

An Injury To All: Management's bargaining agenda at USyd

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Bargaining over new enterprise agreements is underway across the country – and the attacks from management are coming thick and fast.

The dramatic attacks unveiled by management at Sydney Uni this week are a threat to every worker in higher education, not just there but around the country. Sydney is regarded as a leading site by both the union and management. So what's being rolled out at Sydney will roll on to other campuses, if it hasn't already.

That's why we're sending this detailed explainer of USyd management's attacks to our national list. Here's our guide to the attacks at Sydney Uni – and beyond:

1. A dramatic assault on the 40-40-20 allocation of teaching-research-engagement
2. "Divide and rule"
3. Reduced job security for professional staff (esp internal advertising of vacancies)
4. Is management threatening to cut our pay?
5. An attack on job security in the Centre for English Language Teaching
6. Nothing on key casuals claims
7. Instead: another insecure form of "periodic" employment
8. Nothing on key long standing problems such as workload
9. Gutting the "status quo" clause
10. Cut redundancy pay for staff who have worked part time
11. Some incremental improvements promised, but seemingly hollow
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1. The most dramatic assault is on the 40:40:20 allocation of teaching-research-engagement, combined with the lifting of any restriction on the number of "education focused" roles.

Management state:

The University has, for some time now, had a very traditional model of academic workload allocation on the basis of a "40:40:20" model for all teaching and research academics. This one size fits all approach is no longer suited to the diversity of our academic staff, or enables those academic career paths that we believe the University needs to support our ambitions for education and research in the future. This model is more rigid than any other university in Australia...

The proposed approach for the new EA will be to allocate academic work based on the needs of the University and an academic's skills, competence, expertise, outputs and interests...

The current EA included an arbitrary cap on the number of Education Focused roles which ceases 6 months after the nominal expiry date of 30 June 2021. A further cap would not be adopted.

Management complains that USyd's 40:40:20 clause is the strongest in the country. They are correct. Weakening or destroying this clause at Sydney will promote similar attacks around the country – so it's crucial that union members at USyd hold the line.

This attack was [flagged by departing VC Michael Spence last year](#) – and new VC Mark Scott is following through in full.

For a long time, universities in Australia operated on the basis that the best outcome – for students, for staff, and for strong research – was to have the vast majority of academics employed both to teach, and to advance knowledge in their field by having a research fraction. This approach has been under serious attack for many years.

We can expect a [full-scale onslaught](#) on academic workload protections at universities across the country in the current bargaining round. Last year's federal government changes to university funding [further eroded](#) research funding from commonwealth grants, putting pressure on university managements to “reform” this important workplace condition out of existence. Looks like Mark Scott is happy to oblige.

Lifting any caps on “education focused” roles would be a step backwards. These roles very often mean a punishing workload, as various [studies](#) on the NTEU website show.

In part, this is because clauses governing the allocation of academic workload are [severely broken](#). The [log of claims](#) approved by NTEU members at Sydney Uni in early July has several measures to address this – including workload committees with 50% NTEU membership, with a requirement that these committees actually review evidence on workload. We need to fix the problems with the existing 40:40:20 provisions, not allow management to weaken them further.

2. Management is blackmailing staff, basically saying that if they are allowed to destroy 40:40:20, they will preserve other existing conditions:

If we can achieve a sustainable salary outcome and provide flexibility in workload allocation, the University will continue all key benefits and provide improved staff flexibility and leave entitlements.

All staff at USyd should reject this. It's a case of divide and rule: if management manages to trash the working conditions of a key group of workers this time, they'll be back for more from everybody else in the next round.

And in any case, despite management's promise to “continue all key benefits”, there are some significant attacks on “key benefits” in their document.

3. Reducing job security for professional staff by abolishing internal advertising of professional positions:

removing the requirement to advertise for professional staff positions internally before advertising a role externally

Internal advertisement of jobs is an important job security measure for professional staff. Under the current EA, existing staff up to and including HEO5 get preference for advertised jobs if they are suitable for the job. And though the EA doesn't oblige management to employ internal candidates above HEO5, a staff member can ask for a review/audit if they think they've been unfairly rejected.

Without this protection, it would be easier for management to make arbitrary decisions to pass over existing staff for jobs they are qualified for.

It's not clear from management's log of claims whether this would affect redundancy situations, where staff get an option to redeployment into suitable alternative positions. If these positions aren't advertised internally first, how would workers facing redundancy apply for them?

4. Does management want to cut our wages?

It's alarming that management refers to "benchmarking salaries in other Go8 institutions" as a criteria for setting our pay. This would amount to a pay freeze, or even a pay cut.

We did a bit of "benchmarking" ourselves to see what this looks like. The observant among you will notice that we could "benchmark" our way to a pay cut of 10%, depending on which "Group of Eight" institution management decides to "benchmark" against.

Classification	USyd	UNSW	ANU	UQ	Monash	Melb	Adelaide	UWA
Top HEO 4	\$76,323	\$74,071	\$73,278	\$69,454	\$69,777	\$73,618	\$71,203	\$73,581
Top HEO 5	\$87,420	\$86,665	\$81,579	\$78,853	\$81,454	\$86,158	\$80,983	\$82,484
Casual tutorial (non PhD)	\$158.79	\$159.73	\$146.67	\$143.32	\$143.92	\$155.11	\$144.90	\$147.70
A6 (min for PhD)	\$98,645	\$98,342	\$95,732	\$88,412	\$89,501	\$95,179	\$89,610	\$91,404
A8 (or top A level)	\$105,305	\$105,185	\$95,732	\$94,638	\$96,074	\$102,163	\$96,007	\$97,946
B6 (or top B level)	\$131,639	\$130,215	\$117,736	\$118,207	\$120,093	\$127,707	\$119,391	\$121,864

Staff at USyd shouldn't apologise for setting the pace on wages. Sydney is Australia's most expensive city, USyd is one of the country's richest institutions, and USyd's NTEU branch is the strongest in the country. If we stop going forward on pay, and accept a pay freeze (or worse) instead, this will be used to drive down wages across the entire sector. If "even" the Sydney Uni NTEU branch can't win a decent wage rise, union members will reason, what chance does anyone else have?

Management verbiage about “fair salary outcomes” and “fair and responsible increases” along with the implied threat of a wage cut is far from satisfactory, given the enormous amount of unpaid work that we’ve done in the past year – let alone the extra [\\$85 billion](#) that Australia’s billionaires piled up last year. We don’t all need salaries of \$900,000+ like the new VC, but we do need to stay ahead of inflation.

The claim we approved on 7 July was for 12% in the three-and-a-bit years up to December 2024. We shouldn’t move from that.

5. Attacking job security in the Centre for English Language Teaching

Management’s log of claims includes:

removing the requirement to maintain 31 FTE Funding Contingent Continuous Language positions

This would lay the basis for outsourcing these roles, on inferior wages and conditions, as many [other universities](#) have done.

6. Management’s proposal offers nothing on key casuals claims

Items in the [union log of claims](#) for casuals include:

- strengthening the conversion clause by removing “financial grounds” and “future possible restructure” as grounds for management to refuse conversion;
- increased payment to address the fact that casuals have never been paid for research time
- payment for all hours worked
- equality measures for casuals such as sick pay, 17% super, and payment for meetings

Management doesn’t offer any of these very basic, very important improvements.

In fact, there is an extra attack on casuals – reducing the minimum engagement period to two hours (instead of three hours) if students are enrolled in another institution.

7. Instead, management are keen on introducing a new, insecure “periodic” fixed term mode of employment:

The University will be discussing in bargaining measures to provide more flexibility to employ fixed term staff in order to decrease reliance on casual staff.

The University is also prepared to consider including a new form of periodic employment. This form of employment would enable a professional or academic staff member to be appointed on a fixed term or continuing basis (rather than as a sessional or casual basis) and perform work for one or more discrete teaching periods within each year. The employment will include non-work periods (eg between the relevant teaching periods), and salary is paid

for the work periods and may be annualised across the year. Priority would be given to inviting expressions of interest in such employment to existing sessional and casual staff.

Various [proposals](#) along these lines are floating around the sector, with management at Monash in negotiations with the NTEU since March of this year. Little information has been made publicly available. The Monash Casuals Network has [criticised](#) the proposal as a major step towards a US-style system where low paid post graduate students do the bulk of the teaching. Will this form of employment mean teaching on the cheap, at the expense of 40:40:20 positions? Is there any upper limit on the amount of teaching to be done under this mode of employment?

“Periodic” employment was introduced at Melbourne Uni in the last EA round. Despite “periodic” employment being [hailed](#) as offering a “new pathway” for casuals, it [hasn’t turned out that way](#).

No draft clauses have been released, but at best this path looks like a dead end. At worst it could entrench yet another model of low paid, exploitative employment in Australian universities. And there may be little or no extra security of income, if the “employment will include non-work periods” but “salary is paid for the work periods” only.

8. Management offers nothing on key long-standing problems for both professional and academic staff:

- No improvement on workloads, for instance by filling vacant positions
- No improvement on Aboriginal and Torres Strait Islander staff employment
- No limit on the number of restructures and “change proposals” that can be imposed on workers during the course of the agreement
- No halt to forced redundancies
- No protections against outsourcing being used to undercut existing conditions
- No written guarantees on staff workload before redundancies take effect
- Nothing which addresses the many other items in the excellent [log of claims](#) approved by 450 NTEU members on July 7.

9. Attacking the “status quo” clause

One of the most significant attacks is on the “status quo” provision in the disputes clause:

to avoid protracted disputes, the University proposes to adopt a more streamlined disputes clause and status quo provisions apply whilst internal disputes processes being conducted;

The “status quo” clause is crucial. At many other universities without this clause, management can just implement “facts on the ground” regardless of what the EA says – with the union then left with the job of playing catchup, or trying to unscramble a situation after the event.

10. Cut redundancy pay for workers who have been employed part time for part of their employment

to ensure more equitable redundancy payments, calculating payments based on the average fraction worked over the whole employment

This would lead to significantly lower redundancy payments for some – especially for the many workers, disproportionately women, who work part time hours for a significant part of their careers.

11. There are some incremental improvements promised, but they mostly look pretty hollow

For instance, management are proposing to allow workers with less than 12 months service to apply for flexible work arrangements, for instance working from home. However this leaves management with 100% discretion about whether to allow such arrangements. They have often refused requests for work from home, even if roles can be performed while working remotely.

In contrast, the NTEU log of claims includes: “All professional staff will have the right to a work from home arrangement suitable to their circumstances.”

An increase in bereavement leave to five days and parental leave to encompass more staff are welcome incremental improvements (depending on the detailed clauses, of course) – but they are basically decoration on a package that scraps crucial working conditions for academic staff, and fails to address the deep problems of workload and job insecurity affecting workers throughout the university.

12. Nobody wins unless everybody wins

There will be arguments that management’s attacks mean the union should retreat from the ambitious log of claims approved a month ago by a meeting of 450 USyd NTEU members. We believe the exact opposite.

The “logic” of retreating on our claims is familiar, because it's the same logic used by our union’s national leadership to try to sell us a 15% wage cut last year:

- there’s no money (even though Australia’s billionaires piled up \$85 billion in extra wealth last year)
- the union is too weak (even though the potential power of workers to disrupt the multibillion dollar institutions we work in is as high as it ever has been, so long as we organise systematically)
- we shouldn’t be greedy, others are doing it tougher (in fact, the strongest union branch in the country retreating will just embolden management around the country)

Academic – Professional – Casual – Fixed term – permanent: the USyd NTEU log of claims sets an ambitious agenda to actually address many of the serious longstanding problems in our sector. We need an army of active unionists to fan out across the university (virtually, for now) to say we should reject management’s attacks and stick together to win more.

Every student and worker across the university, and across the sector, will benefit from the gains we can win – if we organise seriously, and if we're prepared to take strike action as we have in the past, to defend and advance our conditions.

So whether you're fighting back against attacks and building support for our log of claims at USyd, or around the country – see you at the next Campaign Committee meeting!!

Alma, Katie and Liam for the NTEU Fightback team