

# Australia: Union limits industrial action at University of Newcastle

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Staff at the University of Newcastle (UoN), located in the industrial city north of Sydney, have been engaged in ongoing limited industrial action for the past month. The National Tertiary Education Union (NTEU) has been in negotiations with the management for a new Enterprise Agreement (EA) for nearly a year, with the former agreement having expired in September, 2021.

The dispute is a case study in the role of the trade unions in suppressing working class opposition to the destruction of hundreds of jobs. In a Protected Action Ballot on July 19, UoN staff voted by an overwhelming 97 percent to take industrial action.

Some 92 percent voted for a strike of up to 24 hours. Significantly, 84 percent voted for a ban on attending University of Newcastle campuses, 82 percent agreed to a ban on the delivery of teaching, 91 percent called for a ban on attending workplace meetings with supervisors/managers including School and Faculty meetings.

Despite the overwhelming demands for a strike, over the past month since the ballot, the union has sought to limit and stall industrial action as much as possible while it continues its negotiations with management.

On August 4, NTEU members were instructed to “progressively put in place” a ban on participation in staff appraisal processes and a ban on responding to management inquiries outside 9 a.m. to 5 p.m. on weekdays.

At an NTEU-management consultation session on August 18, management proposed a 6 percent pay rise over the life of the proposed enterprise agreement, currently scheduled to expire in 2024, which would mean a 2 percent pay rise per annum. This would represent a substantial real wage cut.

NTEU Newcastle branch secretary Dan Conway declared in June that the union proposed a 15 percent pay rise over three years. This is also far below the rate of inflation, which is expected to be at 7.75 percent by December, and even further behind the real increases to the cost of living.

An NTUE bargaining update distributed to staff on July 18 indicated that UoN management are demanding the introduction of a new employment category, described as

“Academic Periodic Employment.” Management claims that the new job category will provide casual staff with some job security and may also allow casual staff to accrue leave and have some of the benefits available to ongoing and fixed term staff.

There is no explanation as to how this would happen. There are no set hours or length of time that a casual worker under the “periodic employment” will be on the job. The position will also reduce wages by scrapping the 25 percent loading for casual staff.

Other management claims include “splitting personal leave into two categories.” The last agreement provided for all fixed-term and ongoing staff to have 25 days of personal leave a year. The proposal is to split the leave into “sick and carers” leave of 15 days and “life leave” of 10 days. Life leave would not accrue year-on-year and sick and carers leave would accrue at the rate of 15 days per year unless any of that leave is taken. This provision would potentially limit the amount of leave staff can take throughout the year.

In the log of claims, the NTEU is proposing that there be one enterprise agreement which covers all academic, professional and teaching staff at the university, which are currently all under separate agreements.

Other key claims are deliberately vague and are ultimately aimed at deepening the collaboration between the NTEU and management. Under “job security” the document states that the claim will ensure “redundancy only occurs when the work is no longer required to be performed by anyone.”

If management deems that a job position is “no longer required” it can impose sackings in line with the cost-cutting and corporate restructuring demands of federal governments and business.

Under “organisation change and redundancy,” the union states that the “agreement should specify that no individual should be subject to organisational change affecting their employment more than once in the life of the Agreement.”

This leaves the door open for management to carry out further restructures.

In 2021, the university reported a surplus of \$185,270,000.

Conway reported that this surplus shows that UoN is “among the most financially secure in the country.”

The university, however, was able to secure this surplus, precisely because the unions have actively suppressed virtually all opposition from workers over the past three years to restructuring and cuts.

In 2021, there were significant cuts across UoN’s three colleges—Engineering, Science and Environment; Health, Medicine and Wellbeing; and Human and Social Futures. Over 164 Full-Time Equivalent (FTE) jobs were destroyed among academic staff and another 61.4 FTE jobs among professional staff.

The cuts were a continuation of the restructure that began in 2020, which saw the consolidation of five faculties into three colleges, cutting or amalgamating approximately 530 of the university’s 2,200 courses.

Despite this, the unions have not made demands for end to redundancies, let alone for the reinstatement of the hundreds of jobs, both permanent and casual, which have been destroyed at the campus over the past two year.

Time and again, NTEU officials have told member’s meetings that no industrial action can be taken outside of the enterprise bargaining periods, because of the anti-strike Fair Work Act, which was introduced by the 2007-2013 federal Rudd-Gillard Labor governments with the complete backing of the trade union officialdom.

The fact that the university management feels emboldened to table a 2 percent pay rise and a new type of casual employment is because it is confident that the unions will continue to try and impose its demands on university workers.

The NTEU has continued to hold numerous backroom negotiations with university management. Rather than calling a strike, the NTEU is continuing to buy management time, to speed up the bargaining process and ram through a sellout agreement while stultifying growing opposition among university workers.

In an email to staff on August 19, the NTEU held up as a model to be replicated and followed the proposed enterprise agreement at Western Sydney University (WSU).

The NTEU has presented the agreement as a “win” for university workers. The agreement still allows management to pick and choose which casuals would fill a full-time vacancy. The deal would merely give the university’s casual academics first preference in applying for about 150 teaching and research positions over the next two and a half years.

The agreement involves the union withdrawing claims for 17 percent employer superannuation contributions and paid sick leave for casual employees.

The NTEU’s email does mention the wages agreement at

WSU. Over four years the pay rises average out to around the 3.5 percent cap called for by the Reserve Bank of Australia and supported by the federal Labor government.

The restructuring at UoN is a sharp expression of the cuts taking place at universities across the country. Over the past two years, universities with the support of government and the unions have exploited the COVID-19 pandemic to destroy tens of thousands of jobs, increase casualisation among workers and deepen the pro-corporate restructuring of the tertiary education sector.

At an NTEU general members meeting on July 22, university workers were striving for their struggles to be expanded to incorporate support from other sections of industry. One university staff commented “are there non-academic staff we can get on board with this? Could we get construction people to stop work?”

Workers also proposed bringing their struggles to the attention of students. Contained in these comments is a healthy drive for a unified struggle. Such a unified struggle won’t find its way through the present trade unions.

The Committee for Public Education (CFPE) urges workers to draw the lessons and make the necessary break from the trade union apparatus by forming independent rank-and-file committees. Through such committees reach out to your fellow workers for a unified struggle for a free, high-quality education system based on social need, not private profits.



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