints to the Education Council or from parents).

10. GENERAL RIGHTS AND PROTECTIONS

- 10.1 While employed, day relievers have the same rights and protections under all relevant legislation as other teachers.

11. AREAS OF CONCERNS FOR RELIEF TEACHERS IN SCHOOLS

- 11.1 There appear to be significant differences in how schools interpret the conditions laid out in the collective agreement for day relievers. They can often be working and fulfilling their obligations under poor conditions.

12. CONTRACTUAL RIGHTS

12.1 PAYMENTS AND HOURS OF WORK

- 12.1.1 The main anomalies between schools relate to how time is calculated – some schools deal in half days and others in total hours. Some schools are paying for down time, when no cover is available, causing a gap in the programme while on site. This leads to differences, such as when a reliever is asked to cover periods 1, 3 and 5 in a five hour-period day.

- 12.1.2 Some schools will want to pay only for the three hours but the STCA requires that they either pay between for four hours and a whole day.

Four hours: This is because they are paid for the hours they work in front of classes (1, 3, 5) and an hour for the gap between period 3 and period 5 (which, as it includes a 40 minute lunch break, exceeds 1.5 hours).

Whole day: If wanting the reliever to cover form time and grounds duty between classes and at lunch break, which would exceed duties of five hours in total.

- 12.1.3 If a reliever is required for each period in a five period day, plus a tutor group and one duty then this is more than five hours and the school can only then appoint the teacher 'by the day'. They can then expect the duty to be covered. The same goes for looking after a form group and more than five hours in some cases is not recognized.

- 12.1.4 If a reliever covers four 55 minute periods, the total hours worked are 3 hours 40 minutes. If there is no more relief for the fortnight the payment must either be for 3 hours 40 minutes or rounded up as the employer is required to pay for the time worked.

- 12.1.5 While the provisions of the STCA are clear, many schools do not seem to understand their responsibilities in terms of identifying for relievers which provision they are being employed for and some seek save money, at the cost of the relievers' time, by paying only for the timetabled hours while expecting the relievers to do additional (unpaid) duties.

12.2 ALLOWANCES

- 12.2.1 Employers often try to bully relievers out of claiming the travel allowance or punish people who ask for it by not employing them again.

12.3 CERTIFICATION AND ATTESTATION

- 12.3.1 Gaining registration is also an issue, as most schools insist on relief teachers being fully registered, but it is difficult to gain sufficient hours and support if employment is broken and casual. It is often difficult for day relievers to get a school to act as a lead school for the purpose of attestation and certification.

12.4 ZERO HOUR EMPLOYMENT

- 12.4.1 There is anecdotal evidence that schools are requiring day relief teachers to agree to be available on an “as needs basis “, effectively a zero hours contract, which can limit the chances of taking other jobs and which is illegal.

12.5 SUPPORT FROM THE BRANCH

- 12.5.1 Day relief coordinators have a difficult job managing staff absence while operating within budget constraints. However, relievers and other teachers in non-permanent tenure positions are perhaps not aware of their rights and will often not complain because they are afraid of not getting further work at the school.

12.6 KNOWING THE COLLECTIVE AGREEMENT

- 12.6.1 Schools and branches would do well to refresh their knowledge of these sections of the collective, particularly those who coordinate day relief and senior management, as well as branch officers, to check whether relievers are being treated as they should be.

13.TREATMENT AND CONDITIONS OF EMPLOYMENT

- 13.1 Relievers are a valuable resource for schools but day relieving is a challenging role – one of inconsistency and uncertainty being on call and being required at short notice - and relievers are often poorly supported in schools. Good management practices would make the role a lot easier for the reliever and reduce problems for the school.

- 13.2 The following suggestions will help the coordinator of relief and the reliever to feel happy and confident in their important roles and address a number of issues which currently commonly plague day relievers. These could be further developed into association advice and guidelines on the use of day relievers.

- Make the reliever welcome in your school on their first day. Introduce them to staff and provide them with a comprehensive pack or handbook about the school (routines, key personnel, school plan, daily times, and discipline system). An orientation tour of the school could be part of this.
- It is important to contact the reliever early – preferably the night before. While it is not possible in all cases, as much information about the day(s) should be given: classes, subjects and other duties, particularly outside.
- The day relief coordinator should be easy to contact by phone and email.
- Have adequate work and appropriate work left for the classes where this is possible – and work that is not too short, too vague and too difficult without expert knowledge. “They know what to do“, “Continue with yesterday’s work“, “They are finishing off work“, “show this video “ or “Take them to the Computer Room”, are examples of things to avoid if you can. Departments/faculties that have emergency lessons available are a boon to relievers.
- Ensure there is access to classrooms.
- Ensure there is access to technology such as a lap top when required to take rolls and show DVDs.
- Have the school’s daily plan available to know what is happening each day
- Provide rolls with ID photos for easy identification of students or a seating plan to help in classroom management
- Explain the processes for dealing with problems. Knowledge of who to contact, such as deans and head of department/faculty, for assistance is essential.

- Ensure there is adequate knowledge of the day's programme, such as if duty outside is involved, or taking Physical Education (where appropriate clothing is required).
- Class routines should be set up and the students should know the expectations on them – and these should be made overt to the reliever too. It is much easier when classes are organized and focused, despite the teacher being absent.
- Give some recognition for the job done and invite the regular relievers to be included in social activities.
- Make sure there is a supply of pens and paper available for relievers to supply to students if they lack the basic equipment
- Workshop classes, due to Health and Safety concerns, should not be doing practical activities using equipment, and Physical Education classes need very specific guidelines on expectations – both should have specialist relievers if possible.
- Remember that if they are working all day then relievers will need (and are legally entitled to) take a break.
- Apply the correct mechanism for payment according to the duties you want the reliever to do and confirm this with them when asking them to relieve.
- Ensure there is a written contract (which can be a standard email) which specifies (at minimum) the date, hours, and duties of employment and mechanism of payment.
- Duty should be included in the paid hours worked, as well as any form/group contact.
- Do not discourage those who are eligible from claiming travelling allowances.
- Offer to be the lead school for your day relievers and ensure that they are included in your programme of attestation for pay increases and their certification.
- Invite your day relievers to participate in school-based PLD activities.
- Ensure that your day relievers have access to the school newsletters.

14. CONCLUSION

- 14.1 The 2016 conference paper highlighted employment issues affecting establishing teachers. It is apparent, though, that there are issues affecting a wider range of teachers employed in different roles, such as day relieving.
- 14.2 Relief teachers are a valuable resource and schools could not cope without them, but many are not PPTA members and need to be encouraged to join. By taking on concerns about the conditions of work for this group, there can be an overall improvement for all teachers who are part of the “precariat”.