

# Australia: Academics' union makes key concessions at University of Western Sydney

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Less than four months after University of Western Sydney (UWS) academics, including non-union members, voted by 66 percent in a postal ballot to reject an enterprise agreement, the National Tertiary Education Union (NTEU) has negotiated a revised deal that delivers most of the key measures sought by management.

After December's vote, NTEU national secretary Grahame McCulloch intervened to take charge of the negotiations and is leading the union's efforts to push through the agreement via a new postal ballot.

If approved, the deal will set a benchmark for other universities across Australia where managements are demanding far-reaching concessions in new three-year agreements. The UWS draft dovetails with the federal Labor government's restructuring of tertiary education, based on a new market-driven funding model that forces universities to compete for students.

Under Labor's blueprint, many universities, including UWS, will try to offset chronic underfunding by enrolling thousands more students in high-demand courses, particularly those with large classes that are cheaper to teach. Because of the volatile character of student numbers, often reflecting the shifting requirements of business, universities will seek greater use of short-term teaching contracts, as well as heavier workloads for academics.

That is why the UWS management's main demands—all rejected in December's vote—are for (1) No outer limits on workloads; (2) No effective caps on using fixed-term contracts and casuals; and (3) Curtailment of basic rights, especially on termination-related matters such as probation, disciplinary procedures, performance reviews and dismissals for ill-health.

The NTEU's draft agreement makes major concessions on each of these issues. On workloads, a key clause states:

“Across the University in general, it is expected that weekly teaching allocations will be up to 12-14 hours.” That load would exceed the traditional 8–12 hours that applies in many UWS departments and other universities. The clause adds: “Teaching allocations will take account of the varying circumstances, structure and mission of each School or Unit.” These words allow the management enormous scope to impose even more onerous teaching loads.

Other clauses permit entire workloads to be allocated to non-research activities, paving the way for more widespread creation of “teaching-only” positions, in which academics are denied time to conduct research. Workload disputes will be ultimately determined by a joint management-union Work Plan Committee, creating a close partnership between the management and the union.

These clauses are crucial because the Rudd government's “education revolution” is already producing a sharp increase in student numbers, and hence class sizes and workloads, while continuing to starve the universities of adequate funding. This squeeze will intensify over the next four years, with about 50,000 extra students expected to enrol across the country.

During the last restructuring by a Labor government, carried out by the Hawke government in the late 1980s, the number of university places was substantially expanded at the expense of student-staff ratios, which rose from 13:1 in 1990 to the current level of more than 20:1. Over that period, funding per student fell by 12 percent in real terms. These processes will now be taken to a new level.

On the use of casuals, the UWS draft sets no effective limit, and also creates several new categories of fixed-term appointments. UWS has one of the highest casualisation rates in the tertiary education industry, in which one-third of employees nationally are casuals. Casual teachers are underpaid, overworked and left with few avenues for

redress. Rather than reversing this casualisation, the agreement merely states a vague goal of reducing casuals as a proportion of the academic workforce over three years. That does not even mean that the proportion of hours worked or classes conducted by casuals will fall.

Moreover, the agreement provides for new teaching-only short-term contracts, that may be offered to casuals for periods as short as six months. Under the pretext of giving casuals greater opportunities and security, these contracts can be used to further expand the temporary workforce. Other clauses permit fixed-term appointments, rather than full-time ones, in fourteen defined circumstances, including for “teaching focused”, “research-only” posts and “career development fellowships”.

These changes are also critical because the government’s funding model will put a premium on flexibility and cost-cutting as universities continuously battle each other to attract students, while shedding less popular and lucrative courses.

Several basic rights are attacked by the agreement, particularly related to security of employment. For example, probation periods will be doubled, from one year to two, with the possibility of extension to three years. Another clause reduces the notice period from two months to one month for management to start to terminate employment on ill-health grounds by forcing an academic to undergo a medical examination by a university-nominated doctor.

At a recent meeting of NTEU members, McCulloch readily conceded that the union had “made concessions”, but implored members to ignore the actual wording of the draft. He insisted that the precise terms of the document were irrelevant because the agreement provided a stronger presence for the NTEU, and that enterprise bargaining required trade-offs to be made in order to secure “gains”.

These comments point to the real purpose of the agreement, which is to strengthen the role of the union in enforcing the management’s requirements. The only real “gains” to which McCulloch could point are for the union itself. It obtains a rent-free office on campus, half-payment of the NTEU branch president’s salary, time off for other union representatives, and union membership of a wide range of committees. In effect, the union is to be more closely integrated with management, jointly implementing the pro-market measures of the Rudd government.

As for pay rises, they are hardly a “gain”—the agreement

offers an average of 4.7 percent per year—just half the union’s original claim to catch up losses over the past decade.

Last year, without any democratic consultation with its members, the NTEU praised Education Minister Julia Gillard when she announced the new funding blueprint, even though it amounts to a virtual voucher system, with money allocated on the basis of where students choose to go. When the previous Howard government twice attempted similar measures, under ministers David Kemp and Brendan Nelson, it was forced to retreat in the face of outspoken opposition by university staff and students.

The union’s full support for the Rudd government’s agenda was underscored last month when the NTEU (again undemocratically) issued a media release endorsing Gillard’s plan to now establish a *My University* web site, paralleling the government’s *My School* web site. *My School*, which lists so-called low-performance schools, is being used to stampede parents into withdrawing their children from under-funded public schools. Similar destructive processes will be unleashed in tertiary education, benefiting a growing array of private vocational colleges.

As at UWS, the NTEU is seeking to ram through enterprise agreements at all universities by next month, and shut down any possibility of industrial action in the lead-up to this year’s federal election, in which the union will doubtless back Labor, as it did in 2007.

To defeat this retrograde agenda, university workers need to take matters out of the hands of the NTEU, which has a long record of assisting the ever-greater commercialisation of tertiary education by successive Labor and Liberal governments. This means forming rank and file committees to unify with students, parents and school teachers in a common industrial and political campaign against the Rudd government’s measures. To succeed, this fight requires an alternative socialist program that insists on the right to a free and first class education for all students, at every level from kindergarten to university.



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