

Appendix 5 – Surplus Staffing Procedures

- 5.1 Where a school is required to reduce staffing or alter the status of positions, because of the operation of clause 2.13 of this agreement, the following procedures will apply:
- (a) The employer shall inform employees of the number of full time teaching equivalent (FTTE) positions to be disestablished and the number of positions to which units are allocated to be altered in status.
 - (b) The employer shall attempt to meet any reduction required by the use of attrition. Attrition is the non-replacement of employees who die, retire, resign, transfer or are promoted. The employer will adopt a policy of reviewing vacancies when staff surpluses are expected to arise whereupon a partial or complete freeze will be placed on recruiting new permanent employees and/or promotions.
- 5.2 Where the reduction in staffing or alterations in status of positions cannot be fully met by attrition, the following voluntary options, as defined in clause 2.13.3, will be made available to employees:
- (a) Supernumerary employment;
 - (b) Retraining;
 - (c) Long service payment;
- provided that the employer shall not be bound to agree to any voluntary offer. The employer's decision shall be final. In the case of employees who are job sharing, this clause will only apply where both employees volunteer for the options.
- 5.3 Where the staffing reductions or alterations in status cannot be fully met by using attrition and voluntary options, the remaining reductions or alterations shall be made in accordance with the following:
- (a) A detailed analysis of the school's current curriculum and pastoral needs and of the projected needs for the following year will be carried out after consultation with employees. The completed analysis will be made available to employees and the unions.
 - (b) The employer, after consultation with a nominee of the National Executives of the unions, will identify the basic scale teaching positions to be disestablished in accordance with the following guidelines in the order stated:
 - (i) the curriculum balance within the school and pastoral care considerations;
 - (ii) essential course requirements;
 - (iii) roll movement patterns;
 - (iv) the tenure of the position(s) being considered; and
 - (v) the duration of service in the school of employees holding any positions being considered.

Note: Trained beginning employees in their first year have absolute protection and their positions cannot be considered for disestablishment.
 - (c) Any employee whose position is disestablished as a result of the operation of clause 5.3 above shall have available the following options, as defined in clause 2.13.3 of this agreement:
 - (i) Supernumerary employment;
 - (ii) Retraining;
 - (iii) Severance Payment;
 - (iv) Long Service Payment.
 - (d) The employer, after consultation with a nominee of the National Executives of the unions, will identify the positions to which units are allocated to be altered in status in accordance with the following guidelines in the order stated:
 - (i) the balance of the distribution of the units within the school and will take cognisance of the administrative, curricular and pastoral needs of the school;
 - (ii) duration of service in the school of employees holding any position being considered.
 - (e) An employee whose position is reduced in status shall have available the period of salary protection set out in clause 2.13.5(b) of the agreement.
 - (f) A judgement of whether the employee is competent to teach is not one of the criteria for selection and should not be a consideration for disestablishment. Matters of competence shall be dealt with in terms of clause 2.3 of this agreement.

- 5.4 An employee whose position is to be disestablished or reduced in status shall be:
- (a) notified of the change at least two (2) months before the effective date of disestablishment or reduction;
 - (b) In the case of employees whose position is to be disestablished, notified of the options available in clause 2.13.3 and Appendix 5 of this agreement; or
 - (c) In the case of employees whose position is to be reduced in status, notified of the options available in clause 2.13.5 and Appendix 5 of this agreement.
- 5.5 Re-establishment of positions which become available after the issuing of disestablishment notices:
- (a) when disestablishing positions or units in accordance with clause 5.3 above the employer shall determine and record the order of disestablishment.
 - (b) If, as a consequence of roll change or staff changes following the issuing of notice(s) of disestablishment, one or more positions become available then, in the curriculum areas in which the positions have become available, the notice(s) of disestablishment shall be withdrawn in reverse order to the record of disestablishment.
- 5.6 The employment relationship problem resolution provisions in Part Eight of this agreement are available to an employee who is aggrieved by any action of their employer taken under these provisions.