

Australia: Sacked Sydney University immune-compromised academic speaks out

Chris Gordon

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This interview with Niko Tiliopoulos was conducted the day after he was sacked by the University of Sydney last week, despite petitions and calls by thousands of students and staff opposing his removal.

Tiliopoulos, a senior lecturer in psychology, has severe respiratory and autoimmune conditions. He cannot risk catching COVID-19, which could be life-threatening. Two doctors, including one appointed by a university review panel, made the assessment of “substantial” risks to his health.

In response, management declared that Tiliopoulos was “unfit” to work because he refused to return to face-to-face work and teaching. That was despite him successfully teaching online since 2020 and receiving overwhelmingly positive reviews from students.

Tiliopoulos has worked at the university for 16 years. On November 16, three days after dismissing him by email, management suspended his university email account, which contained important information for his professional work.

Unless Tiliopoulos’s sacking is defeated, it will set a precedent that can be used throughout the tertiary education industry, and more broadly, to victimise and sack educators and other workers who refuse, often for critical health reasons, to adhere to the intensifying “return to the workplace” offensive by the employers.

Chris Gordon: Can you go through the reasons why the university has fired you?

Niko Tiliopoulos: Initially they [management] said: There are three reasons why we’re firing you. Because of your health and that TEQSA [Tertiary Education Quality Standards Authority] requires that we have face-to-face lectures. The second is that because APAC, the Australian Psychology Accreditation Council, also requires face-to-face teaching for us to be accredited. The third was, because we’re going to stop online

delivery of units.

Now, we responded to all of those, with evidence—me and the union [National Tertiary Education Union (NTEU)]. I contacted TEQSA directly by email, and I said: Is this true, this requirement? They said: No, it’s not true. There is a condition, but the condition applies to a degree level, not to an individual.

And in fact, based on that condition, I could have every single one of my lectures and tutorials online. I would still comply to the TEQSA requirement. I had that in writing. And the same goes with APAC. So I submitted this, with the union, to the university.

So the first two of the three reasons disappeared. The university then said: We only have face-to-face teaching. We responded with: Why? You were basing that on the previous conditions that TEQSA forces face-to-face for accreditation. But that is not true. So, why? Because it’s your preference. Surely this does not override somebody’s disability rights. We never got an answer.

The only thing they said was that it’s better for the students. And at one point in the meetings we had, they said the students complained. I immediately asked to see the evidence that the students complained. They said they didn’t have anything specific.

CG: What reviews of your teaching have you had? What alternative arrangements did you propose to the university?

NT: My students rate me very highly. They say: Niko is great—whether it’s face-to-face or online. We proposed six different alternative teaching arrangements. Management rejected all of them. However, there are officially approved online courses... One of the approved online courses is one I teach.

CG: When did the university start an action against you?

NT: In February this year. I had some discussions with HR about flexible work. I got a positive feeling from them. My application included recommendations from my specialist. It was rejected within hours. They removed me from teaching, claiming that it was an accommodation [to the health risks]. I wasn't asking for free holidays! I want to teach! This is my role! How is it accommodating by removing me from teaching?

When I asked to make arrangements for second semester, I was then asked to see independent medical examiners in accordance with the university enterprise agreement... The medical examiner concurred with my specialist, which was to accommodate my disability.

CG: Why not defend your position from the standpoint that first, everyone has the right to work remotely, and secondly, you have rights under the 1992 federal Disability Discrimination Act?

NT: I agree... I want to fight for the next person who will be threatened. Maybe I will lose this case, but there are other people who are being threatened at the university. At least they won't have to face this discrimination.

CG: It's not only the way the university has treated you. There is the broader issue of the pandemic. The university consciously opened up. They've removed any protections. What do you think about that?

NT: I keep on being updated with the situation in Australia through the World Health Organisation's page about Australia. I know that we have between 30 and 300 deaths every week. My specialists say that if I catch COVID I'll die, or have a high risk of death—something that specialists don't put in writing unless they're serious.

The government's slogan is: "Learn to live with COVID." For me, that means adapt and adjust your life to the requirements of this issue. Do not live your life as you used to live before COVID and ignore something that is present and killing Australians. I've seen this mentality over and over, not just at Sydney University.

CG: I believe you founded the Disability at Work Network at the University of Sydney?

NT: Yes. I was a co-founder in about 2014. I represented disability on the Equity, Diversity and Inclusion Committee. From June, when this started happening, I stopped going to that committee. People asked me, the chair asked me: Niko, are you going to

come? I said: No, I'm not going to come to something that's a joke. What we're doing here is a joke.

CG: What overall comment would you like to make?

NT: I feel betrayed by the institution where I've spent a fourth of my life, and invested myself in. I got sick while working at university and now they are throwing me in the gutter. It's an immoral act, if not illegal. It will have an effect on other people with similar conditions in the future. I want to make sure something is done to prevent that.

For the ruling capitalist elite, returning universities to face-to-face teaching has been part of a wider drive to push workers to go back to work to continue producing profits, regardless of the health risks.

The reopening of campuses across Australia has been an ongoing process since the beginning of 2022, with the full support of the two tertiary education trade unions, the National Tertiary Education Union (NTEU) and the Community and Public Sector Union (CPSU). As early as November 2021, the NTEU proposed that "we transition out of lockdowns" and "transition forward."

Given this record, university workers cannot trust the unions to organise any struggle to defeat the sacking of Tiliopoulos and the wider threat to health and safety. Rank-and-file committees have to be formed, independent of the unions, to lead this fight. To discuss forming such committees, contact the Committee for Public Education:

Email: cfpe.aus@gmail.com

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