



## Government reneges on TAFE agreement even before vote finishes

A range of clauses in the proposed TAFE agreement have been nullified by the new state government legislation, leaving the QTU no choice but to challenge any attempt to certify the agreement in the Queensland Industrial Relations Commission. The [Public Service and Other Legislation Amendment Act 2012](#) was passed on 23 August 2012, *after* the QTU wrote to the department informing them of the positive outcomes of our TAFE member ballot. [See TAFE newsflash 05-12, 24 Aug 2012.](#)

The changes significantly impact on TAFE members, targeting clauses relating to employment, security, permanent employment, and organisational change and restructuring.

The basis of the proposed new agreement was that the 2009 agreement would be rolled over with all conditions intact. This included the following clauses:

- 23.0 EMPLOYMENT SECURITY,
- 24.0 PERMANENT EMPLOYMENT and
- 25.0 ORGANISATIONAL CHANGE AND RESTRUCTURING.

The recent changes to the Public Service Act make these clauses in the TAFE Educational Employees Certified Agreement 2012 null and void. It is the opinion of the QTU, therefore, that the offer of continuation of conditions has not been upheld. The QTU has written to the Director-General of DETE to express concerns about the legislative changes and their impact on the TAFE agreement.

The QTU has indicated that the Union does not believe it is authorised to progress with signing the agreement as the ballot of members was on a different set of conditions. Further, that the departmental ballot is invalid for the same reasons. The QTU have lodged a dispute in the Queensland Industrial Relations Commission on the basis that the agreement balloted on by the government is invalid, as it is not the same as the agreement originally negotiated and offered by the government.

**The QTU will be challenging any attempt to certify the agreement, until there is some clarity about the situation and members have another opportunity to consider it.**

Further information will be provided to members as developments occur.

Authorised by:

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General Secretary