



THE campus backbone

CPSU - Macquarie University Branch



THE GENERAL STAFF UNION

URGENT UPDATE

ACADEMIC STRIKE Wednesday 16 September 2009

Members of the academics' union, the NTEU, have endorsed a full day stoppage at Macquarie University on Wednesday 16 September 2009.

Apparent frustration with the pace of negotiations nationally and a failure to gain ground on the threshold issue of academic workloads are believed to be behind the union's push.

CPSU Branch President, Greg Stark, said "We've met with the University and the NTEU on five occasions since the expiry of the last agreement. It's early days and at this stage it's our preference to continue bargaining. While we respect our colleagues' stand, we don't feel like we've reached a point where industrial action is justified."

WHERE DOES THE CPSU STAND?

CPSU members have voted not to take industrial action. We want to achieve the best agreement for general staff as quickly as possible. Enterprise bargaining at Macquarie University has just begun and we've voted to continue good faith negotiations. This is what the CPSU bargaining team will do and we will continue to report back regularly to members on the progress of bargaining.

Whilst CPSU members respect the right of unionists to take industrial action, CPSU members are not on strike and, unless you are on approved leave, you are required to report to work on Wednesday 16 September.

This is because CPSU members (and staff who are not members of a union) are not protected to take industrial action under the Fair Work Act. Only those members of staff who were sent a ballot paper for industrial action are entitled to take protected industrial action for that day. This means all other staff, including CPSU members, are required to either report for work or to have reasonable grounds for not attending work that day.

Under the Fair Work Act, failing to report for work may result in:

- ✘ Mandatory minimum loss of 4 hours' salary**
- ✘ Individual fines of up to \$6,600**
- ✘ Union fines of up to \$33,000 and**
- ✘ Disciplinary action from the University**

3 Reasons why the CPSU is not taking industrial action now

1. CPSU members are committed to our Log of Claims.

The CPSU conducted extensive consultation through focus groups with members to develop our Log of Claims that details general staff priorities for Macquarie University. This has led our bargaining strategy and the CPSU remains committed to it.

2. Negotiations are progressing

CPSU Members have decided that whilst negotiations are progressing the CPSU will continue to negotiate in good faith with all parties and there is no reason to take industrial action. The following motion was endorsed: *This meeting of CPSU members resolves, on behalf of the Macquarie University Branch of the CPSU, to continue negotiations for a new Enterprise Agreement for general staff.*

3. Unprotected Industrial Action is illegal

CPSU members, along with the entire trade union movement, successfully campaigned against WorkChoices because it threatened our rights at work. Unfortunately the WorkChoices era industrial action laws are retained in the Fair Work Act. This means that unless you received a ballot to vote on protected industrial action then you are not protected in taking industrial action, meaning that the full weight of industrial relations law and University disciplinary action can be used against you.

Industrial action protocol for Wednesday 16 September 2009

A picket line can be a legitimate part of industrial action to inform staff, students, passers-by and visitors of the existence of an industrial dispute.

For a picket line to be legitimate it **must be recognised and endorsed by the union community affected by the picket. This includes all unions at a work place and Unions NSW.**

No picket line has been endorsed by the CPSU or Unions NSW.

THE INDUSTRIAL ACTION ON 16 SEPTEMBER 2009 DOES NOT INCLUDE A LEGITIMATE PICKET LINE.

IT IS A UNION PROTEST BUT NOT A PICKET LINE.

As the CPSU always advises members, you should work as outlined under your position description and within your regular hours of work, and not allow the possibility of accumulated work in light of one-off events such as industrial action to motivate you to work beyond that.

For more information contact your CPSU Bargaining Team:

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