

COMMUNITY AND PUBLIC SECTOR UNION

STATE PUBLIC SERVICES FEDERATION (SPSF) GROUP - NEW SOUTH WALES STATE BRANCH

UNIVERSITY OF NEWCASTLE

Ron Hunter, Organiser
Floor 3, Suite 1, Devonshire House, 406-408 King Street, Newcastle West, NSW 2302
Phone 61.2.92200900 Fax 61.2.49294798 Mobile 0419 980 503
Email rhunter@psa.asn.au



THE
**PROFESSIONAL
STAFF UNION**

EB BULLETIN # 15

19 February 2014

ENTERPRISE BARGAINING DATES FOR 2014 – March to May

Our hope of concluding by end of March was unrealistic. The University has now set further meetings.

Day/Date	Time
Tuesday 25 February	9:00 am – 12:00 pm
Wednesday March 12	2:00 pm – 5:00 pm
Thursday March 13	2:00 pm – 5:00 pm
Wednesday 26 March	2:00 pm – 5:00 pm
Thursday 27 March	2:00 pm – 5:00 pm
Wednesday 9 April	2:00 pm – 5:00 pm
Thursday 10 April	2:00 pm – 5:00 pm
Monday 28 April	9:00 am – 12:00 pm
Tuesday 29 April	2:00 pm – 5:00 pm
Tuesday 13 May	2:00 pm – 5:00 pm
Wednesday 14 May	2:00 pm – 5:00 pm
Tuesday 27 May	2:00 pm – 5:00 pm
Wednesday 28 May	2:00 pm – 5:00 pm

This bulletin covers the bargaining sessions of 11 and 12 February 2014.

The Agenda was carried over from the previous sessions, the issues being contentious and needing resolution:

- Performance Review and Development
- Unsatisfactory Performance
- Voluntary Separation, Redeployment and Redundancy
- Categories of Employment

In addition several clauses tabled by the NTEU were also discussed:

- Parental Leave – revisions to provide equal benefits where both parents are employees
- Environmental Sustainability
- Special Studies Programs for Academics
- Annual Leave for Academics
- Early Career Development for Academics
- Scholarly Teaching Fellows for Academics

Performance Review and Development

Major concerns continue to be with the University's intention to move the Performance Concerns process into PRD, and with the responsibilities to be devolved to the new role of PRD Mentor – the University explained there is no "mentoring" involved in the role, so we questioned the appropriateness of the title. The link between Performance Concerns and Unsatisfactory Performance was discussed further, with PSA/CPSU insisting that there should be lowest level resolution of any concerns and an ability to finalise a matter without escalation to other processes.

The University will review its draft for further discussion at the 25 February meeting.

Unsatisfactory Performance

The University's proposed clause continues to be unsatisfactory, with the deletion of the Committee of Inquiry and substitution of an Inquiry Officer. The University indicated these were key elements of its bargaining platform. PSA/CPSU indicated we would welcome a readiness on the University's part to investigate other arrangements that would meet our expectations. We voiced our willingness to map out a middle ground on the issue.

The University is invited to respond to this suggestion.

Voluntary Separation, Redeployment and Redundancy

The University had drafted a clause for Academics, but to date has not produced clauses for Teachers or Professional Staff. The main changes were to the redeployment period, which the University proposes to reduce to "up to six weeks" [remember it is currently 6 months for Professional Staff] supplemented by a transition plan aimed at assisting staff with skill acquisition and outplacement – to avoid staff waiting unsuccessfully for 6 months for redeployment. This was quite concerning – plainly unacceptable as proposed.

PSA/CPSU suggested on behalf of Professional Staff that the 6 months period could be retained with the transitional program optional at any point during the redeployment. The University will consider the suggestion. PSA/CPSU also pointed out that the job market here is limited, the nearest other universities are in Sydney, and in any case staff are often so depressed by becoming "excess to requirements" that it takes more than six weeks for them to start to deal with the situation. We also drew the University's attention to recent case history in which Fair Work took a very broad view of an institution's ability to redeploy. The matter will return when the University completes its drafting.

Categories of Employment

The University heard our objections and insisted it is not their intention to change the onus of proof for refusing conversion from insecure to more secure employment. We noted that conversion exists primarily as a remedy for appointments that had been made to the wrong category in the first place, and our focus will be on correctly categorising work prior to appointment. The issue is all too often bound up with other factors, and for Academics different criteria do apply, but for Professional Staff this is strictly an issue of correct identification of the nature of the work available. The University acknowledged this and will consider how the clause might be redrafted.

Environmental Sustainability

The University views this as a matter for policy, and considers it an area in which they are already proactive. NTEU was challenged to demonstrate the industrial implications which would justify inclusion in an Enterprise Agreement.

Parental Leave

The University responded that Partner Leave is currently available and the existing provisions are generous in the sector.

Special Studies Programs for Academics / Annual Leave for Academics / Early Career Development for Academics / Scholarly Teaching Fellows for Academics

These NTEU agenda items have nothing to do with Professional Staff.

Salary Structure

PSA/CPSU noted that the assumption is that the pay increase will be a % increase, but that this is not the only way an increase can be structured. Would the University be open to other ideas? From our point of view, the University has an opportunity to act on the recommendations of the HEW Review (Cl. 70 of the 2010 Agreement) to address structural inequities in the pay system. It also has other means of addressing the issue of low paid workers, for example through a mix of \$ amounts added to salary along with % increases. The discussion should not be restricted to % increases but should touch on classification structure as well. On behalf of the University the Director of People and Workforce Strategy said she would be happy to explore those alternatives. No modelling has been done, as we first need to have the conversation about the type of modelling.

NTEU withdrew at this point to caucus. They returned to report that they will not discuss pay until there has been further discussion of the University's financial position. The University said the proposed discussion would not be about quantum at this stage, rather it would be about pay structure. It was agreed that this could occur at the 12 March meeting.

NEXT BARGAINING SESSION: Tuesday 25 February 9.00 am – 12.00 md EF122

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 and/or rhunter@psa.asn.au.

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

Yours in Union

Sue Freeman

PSA/CPSU Branch President
and EB Lead Negotiator



If you are aware of work colleagues who have not yet joined the PSA/CPSU 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>
