

What is a 'Deed of Agreement'?

The Deed of Agreement is a Common Law contract between the employer and the employee. The Deed governs all aspects of the employment relationship; ie., wages and all conditions.

Why does the Catholic Education Office offer Deeds of Agreement to certain groups in Leadership positions?

Staff in leadership positions have a different relationship to the Director of Catholic Education; a closer relationship. Hence Principals have a personal Deed of Agreement signed by the Director and themselves. A natural extension of this relationship is a personal Deed of Agreement between the Principal and the members of their leadership team (Deputy Principals, Heads of Primary, Heads of Secondary); the Deed recognises a closer working relationship than with other members of staff (covered by an Award / Agreement that is an external regulation and meant as a safety net rather than a mutual obligation).

Who is currently employed under a Deed of Agreement?

Principals of Secondary and Primary schools, Deputy Principals of Secondary schools and Heads of Primary/Middle/Secondary schools (however so called).

What are the benefits and advantages of being employed under a 'Deed of Agreement' ?

An immediate advantage will see a significant increase in salary for the majority of Assistant Principals. (This will depend on the % struck of the Principal's salary. However, history has consistently shown that this arrangement has been to the benefit of APs).

Deeds of Agreement can be more flexible and cater more for individual cases more than Awards which are designed to cover a broad classification or group of employees under standard minimum conditions.

This will also provide recognition that Assistant Principal positions are formally identified as part of the leadership team. That is that all leadership positions will operate under similar conditions of employment.

What are the 'risks', if any, associated with being employed under a 'Deed of Agreement' ?

There are no apparent risks involved in this. In effect very little will change with regard to basic conditions for employment. Replacing the award will be a Deed of Agreement or a contract of employment. The Deed covers those entitlements that you would receive under the current award. The Deed of Agreement for

Assistant Principals would be modelled on the Principal's current Deed of Agreement.

Employees, whether covered by an Award or not have a legal right to take any dispute to the Western Australian Industrial Relations Commission. Employees covered by a Deed of Agreement have the same industrial protection as other employees in Catholic education; the Deed does not nor does it seek to contract out of Award conditions (the Award is overridden because the conditions are superior, therefore, the Award provisions become defunct). The intention is not to insert a provision in a Deed of Agreement that is inferior to an Award provision..

If an Assistant Principal loses their position of leadership in a school, what happens under a Deed of Agreement?

Currently all Assistant Principal positions are tenured for a given period of time. The Deed of Agreement would cease to operate and the Award/EBA safety net would apply (again, the Deed of Agreement is always superior to the Award/EBA). If an Assistant Principal is unsuccessful in regaining their position at the end of their tenured period, they retain a teaching or other administrative (eg SRA) position within the school.

Are there any additional requirement expected of Assistant Principals under a Deed of Employment?

No, there are no additional requirements; the duties are spelled out in the Deed of Agreement and they parallel the duties and responsibilities of a Principal.

Can Assistant Principals remain members of the union?

Yes, it is every individual's choice to be associated with a union. Similarly, some Principals choose to remain members of the union.