

## 2. Human Resources

### 2b.1 Equivalent Music Student Policy

*(for Salary Contract Staff)*

***This policy must be read in conjunction with Riverina Conservatorium of Music (RCM) Human Resources Policies General Outline, Definitions and Relevant Legislations.***

#### 1. Purpose

- a. This document has been developed to clarify the Riverina Conservatorium of Music's (RCM) policy relating to the implementation of the Equivalent Music Student (EMS) system for **salaried contracted** staff remuneration and the management of teaching hours and student numbers.
- b. Accordingly, this policy details the management procedures for the EMS system. This system has been developed to reduce all RCM activities to a single measurement unit for purposes of transparency and accountability.
- c. All salary teaching staff activities will be accounted through the EMS system having a direct impact on staff remuneration and payroll procedures. Thus, the system is intended to improve the salary staff member's financial security and stability while also providing a single measurement of workload.
- d. For personnel and studio management purposes, EMS will be used to measure workloads and teaching hours for **ALL** teaching staff (that being under a Salary or Casual contract).
- e. The RCM is committed to developing Human Resource systems that attract and retain quality staff. Additionally, for purposes of financial management, the RCM aims to manage risk and improve accountability to members, students, staff, funding bodies and the community.

#### 2. Additional Definitions

- i. **Equivalent Music Student (EMS):** unit represents the equivalent of one half hour individual music lesson.
  1. This definition is based upon the industry standard music lesson as reflected across NSW Regional Conservatoriums. Accordingly, EMS becomes the standard measure of activity at the RCM.
  2. EMS will be used to account for completed work, approved leave or approved for purposes of payment and management of workload and performance.
  3. All teaching activities will have an equivalent EMS weighting as negotiated with RCM teaching staff in the creation of this policy.

4. Equivalent EMS is where a value is agreed upon and then calculated into the equal sum of EMS, based on the current casual rate of pay.
- ii. **EMS Quota:** the allocation of EMS required to be completed each week by the EMS Salaried staff member.
- iii. **NES:** Government derived National Employment Standards
- iv. **SGC:** Superannuation Guarantee Contributions..
- v. **School Term:** refers the date period determined by the NSW Department of Education and Training as being a given School Term.
- vi. **Google Task Sheet:** an online G-suite administrative tool used by the Admin and Finance Department, Executive Team and HODs to determine appropriate tasks to be issued to staff, negotiate payment values or hours and to give approvals for payment claims submitted on the completion of requested work.

### 3. Roles and Responsibilities

#### a. RCM Teacher

- i. RCM teachers are responsible for accounting for every student on their teaching rolls and adhering to the RCM Enrolment Policy.
- ii. RCM teachers are responsible for maintaining true and accurate teaching rolls and roll communications to clearly indicate the outcome for each lesson/event relating to each student within their studio to ascertain correct EMS allocations for all teaching units.

#### b. RCM Deputy Director Finance and Administration

- i. The RCM Deputy Director Finance and Administration, or designated support personnel, is responsible for student data on rolls being maintained as up-to-date as possible and be updated no less than once a fortnight during the RCM Term.
- ii. The RCM Deputy Director Finance and Administration, is responsible for the accounting of accumulative EMS data for all salary contracted staff within a teaching term.
- iii. The RCM Deputy Director Finance and Administration, or designated support personnel, is responsible for compiling EMS reports as required.

#### c. RCM Executive Team

- i. The RCM Executive Team are responsible for monitoring, and conferring with HODs, the accumulative staff EMS reports no less than once per RCM Term.

#### d. RCM Board

- i. The RCM Board of Management will utilise EMS data to assist with forward planning and strategic management of the RCM.

## 4. Details

This policy will outline the following:

- a. EMS Formulas
- b. EMS General Provisions
- c. EMS Surpluses
- d. EMS Deficits
- e. Staff Remuneration through EMS
- f. Variations of EMS quotas
- g. EMS calculations for Public Holidays
- h. EMS calculations for Pupil Free Days
- i. EMS classification for Personal Leave (*Sick, Carers, Family & Domestic Violence Leave*)

#### a. EMS Formulas

<b>Key</b>	<b>1 EMS = 1 x 30 minute Individual lesson</b>
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<b>TABLE A: Individual Lessons</b>		
<b>Individual Lesson</b>	<b>No. Students</b>	<b>EMS</b>
60 minutes (1hr)	1	2.00
45 minutes (0.75)	1	1.50
40 minutes (0.66)	1	1.33
30 minutes (0.50)	1	1.00
20 minutes (0.33)	1	0.67
15 minutes (0.25)	1	0.50

<b>TABLE B: Shared Tuition – per 30 minute lesson</b>		
<b>Shared Lesson</b>	<b>No. Students</b>	<b>EMS</b>
1 x 30 minute 2 Share lesson	2	1.00 EMS
1 x 30 minute 3 Share lesson	3	1.00 EMS
1 x 30 minute 4 Share lesson	4	1.00 EMS

<b>TABLE C: Ensemble and Curriculum based tuition.</b>		
<i>* EMS rates for these activities have loadings apply.</i>		
<b>Lesson Length</b>	<b>No. Students</b>	<b>EMS</b>
90 minutes (1.5hrs)	Varied	3 EMS x loading rate for the number of students in the ensemble/group.
60 minutes (1hr)	Varied	2.00 EMS x loading rate for the number of students in the ensemble/group.
45 minutes (0.75)	Varied	1.50 EMS x loading rate for the number of students in the ensemble/group.
30 minutes (0.50)	Varied	1.00 EMS x loading rate for the number of students in the ensemble/group.

*\* Loading rates for ensembles & curriculum groups*

- Ensemble loading rates vary dependent on the type of ensemble/group and are subject to change.
- The basis of calculation is a gradient sliding scale incremented by the number of students in the ensemble/group.
- Contact the Deputy Director Finance and Administration for most current loading rates.
- Types of ensemble/group include:-
  - RCM Student Ensembles
  - RCM Specialty Ensembles
  - RCM Musicianship, Aural and Theory Groups
  - Community Ensembles
  - School Ensembles

<p><b>TABLE D: Classroom Based Teaching</b>                  * EMS rates for classroom based teaching has loadings applied.</p>
<ul style="list-style-type: none"> <li>• Classroom based teaching is for RCM teaching staff who are accredited by NESAS (New South Wales Education Standards Authority) who are contracted to a Department of Education NSW Public school providing teaching under the school’s provided curriculum, then Classroom based teaching rates will apply to these lessons.</li> <li>• Lesson lengths will be determined by negotiated agreement between the RCM’s School Liaison Officer and the school representative head.</li> <li>• Classroom based teaching will attract payment calculated by:-                      teaching hours x the current teaching rate listed under the “Crown Employees Teachers in Schools &amp; related employees (State Award) Industrial Relations 264 – Band/STEP 1 (or Band/Step 2 where applicable)” and then converted to equivalent attributable EMS, based on the RCM’s current casual pay rate.</li> </ul>

<p><b>TABLE F: Administration</b></p>
<ul style="list-style-type: none"> <li>• Administration activities will attract a set negotiated fee and be converted to equivalent attributable EMS, based on the current casual pay rate.</li> <li>• Alternatively, hours and loadings values for administrative duties can negotiated and then converted to equivalent attributable EMS, based on the current casual pay rate.</li> <li>• Staff Development Days are paid as an Administration activity as a set fee.</li> <li>• Administrative activities by teaching staff may only occur with the authorisation of the RCM Executive &amp; HOD teams via the current year Google Task Sheet.</li> </ul>

<p><b>TABLE G: Performance Activities</b></p>
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- Performance activities will attract a set negotiated fee and be converted to equivalent attributable EMS, based on the current casual pay rate.
- All performance payments will be attributed as EMS towards the current term's quota.

**b. EMS General Provisions**

- i. All RCM EMS salaried contract staff members will have their remuneration based upon the agreed upon EMS Quota.
  1. EMS Quotas are initially determined by the RCM for continuing and new staff according to the following:
    - a. NEW STAFF: Offer of employment in accordance with RCM needs.
    - b. CONTINUING STAFF: EMS Quota based upon previous term's average teaching load in terms of EMS.
- ii. EMS Salaried contracts will be based upon completed work over a 40-week teaching period across the Calendar Year.
- iii. Calculation of the Term's total EMS Quota is the sum of the weekly EMS Quota multiplied by 10 weeks less any approved Leave Without Pay (See the RCM's Leave Policy).
- iv. EMS contract quotas offered with be between 12 and 52 EMS only.
  1. Under special circumstances a Part-Time Contract over 52 EMS may be negotiated with the RCM Director.
  2. Where a teacher desires a quota less than 12 EMS the contract it will be renegotiated and encouraged to move to a casual employment contract.
- v. EMS Balances will be calculated on a term-by-term basis from information recorded in the teacher's roll.

For each School Term period, a balance of completed EMS will be measured against the contracted quota providing either a surplus (see section c below), or a deficit (See Section d below).
- vi. It is the responsibility of the EMS salaried staff member to ensure EMS numbers are maintained.
  1. EMS salaried staff are required to work closely with their Head of Department to develop student numbers and teaching hours.
  2. Heads of Department will ensure all EMS Salaried Staff within their department are aware of their current EMS position based on the term reports provided by the Deputy Director Finance and Administration.

**c. EMS Surpluses**

- i. Where a teacher’s EMS balance is above the EMS quota for any given term period, that teacher is deemed to have an EMS surplus.
- ii. Unless otherwise requested, where an EMS Salaried staff member has sustained an EMS Surplus, the RCM will provide that staff member with an EMS Surplus Payment.
- iii. Payment of EMS Surpluses will be calculated as:  
 $1 \text{ EMS} \div 2 = \text{Hours} \times \text{RCM Casual Hourly Rate of Pay.}$
- iv. EMS Surplus Payments will attract:
  - 1. Long Service Leave entitlements
  - 2. Statutory Superannuation Guarantee Contributions.
- v. EMS Surplus Payments will not accrue (*due to being paid at the Casual Rate of pay*):
  - 1. Additional Personal Leave entitlements
  - 2. Additional Annual Leave entitlements
  - 3. Addition of any other entitlements

**d. EMS Deficits**

- i. Where a teacher’s EMS balance is below the EMS allocation for any given term period, that teacher is deemed to have an EMS deficit.
- ii. Deficits will accrue from Term to Term.
- iii. The Deputy Director Finance and Administration may approve to write-off any deficits for a maximum of 2 terms for the initial 2 terms of a new teaching staff member of the RCM.
- iv. The Executive team collectively may write-off any deficit value where it is agreed that exceptional circumstances apply.
- v. No EMS Surplus will be accrued or paid until applicable EMS Deficits for that staff member are redeemed.

**e. Staff Remuneration through EMS**

- i. EMS salaried contract staff are Permanent Part Time employees as per NES guidelines.
- ii. Remuneration is calculated based on:-
  - Total Of:-
    - 40 teaching weeks
    - + 4 Annual Leave weeks
    - + 2 Week Accruable Personal Leave
    - + 6 weeks Leave without Pay
  - Divided by  $\div$  52 weeks
  - Then Multiplied by  $\times$  EMS quota

Additional + other listed entitlements as per the NES  
+ applicable SGC Superannuation.

- iii. Surplus payments are to be calculated and paid by the end of Week 5 of the following term, dependent on cashflow funds being available and as approved by the Deputy Director Finance and Administration.

**f. Variations of EMS quotas**

- i. It is the policy of the RCM that all EMS based contracts will be reviewed according to their EMS surplus or deficit for the term after the Week 5 Surplus & Deficit calculations.
- ii. EMS quotas may be agreed to be amended to reflect EMS consistency i.e.: -
  - 1. A teacher with a consistent teaching EMS deficit will have their contract shaped to reflect the consistent actual EMS worked over the previous period. The following provisions apply:
    - a. The RCM will provide 1 Term's warning to the staff member that the review of the EMS Quota is taking place.
    - b. The Staff Member will be afforded the opportunity to re-build the studio and to engage in alternate duties.
  - 2. A teacher with an EMS Allocation who has maintained a consistent EMS surplus will have the option of increasing their EMS Allocation to more closely reflect the actual EMS worked over the previous period.
- iii. Revised/Amended EMS quotas contracts will only be issued from the beginning of a new teaching Term. Special considerations can be considered to this subsection where circumstances deem it necessary.

**g. Public Holidays**

- i. RCM EMS Salaried Staff are not required to work on designated public holidays.
- ii. RCM Salaried staff may claim a maximum of 20% of their weekly EMS Quota per official state public holiday.
- iii. Public Holidays within the teaching terms will have a Public Holiday code applied to each of the teaching lessons for that day.
- iv. Where a teacher has indicated on their term's invoicing lists their preference to still teach the term's 10 lessons claim a Public Holiday that may fall within the term, then makeups lessons for this day is to be allocated to the columns labelled "Week 11" or "Extra week" on the teaching rolls.

**h. Pupil Free Days**

- i. Pupil free days are not regarded as such by the RCM and will not attract any leave allowance.
- ii. As per the makeup policy, it is the responsibility of the student/parent to organise to attend their lesson at the RCM on the original schedule lesson day or book their makeup lesson on one of the teacher’s allocated makeup days.

**i. Personal Leave Entitlements** (*Sick, Carers, Family & Domestic Violence Leave*)

- i. All RCM EMS Salaried Contracted staff accrue up to ten (10) work days personal leave each year in accordance with the relevant legislation.
- i. All RCM EMS Salaried Contracted staff are entitled to ten (10) work days family & domestic violence leave each year in accordance with the relevant legislation.
- ii. Personal Leave entitlement is calculated on a pro-rata basis relative to the EMS quota for the day taken and in relation to the EMS quota of the contract.
- iii. The table below shows the relationship between EMS allocation and proportionate sick leave entitlements on common RCM Salary Staff contracts.

TABLE G (Random EMS selected for examples)	
EMS Quota	Personal Leave in EMS
52 EMS Contract	10 days equal to 104 EMS-PL
44 EMS Contract	10 days equal to 88 EMS-PL
32 EMS Contract	10 days equal to 64 EMS-PL

TABLE H: (Example of Personal Leave application for 5 days taken for a staff member on a 52 EMS Quota)		
Day	Example of Personal Leave EMS applied per day taken	Remaining Sick Leave from accumulated entitlements to date. (52EMS = 104 EMS-PL)
Day One	10	104 less 10 = 94 EMS Remaining
Day Two	26	94 less 26 = 68 EMS-SL Remaining
Day Three	5	68 less 5 = 63 EMS-SL Remaining
Day Four	10	63 less 10 = 53 EMS-SL Remaining
Day Five	1	53 less 1 = 52 EMS-SL Remaining

- iv. In accordance with NES, RCM EMS Salaried Employment Contracts, and the RCM Staff Leave Policy, the RCM may request a document of evidence, such as a medical leave certificate, where more than two consecutive personal/carer’s leave days are claimed.  
RCM employees wishing to claim pre-organised sick leave against their entitlements must provide the RCM Deputy Director Finance and Administration with both their document of evidence and a completed



staff leave application form or written verification of the days, including dates, to be claimed as sick leave no later than fourteen (14) days after to the claimed sick days.

- v. The RCM reserves the right to refuse personal leave where documentation is not sufficient to support the claim.
- vi. Where personal leave has been claimed according to the guidelines of this policy, the RCM employee's EMS surplus/deficit will be calculated including the allocated personal leave as completed work. Where time taken as personal leave exceeds the allocated EMS-PL for the contract, the makeup lessons policy will apply or leave without pay may be applied for.
- vii. RCM staff claiming leave from duties are not entitled to organize, arrange or facilitate replacement teachers or tutors for their students without the consent of their HOD.
- viii. Where a teacher provides makeup lessons to students not taught due to personal leave days taken, the teacher's personal leave entitlement will not be affected.

## **5. Variations**

- a. If a worker is unsure about any matter covered by this Policy, they should seek the assistance of the Executive Team Member(s).
- b. *The RCM reserves the right to vary, replace or terminate this policy from time to time.*

### **Policy version and revision information**

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