

THE **campus backbone**

CPSU - UNSW Branch



THE **GENERAL STAFF UNION**

13th January 2010

CPSU Members' Bulletin

KNOW YOUR RIGHTS

Changes to Your Annual Leave

Howard's Legacy Lingers for UNSW General Staff

UNSW is now implementing new rules relating to General Staff Annual Leave, requiring General Staff to use all 20 days every year.

The Howard Government forced WorkChoices and HEWRRs* onto the Higher Education Sector, reducing working conditions & rights for General Staff.

The current *UNSW General Staff Enterprise Agreement 2006* was created under this environment and rights were forcibly stripped back in many areas, including Annual Leave.

The right to accumulate up to 50 days of Annual Leave was removed from the 2003 Agreement. The new 2006 Agreement worked in conjunction with the WorkChoices legislation to change the right to accumulate Annual Leave to 40 days. It has also provided the University with the right to introduce Forced Shutdowns using staffs' own Annual Leave.

The *Fair Work Act 2009* (FW Act) has now changed all this. It places a greater emphasis on bargaining at the Enterprise Level. The FW Act provides for Employers and Employees to agree on how Annual Leave and Shutdowns are managed.

The problem is, we still have an Enterprise Agreement that was designed by the HEWRRs and WorkChocies, now operating under the Fair Work Act.

Your Annual Leave Rights, What you need to know as of 1st Jan 2010

- ✗ No right to Accumulate *protected* Annual Leave (Leave that management cannot direct you to use)
- ✗ No limit on how much can be directed by university management
- ✗ No provision for UNSW to do another Forced Shutdown, but its not prohibited either
- ✓ The Right to be consulted about when & how you are required to take your annual leave
- ✓ The Right to have your wishes about when you take your Annual Leave *considered*
- ✓ The Right to have adequate notice when being required to reduce your annual leave
- ✓ The Right for a request by you to take your annual leave, to *not be unreasonably refused*

How Can I Control My Annual Leave?

The current Annual Leave Rights are in place until a new Agreement is finalised. In the meantime, try some of the suggestions below to maximize your control over your own Annual Leave.

- Plan your holidays early & talk to your supervisor informally about the best time to take your Annual Leave
- Submit your application(s) for Annual Leave as early as possible, before management directs to you take it
- Use your Right to have your application *not be unreasonably refused* by getting in first!
- If you feel that your application for Annual Leave is being unreasonably refused contact the your Local CPSU Delegate

*Higher Education Workplace Relations Reforms (HEWRRs)

What's Happening with Enterprise Bargaining and Annual Leave?

We need to negotiate with UNSW management to keep our previous Annual Leave entitlements. We are seeking the right to accumulate 40 or 50 days and a protection against any forced Shutdowns using our Leave.

This will be difficult to achieve because management are under pressure from the Vice Chancellor and the NSW Audit Office to reduce the University's Annual Leave Liability.

By far the largest increase in the Annual Leave Liability came from the impact of WorkChoices on the Academics' Agreement, preventing the University "deeming" or "directing" academics to be on leave every January.

General Staff do not have the same flexibility and independence that Academics have, due to the nature of our work. Therefore, General Staff need to be able to accumulate more Annual Leave to ensure fairness and equity between Academics and General Staff.

CSPU Members will need to work together this year and be smart about how we negotiate our new Annual Leave and Shutdown clauses.

We will also need to ask our General Staff colleagues for support to ensure we are successful in placing enough pressure on management to win our claim.

Your CPSU Delegates will be holding a Campaign meeting during February to plan to how to achieve our claims to protect our Annual Leave.

ALL CPSU MEMBERS WELCOME

Please RSVP to:

unsw@thegeneralstaffunion.org.au

And check your Annual Leave Balance from the 2009 Shutdown. Make sure you were debited correctly! If you were entitled to the 2 extra days, check at the end of January 2010.

You Can Help Now!

- Talk to your colleagues and ask them what they've heard about changes to Annual Leave and how they feel about it
- Give them a copy of this Bulletin and ask for their feedback
- Ask your colleagues to Join the CPSU and attend the Campaign Meeting in February. We are only as strong as our members!
- Let us know what is happening & how you & your colleagues feel about it

Send any information, comments, ideas and feedback to
unsw@thegeneralstaffunion.org.au

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