



15 January 2014

## **EB BULLETIN # 13**

This bulletin covers the bargaining sessions of 22 November and 16 December 2013.

Bargaining has been underway since May, with meetings on (mostly) a fortnightly basis and much of the discussion in broad terms on the principles underlying the positions of the University and the Unions. This has been a very useful dialogue in establishing a clearer understanding of the framework for the new Agreement. The time has come, however, for a closer review of the actual clauses that will give effect to that understanding.

As had been previously agreed, the Unions tabled currently proposed clauses prior to the 16 December meeting, with a caveat that in the course of negotiations other claims may arise.

In addition to clauses previously tabled during 2013, the CPSU on behalf of Professional Staff tabled new or revised clauses on:

- Technical Staff Review
- Family Violence
- Environmental Sustainability
- Recruitment
- Mature Age Workers
- Managing Change
- Classification Structure and Review
- Professional Development
- Grandparent Leave
- Union Rights
- Security Staff
- Allowances

We also gave notice that we are preparing a clause on Secure Employment, a complex area affected by recent legislative changes.

The NTEU tabled a suite of clauses for Academics and Teachers, including a clause on Union Rights and Resources.

The object overall was to advance the bargaining process by having as much as possible on the table for discussion as a package.

At the 16 December meeting Professor Parfitt on behalf of the University responded in broad terms to the claims and spoke on the budget constraints and costings.

I summarise my notes under various heads:

Performance Management issues – the University strongly denies the accusation that the approach is punitive. They seek clarity of process in an assessment against known and agreed expectations that will include informal and formal review and provide for inquiry into misconduct. They prefer the Inquiry Officer model but do not rule out a Committee based approach. The pilot begun in the latter part of 2013 will continue through 2014. CPSU noted that the language bears potentially negative connotations, and the phrase Lifting Performance might be more positively expressed as Enhancing Performance.

Academic Workload – a major concern of the NTEU. The University believes that universal prescription may not be the solution and that a flexible model consistent with performance expectations would better suit Faculties and Schools.

Categories of Employment – The University has budget and profile concerns about the current arrangements for conversion from casual and fixed term to more secure employment. They believe that longer term planning of workforce needs will remove the requirement for this adjustment process.

The NTEU's concerns about transition to PhD are accepted by the University and they will look at devising a process to accommodate this. A stronger reliance on staffing profile is expected to remove the alleged abuse of casual appointments. The proposed UoN Academy may resolve some employment issues for sessional Academics through a more consistent approach, and Teaching categories will be reviewed.

The CPSU is wary of any attempt to dilute the Categories of Employment entitlements, conditions, definitions and restrictions that have been negotiated and arbitrated over the last two decades.

Classification Structure and Review - In preliminary response to the Interim Report from the HEW Review, Professor Parfitt said the University is not averse to recalibrating the HEW levels to remove demonstrable inequities but faces budgetary obstacles in doing so. Some elements of the Review's recommendations may be able to be adopted as part of the total remuneration package, subject to further discussion in 2014.

The University also proposes a benchmarking of job functions per HEW level that will involve an external independent assessment process for classification.

Superannuation - the University regrets it has no capacity in budget to equalise the percentage of employer funded superannuation for all staff, but will continue to consider what changes might be possible, as part of a total package of remuneration outcomes from bargaining.

Professional Development – the University is not about to create a central pool of funds but it will track development spending carefully to improve transparency in reporting and ensure that the available funding is allocated fairly and effectively. The Consultative Committee agenda will be set to review and address staff development needs.

Organisational Change – the University wants to streamline the process but not at the expense of appropriate consultation. (Earlier drafts from the University had removed some iterations of consultation, including the Consultative Committee, so this news was particularly welcome to the CPSU.)

The University wishes to introduce some flexibility into the periods for redeployment, to provide for a greater range of training and outplacement initiatives without diminishing the overall package.

Leave Provisions – the University believes the provisions are already generous, within the sector, and will not make further provisions for new categories of leave, but will expand the range of matters that Personal Leave may be used for. The exception will be a new entitlement to Defence Forces Reserve Leave. Despite objections from NTEU the University will retain “deeming” of recreation leave for Academics.

Union Rights – the University does not agree to the claims by the Unions for a presence at inductions and greater access to contact new staff. It suggests other aspects of the claims may be addressed by strengthening the operation of the Consultative Committee rather than by specific new clauses.

A major element of the CPSU claim is for better recognition of the role of your elected delegates in the Branch Committee and some guarantee of release from normal duty to attend to essential Union affairs. This was not addressed by the University's response and will be discussed further in 2014.

Financial matters – the Federal efficiency dividend is still an unknown, and may still affect the budget for the latter half of 2014 into 2015. The University is committing to at least match CPI in pay increases and may consider a mix of flat rate and percentage increases as components of compensation for Professional Staff.

Other matters – the University sees some issues as being not applicable to an industrial agreement. These include Indigenous Employment Strategy, and matters of Sustainability, Health and Welfare – which belong as policy and procedure.

Journey Insurance - The NTEU's claim for the University to pick up Journey Insurance (deleted from Workers Compensation legislation in 2012) was rejected.

**Members are reminded that CPSU/PSA already provides this cover, but for CPSU/PSA members only.**

**ENTERPRISE BARGAINING DATES FOR 2014 – January to March**

Day/Date	Time	Room
Wednesday 29 January 2013	2:00 pm – 5:00 pm	Canberra meeting room
Thursday 30 January	2:00 pm – 5:00 pm	EF122
Tuesday 11 February	2:00 pm – 5:00 pm	EF122
Wednesday 12 February	2:00 pm – 5:00 pm	EF122
Tuesday 25 February	9:00 am – 12:00 pm	EF122
Wednesday March 12	2:00 pm – 5:00 pm	EF122
Thursday March 13	2:00 pm – 5:00 pm	EF122
Wednesday 26 March	2:00 pm – 5:00 pm	EF122
Thursday 27 March	2:00 pm – 5:00 pm	EF122

All parties have expressed a serious desire that the negotiation should conclude by March.

Read all our previous bulletins here: <http://psa.asn.au/university-of-newcastle/>

If you need more on any of these issues, or have some information or a point of view to communicate, please send an email to:

[Sue.Freeman@newcastle.edu.au](mailto:Sue.Freeman@newcastle.edu.au) and/or [rhunter@psa.asn.au](mailto:rhunter@psa.asn.au).

Ring Sue Freeman on (492)15929 or Ron Hunter on 92483370.

Yours in Union

*Sue Freeman*

CPSU Branch President  
and EB Lead Negotiator



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If you are aware of work colleagues who have not yet joined the CPSU/PSA please tell them about the work we are doing on behalf of Professional Staff, share this bulletin with them, and urge them to join the Union and strengthen our voice at the negotiation. Join here: <http://psa.asn.au>

