

Some clauses worth fighting for

We only get to rewrite the employment conditions in our enterprise agreement once every few years. So it's important to get our claims right.

A good log of claims is one where every group of staff get significant improvements – whether casual, ongoing or fixed term, professional or casual, long term or just started. It's by supporting each other's claims that we can form a majority with the power to strike and win: nobody wins unless everybody wins.

NTEU Fightback has produced a detailed document discussing potential claims around casualisation, workload, job security, Aboriginal and Torres Strait Islander staff recruitment and retention, pay, health and safety, and much more. The full detailed document is here: <http://chr1sg.com/wordcloud/>

Some claims we should be making:

Job security – No forced redundancies: A mandatory union claim in the previous bargaining round (2017):

That there be no forced redundancies for the life of the Agreement

We didn't win the full claim at Sydney, but did win an extended nine month payout for any redundancies for the first two years of the agreement, and improvements in the change clause to force management to give specific information (such as org charts) which can be used to challenge job cuts

Research fraction: We need to stop management attacks on the principle that academic staff advance knowledge as well as teach – important for quality education.

Equity: The clauses in our enterprise agreement on Aboriginal and Torres Strait Islander staff employment are non-enforceable "targets". The proportion of Aboriginal and Torres Strait Islander staff has barely moved over the past decade. Perhaps it's time for enforceable numbers to be written into the EA.

Pay: We might not need pay packets like senior Sydney Uni administrators on salaries of \$900,000+ per

year. But there's no need to put up with wage stagnation. 12% over 3 years should be an absolute minimum.

Working from home: The default option should be that staff can work from home 2 or 3 days per week if work can be done remotely.

Job security – No sham redundancies: It'd be a big improvement to win a tightly worded clause stating that redundancies cannot be carried out until work to cease is identified, work remaining is allocated, and these new workload allocations have been subject to review.

Rights for casualised staff: This wording was important in the Melbourne Uni EA, helping casual staff in Arts win \$15 million in back pay for underpaid marking recently:

for Sessional Teaching, that additional hours not contemplated by, and in excess of, the derived rate will be paid at the Casual hourly rate set out at clause 2.8.3.

A basic legal requirements of Australian employers is that workers are paid "[for all time worked](#)". It's about time we won strong wording in the enterprise agreement to reflect this.



Open Bargaining is when negotiations are open to the entire membership to observe what's happening at the table. It can be a powerful tool for holding management to account, and building the engagement and strength needed to be strike ready. Read more here: <https://laborcenter.berkeley.edu/turning-the-tables-participation-and-power-in-negotiations/> (Photo: Jane McAlevey leading a caucus of a big, open bargaining team)

Sick pay for all casuals, and 17% super for all casuals, should be a basic requirement. A higher pay rate to compensate for part-year employment, lack of increments, and lack of promotion should also be considered.

could be given access to a Workload Monitoring Committee.

Workload – academic: Why not bargain for specific time allocations for academic work (eg, not just two hours to write a new lecture – instead four hours or eight hours as a minimum; 2,000 words per hour for marking). An [important survey](#) of academic staff in Arts from 2019 provides some idea of what reasonable time allocations would be.

Reducing casualisation: Unions in other industries have made big strides in tackling casualisation with strong clauses mandating conversion, setting maximum ratios for casual employment, and restricting casual employment to incidental occasions. However, similar clauses won by the NTEU have contained large loopholes which make them largely ineffective. We have a detailed discussion in the extended [Clauses Worth Fighting For](#) document.

In the 2017 EA round, the union won a new process for setting workloads (a “collegial committee” in each area is meant to come up with a workload plan, which gets voted on by a meeting of all staff, with disputes to a Workload Monitoring Committee). However, implementation has been slow.

“Site rates” to stop outsourcing from undercutting established wages and conditions: At the moment there is nothing in our EA which stops management from undercutting our enterprise agreement conditions by outsourcing functions like payroll, IT, or even teaching. An effective “site rates” clause can prevent this, mandating that management has to pay the same wages and conditions to workers employed by outsourced service providers.

Workload – professional: Many enterprise agreements mandate that all unfilled positions are filled promptly (eg, advertised within two weeks). This would make a big difference to workload if we won this here at USyd. And professional staff

There’s heaps more detail on these and other potential claims in *Clauses Worth Fighting For*: <http://chr1sg.com/wordcloud/>

Yes, the money is there: The government and vice chancellors say there’s no alternative to cuts. They’re lying. Australia’s 31 billionaires have added \$85 billion to their wealth during the pandemic, according to a recent Oxfam report. Just a fraction of this could support and expand a high quality publicly funded higher education sector.

But they won’t hand over money just because we ask nicely. Government and VCs want to use this “broke on purpose” crisis to drive down wages and conditions, and entrench out-of-control workload and job insecurity. It’s up to us to stop them.

NTEU Fightback is a group of union activists who came together to oppose the 15% wage cut proposed by our union’s national leadership last year. We’ve campaigned against job cuts and excessive workloads, and for an ambitious log of claims in this year’s bargaining round – backed by serious organising towards industrial action to win these claims.

For more resources and to sign up to NTEU Fightback’s regular email updates, visit our website: <https://www.nteufightback.site/>

