



**Public Service Association**

Community & Public Sector Union  
State Public Services Federation (SA Branch)



**News Flash**



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## **INDUSTRIAL ACTION AT SOUTH AUSTRALIAN UNIVERSITIES**

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The Fair Work Act has clearly defined processes for the taking of action when negotiations are not meeting with expectations. The first step in this process is to apply for the option to have a ballot to take protected industrial action should an impasse be reached. NTEU, fully supported by CPSU, have applied for ballots with the AEC for the three South Australian universities. CPSU members will have to consider if we will take industrial action in support.

Main sticking points in reaching agreements in the negotiations are the inadequacies of the now expired Agreements on job security, dispute resolution processes and the use (and abuse) of casual, contract and fixed term employment.

The provisions that protected university staff were removed from our Agreements under the Howard Government's Higher Education Workplace Relations Requirements (HEWRRs). The only reason why these provisions were agreed to was to enable universities to receive their share of the \$500 million in additional grants that the Howard Government made conditional on the HEWRRs being met. With the HEWRRs being abolished 12 months ago, there is no reason or justification for any university not to reinstate the pre-HEWRRs standards in new and improved Collective Agreements.

### **University of Adelaide**

Collective Bargaining at the University of Adelaide is intense. There is a good atmosphere in the negotiations but there are many 'sticking points' as outlined above and many hours spent on agreed principles. However, there is a reluctance to draft clauses. So far only one written clause has been agreed.

There is still scope for intensive negotiations to continue and negotiators are hopeful that we can and will reach agreement before we have to consider industrial action.

The current pay offer of 3% increases offered by management in 2010, 2011 and 2012 would have to be raised to over 5% per annum to keep pace (but not catch up) with the University of Sydney. The danger is that we would lose touch with the Go8. The usual argument that living in Sydney is more expensive is not an argument that can be sustained. At some stage the differences in cost of living was taken into account. To then continue to widen the gap by offering different % increases will make the gap wider with each agreement.

### **University of South Australia**

Seven months after the expiry date of the current Collective Agreement 2006, management today tabled its proposed bargaining framework and salary offer (*the Framework*) and you will by now have received

this.

**The Framework is an attempt to limit the scope of bargaining and retain and extend the high degree of management prerogative provided under the Collective Agreement 2006. Please be assured that your bargaining team will not accept this.**

Under the Framework, any union claim to restore employment conditions lost or diminished under the Howard regime will be costed solely by senior management (note: cost only – no commitment to recognition of productivity).

The “envelope” identified by the management group as available for the unions claims are limited to 0.37% of current salaries budget (a sum that appears to have been plucked out of thin air and articulated as \$1 million per annum in the Framework). This is despite the millions of dollars in surplus generated through the collective efforts of staff.

The Framework further identifies the broad management claim as being based on the deficient Collective Agreement 2006, which was negotiated under the industrial constraints imposed by the Howard Government.

When questioned by the Unions about the capacity of today’s offer to attract and retain quality staff, the management response was that discretionary funding would be used to attract, presumably, “high flyers”.

Some of the consequences arising from the proposed Framework might be (depending on what fits in the proposed financial “envelope”):

Ø A salary outcome that is not even remotely competitive against the numerous university agreements reached to date around the country. The 2% administrative increase provided this month will apparently suffice until September 2010 (3.5% 30/9/10, 3.5% 30/9/11, 3.5% 30/9/12)

Ø Reduced job security arising from the making of fixed-term contracts for any purpose (and the consequential impacts on intellectual freedom).

Ø No limitations on escalating casual staff numbers.

Ø No improvements in workload regulation.

Ø Maintenance of the current inadequate and opaque professional staff classification processes.

Ø A continued requirement that staff take their own disputes rather than having these pursued through the NTEU without direct involvement by the individual.

Be quite clear that what is on offer here is a very poor, much delayed salary increase. In return we are being asked to abandon any but cosmetic changes to the existing 2006 agreement. The additional million dollars offered on top of the percentage increases must pay for any return of conditions lost under the Howard Government industrial regime.

The unions are being asked to rank all the proposed changes to the 2006 agreement in order of priority, and the management will decide completely on its own terms how much they cost. If, for example, we put job security at the top of our list, and management costs that claim at over \$1 million, it couldn’t be done. The management framework is a quite transparent attempt to limit the number and scope of any union claims. In reality it is just an extension of the terms and conditions of the old inequitable agreement.

### **Flinders University of South Australia**

A new Draft Heads of Agreement dated 4 August has been received.

Salary increases are:-

1.40% from the first full pay period on or after certification

3.50% from 30 June 2010

3.5% from June 2011

In total the pay increase will be 10.5%, inclusive of the 2.1% increase paid from 3 January 2009. This equates to 3.5% per annum.

Staff have indicated that we should continue to bargain to get an offer that delivers a fair and just pay increase.

10 August 2009