

Advice on implementing agreed hours of work for unit and allowance holders

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Purpose of this advice

From 9 August 2023 employers are required to record in writing the additional work time expectations of teachers who hold payments above in addition to the base scale salary.

If there is not an agreement about the additional work time* expected the standard hours for a base scale classroom teacher would apply.

The reasons additional payments are made, and the intent of those additional payments will vary from role to role. PPTA does not have a standardised approach to what agreements on additional hours should be. This advice is for teachers and school leaders on ways to meet the requirements for agreeing and recording additional annual hours.

It also recognises that there will be an administrative demand on principals to ensure that the school is compliant with the STCA and with legislation. The advice suggests a process for managing this.

**Work time includes the concepts of the additional payment covering:*

- *Additional average weekly hours, and*
- *Additional hours on site outside the normal school day when open for instruction, and*
- *Additional days on site when the school is closed for instruction*

Requirements

From 9 August 2023 the following STCA provisions apply to ensure compliance with legislation:

Clause 5.1.2 of the STCA

Teachers' days and hours of work will largely reflect the variable flow of work during the school year, where workloads are higher during school terms and lower during term breaks and/or other times when student attendance at school may not be required. Teachers will work such hours as may reasonably be required to enable them to properly fulfil their responsibilities. For:

- (a) full time teachers, this is expected to average 40 hours per week across the year.*
- (b) part time teachers, this is expected to be proportionate to their FTTE (e.g. a teacher who is 0.5 FTTE is expected to work an average of 20 hours per week across the year).*

Clause 5.1.3 of the 2022-25 STCA

If a teacher receives a unit(s) or allowance(s) for additional responsibilities the employer and employee will agree any requirements that some or all of these responsibilities be worked at a specific time or place and any hours that are additional to those in clause 5.1.2. The agreement must be recorded in writing.

What the base salary covers

Teachers who are in receipt of the base salary only are paid for the following:

- An average of 40 hours per week over the year
- 190 days on site when the school is open for instruction.
- Up to 8 hours per day on site when the school is open for instruction
- Up to 10 days per year call back when the school is closed for instruction
- 20 days per year annual leave
- All statutory holidays

Additional payments

These include any payments above the base scale which are allocated for specified duties or roles. They include units, management allowances, and allowances for SCTs, WSTs, and ACTs.

The additional payment may increase all, any, or none of:

- The average hours per week worked over the year.
- The number of hours per day on site when the school is open for instruction without the use of the call back provisions.
- The number of days per year on site when the school is closed for instruction without the use of the call back provisions.

Regardless of the purpose and amount of any additional payment the teacher must receive:

- 20 days per year annual leave
- All statutory holidays

Job advertising

There is no requirement to include in a Gazetted job advertisement what the expectations of additional work time are for roles with additional payments. Employers may choose to include their expectations or might indicate that these are open for agreement, or the ad may be silent on this. The appointee to the role would then agree with the employer in writing the additional expectations at the time of appointment.

The same applies to internal advertising, though over time it is likely that expectations within the school become more consistent and be referenced in the school's timetable policy.

Developing agreements for 2023

Suggested process

Current staff

The new provision places a requirement on employers to ensure that all teachers with additional payments have a written agreement on any expectation for their work time above the standard working hours of teachers.

This could be a significant task for principals, which may in practice need to be managed over a longer period.

An interim process can be to ask additional payment holders what additional work time they are spending on their duties and use the responses to populate fields in a standard letter of agreement for 2023-24. This 'current practice' approach will make the school compliant with the requirements.

Senior leaders and others who may have unpredictable calls on their time over and between school years may build into their expected hours not the actual or average additional worktime, but a maximum time that would be reasonable to expect them to be available.

Alternatively, teachers could be provided with a copy of the template letter and asked to fill in the empty fields, sign and date the letter and return it to the principal to be countersigned.

There are examples of questions and a draft letter of agreement in this advice.

The letters can then be placed into personal files, to be reviewed over subsequent years as needed.

New allocations/appointments

As new payments are allocated or appointments made during 2023 (including those for 2024) the process should include discussion, agreement and recording of the expected additional hours/days on site that are covered by the payment. This could be informed by the information collected from current teachers with additional remuneration.

For new allocations the expectations should form part of the letter of offer.

Exceeding expected additional work time

Clause 5.1.4 of the STCA provides a teacher can raise an issue with their employer about exceeding their expected work times and for the employer and the teacher to consult in relation to managing the teacher's workload. If the employer accepts that there is a workload issue, they must take reasonable steps to manage it.

There is no requirement for teachers to keep a log of hours worked, and it would be up to the allowance-holder to raise the issue.

Suggested timeline and process

Term 4 2023	Staff with additional payments have the time spent completing the additional requirements recorded. (<i>See sample questions in this advice.</i>) Agreed additional work time is included in letters of offer for new appointments or allocations as they are made
End of term 4	All staff with additional payments have additional work time recorded.
New appointees to roles	New appointees to roles with additional payments have agreed additional work time recorded in the letter of offer.
School year 2024	New appointees to roles with additional payments have agreed additional work time recorded in the letter of offer. Process of review of expected additional hours as necessary.

Sample questions for recording current hours

Stem: Your answers to this survey will be used to develop a letter to record the additional work time that you are spending to fulfil the responsibilities attached to the additional payment/allowance you receive. Recording this time is required by the new STCA. Name

1. Please list the payments you are getting in addition to your base salary rate.
2. Over the year, including times when the school is closed for instruction, on average how many hours per week do you work?
3. All staff may be required to be onsite for up to ten days (or equivalent) when the school is closed for instruction. How many other days do you expect to be at school when it is closed for instruction in relation to the duties you have the additional payments for?
4. On average, how many hours per week are you normally on site outside the hours of [8.30am to 4.30 pm] on school days in relation to the duties for which you receive additional payments?
5. Would you like to review your additional work time during 2024?

Sample recording of additional work time

Additional work time allocation for additional payments / allowances

Teacher Jo Bell

Additional payment received

2 management units (HoD science)

It is agreed that the above additional payment is compensation for:

- Up to an average [XX] hours per week over the school year.
- Up to [X] additional days per year onsite when the school is closed for instruction.
- An average of [X] hour(s) per week on site outside the normal school day when the school is open for instruction.

Signed

Principal

Signed

Jo Bell

Date

15 August 2023

Longer term – systematic approaches

The letters for 2023 will reflect what teachers are currently doing as additional work time in exchange for the additional payments they receive.

In the longer term you, your senior team, a committee of staff, or a PPTA branch-senior leader team may want to investigate a more systematic approach to the agreed expectations around additional work time. This could lead to more equity in work time expectations. The data gathered in the interim process for 2023 will provide valuable baseline information.

Examples

As they become available examples of good practice systematic models will be made accessible on the SPC website.