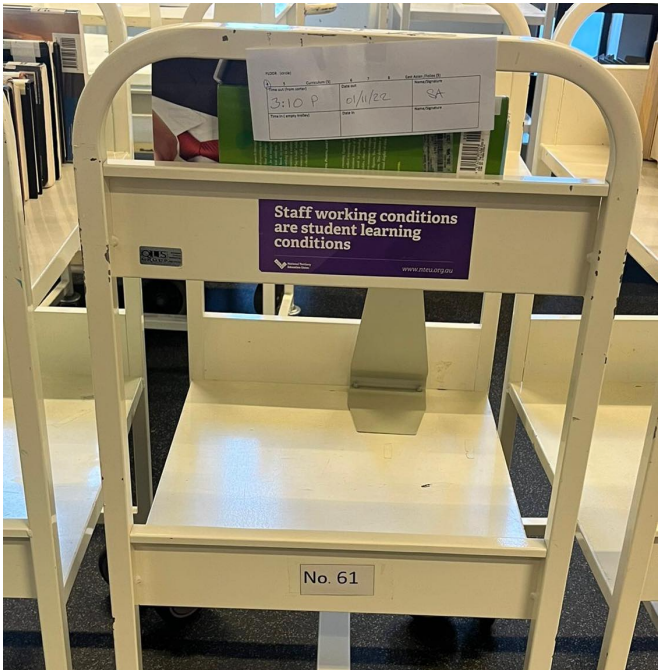


# Professional staff and new bans - we are all part of this

Discussion about a new Protected Action Ballot (PABO) has centred on flat marking that can only be done by teaching staff. Marking bans have potential to disrupt key aspects of university operations - producing credentials - and can be a strong tool for our campaign. But we must only undertake marking bans if we are prepared to strike as a whole union if any member is targeted as a result of undertaking the ban. This protects us from stand downs and other forms of victimisation that university managements have mounted on other campuses to undermine union action. So the threat of an immediate strike of all staff needs to go hand in hand with marking actions.

The Branch Committee motion today also includes the creation of a working party to investigate other bans that would involve professional staff like email bans and forms of work-to-rule. New bans give us tools to ratchet up pressure because union members run this institution and we can shut it down!



Meet Wheely Sue: A staunch library comrade

## Strike for a REAL Pay Rise

Australian Catholic University (ACU) have just signed their EBA with a 14% pay rise over 3 years (4.6% a year). Inflation is already at 7.3% this year. The settlement represents a massive pay cut for ACU staff. Staff lost pay and 40,000 people were cut from universities during COVID. After these sacrifices all university staff deserve and need a pay rise that keeps up with the soaring costs of living. Food prices are outrageous, power bills are crippling, and are forecast to rise another 50% in the coming year. Yet across the economy corporate profits are at record highs. Working people sacrificed and suffered during COVID, and now we are again expected to go backwards. Strikes among nurses, teachers, railway workers and many more show how people are fighting to defend their earning power.

We need to commit to fighting until we win a pay increase of CPI+1.5%. This is going to take more strikes and escalating action. For casual staff and many professional staff winning a real pay rise means being able to afford our power bills and rent. But USYD can easily afford this. This year it was revealed USYD has a staggering \$1 billion dollar surplus, and the Vice Chancellor Mark Scott is paid \$982,800. This obscene wealth comes from the work we do. Lets force USYD to fund a genuine pay rise is for staff, not another yacht for the VC!



### Call out for next issue and contact RAFA

Do you have a report from your workplace area at the University of Sydney? RAFA would love to hear from you. Let us know the challenges you face, the types of conversations you and your colleagues are having, and your ideas to take the struggle forward by writing to: [rafausyd@gmail.com](mailto:rafausyd@gmail.com), contact us on Facebook, Twitter or Instagram, or call Jean on 0449 646 593.

# Rank and File Action Bulletin #4



## Vote for new escalating bans and a 24hr strike in Week 3 2023

### Branch Committee motions

#### Motion 1 - strike action in week 3 of S1, 2023

The branch calls **EITHER:**

(a) a strike of at least 24 hours' duration in week 3 of semester 1, 2023, for which a meeting early in 2023 will set specific demands. The decision as to whether an acceptable agreement has been reached will be made by members at a meeting early in semester.

**VOTE YES!**

OR

(b) a strike of at least a week's duration in week 3 of semester 1, 2023, for which a meeting early in 2023 will set specific demands.

**Vote NO!**

#### Motion 2 - extending our industrial options

The branch (a) votes to initiate a second PABO early in 2023 to expand the range of industrial options available to us, in order to include at least marking (transmission of results) bans, work to rule, flat marking, and stoppages of between 5 minutes and 24 hours (b) establishes a working party to identify further options for the PABO

This leaves us with no choice but to continue our campaign for as long as necessary, including into next year.

**VOTE YES!**

This meeting is the last chance we have this year to send a strong message to management that we can match their obstinacy with our resolve. We need to ensure that Mark Scott and Annamarie Jagose understand that we will not accept an agreement that fails to deliver a **real pay rise**, the preservation of the **teaching-research nexus**, an end to the several exploitative aspects of **casual contracts**, the **creation of 800 jobs** to address casualisation and overwork, and an **enforceable First Nations jobs target**. We need to show management that we will deepen and broaden our industrial campaign into next year until such an agreement is met.

The strikes we've held this year have forced management to the bargaining table and secured us key improvements (including defending against the attack on workload committees, and new entitlements for flexibility around working from home). Strikes will be necessary next year if we are to have any hope of achievement agreement on our major demands.

But waging and winning another Protected Action Ballot (PABO) that includes a range of new potential industrial bans gives us an expanded toolkit to hit management where it hurts and win in 2023.

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# Bargaining update: We need to keep up the fight

We are a long way from a fair agreement! Management have not withdrawn their attacks on:

- professional staff internal hiring rights at HEO 8-9
- 40/40/20 academic workloads
- removing cap on EFR expansions

We have no agreement yet on:

- improved casual conversion rights
- ending wage theft
- sick pay for casual staff
- improved job security and change management
- 800 new jobs for decasualisation with fair access for casuals
- fair workloads and conversion rights for EFRs
- 50% minimum of academic staff in 40:40:20 roles.

And we still don't have a pay offer, let alone one above CPI!

Strikes have successfully brought some of our biggest wins, including stopping the attacks on workload committees, forcing the offer of 300 jobs (though this is insufficient and with bad access for casuals), management walking back the principle that no casual can ever be given a 40:40:20 job, and saving internal professional staff rights at HEO 1-7 (though not level 8). We're having a genuine impact. There's no way we'd be where we are now without the concerted effort and organising of union members. Thanks to everyone who has brought us this far, and to every new and old member who has stuck with the campaign.

We need to keep up the pressure into 2023 if we want to make serious improvements to our contracts, and stand for decent education.

## The new front: Taking on Zoom strike-breaking

When Management directed staff to teach online in an attempt to weaken the efficacy of our strike, they opened up a new front in our industrial campaign. In response, the NTEU Sydney Uni branch campaigned against Zoom classes as strikebreaking, whilst student supporters led a push to extend picketing online for the first time.

From our first strikes in May, management made it clear that they would be using Zoom classes and work from home protocols developed during the pandemic to undermine our strikes and picket lines. So while the physical campus was shut down in May, there was a feeling that in some cases classes and meetings had simply moved online.

In response, student groups mobilised to disrupt scab Zoom classes during the August 17 strike action. This enabled them to test new forms of picketing – virtual picketing – and to take the struggle online. Inspired by the 'roaming pickets' on campus that disrupted and shut down classes during the strike, the students collected a list of scheduled Zoom classes, then logged on and disrupted them. Frequently that disruption was undertaken on the physical picket lines, with students and staff interrupting the classes as they chanted and spoke live from their positions on the pickets. As a result of these actions at least one class was cancelled.

Infuriated, management sent disciplinary letters to the online picketers, accusing them of misconduct. Both students and staff mobilised to defend those students. Students launched a campaign with the slogan "Wage theft is a crime, Zoom picketing isn't", along with a petition in support of the accused, which was signed by many students and staff. The USYD NTEU Branch Committee also passed a motion in support of the students and condemning the disciplinary action that noted *"As a part of our picket protocols, union members are expected to stop students and staff and explain the importance of our campaign and why they should respect the picket line and help us win a better quality of education and fair working conditions."*



*The fact that this student entered a Zoom class and attempted to explain the importance of our demands is no reason to silence them."* The combined pressure resulted in the disciplinary proceedings being dropped and the Zoom picketing tactic receiving increased interest and popularity.

Having been pioneered during the Aug 17 strike, the scope of the Zoom disruption campaign was greatly expanded for the Oct 13-14 strikes. In the weeks before the October strike staff campaigned to stop colleagues teaching online, and get them to join the union and strike. Students put up posters calling on students and staff to supply links to any scab Zoom classes to an online form, successfully eliciting many more links than the last strike. Clearly rattled, management sent emails to staff in the lead-up to the October strike with instructions on how to prevent "Zoom bombing."

On the strike days, a group of 15 students used the Zoom links they had gathered to join Zoom classes one at a time, disrupting them with speeches and chants from the physical picket line. (cont. next page)

If a student was removed or muted, another would then join the same Zoom class, continuing the disruptions.

These actions led to around 10 classes being cancelled. The novelty of these tactics has generated media interest, with largely sympathetic articles published in The Australian and in The Guardian.

The Zoom disruption campaign shows that solidarity is

## Marking bans and flat marking: Widening our tactics for 2023

After fifteen months of bargaining, there is still a great deal of distance between management's position and our core claims. We must, therefore, send a strong signal to management that we intend to intensify and broaden our industrial action campaign across the end of this year and into Semester 1 of 2023. We must continue to grow our membership – now one of the fastest growing branches in the country – and to deepen engagement across our campaign.

Adding marking bans and flat marking to our industrial action toolkit will help achieve these aims. The prospect of any disruption to grading is a serious concern for management – even just voting up a Protected Action Ballot would provoke anxiety for Scott and Jagose. We've seen in the UK the incredible success of marking bans—alongside strikes and pickets—in defending and expanding working conditions and pay.

Marking bans were a complementary tactic to strikes and pickets for the NTEU from its founding until 2013. Lecturers and tutors refused to release grades through University systems for a defined period of time, disrupting a wide array of administrative processes including enrolments, course transfers, and more. Accompanied by admin bans by professional staff, this would gum up the works of the whole University.

Flat marking, on the other hand, is a novel proposal that would see lecturers and tutors grade all assessments at a single, 'flat' grade – ideally, a HD grade. Inspired by the 'ungrading' pedagogical movement, a flat marking tactic disrupts the University by rendering course grades illegible to management and administrative functions. Such a tactic would provoke widespread conversation, enhancing our ability to recruit members, and would likely be popular amongst students.

These tactics can work well in concert. A flat marking campaign might begin partway through Semester 1 2023 (after some advertising and recruitment in the first part of semester), followed by a marking ban on the final exam results at the end of the semester. (Somewhat amusingly, we can even refuse to release grades and then grade them with flat marks when we do release them.) This enables us to build smoothly from the one tactic to the other and grow our union along the way.

It is critical that these tactics are seen as complements to strike action. Any attempt to represent these as substitutes or alternatives must be rejected. Ongoing tactics like flat marking and work bans will strengthen our union's day-to-day industrial presence, forming a critical avenue for engaging members and staff who may not be willing to strike or picket. The concentrated disruption of strikes and pickets is, therefore, strengthened by such

our greatest strength, in this case solidarity between staff and students. If we take action together, but with a fair assessment of the relative advantages of our positions, even hostile environments like management-controlled Zoom classes are ours. We are the University!!



tactics – and the collective experience of strikes and pickets provides a necessary political fortitude for unionists engaged in flat marking and bans.

There are some conditions that must be attached to both tactics. First, despite some repeated myths, marking bans or flat marking are not illegal forms of industrial action. In 2013, the Fair Work Commission did order suspensions of marking bans at Swinburne University on the basis of student welfare. (Flat marking, meanwhile, is wholly untested by the FWC.) From our research, it appears that this decision was the major turning point in the NTEU's use of marking bans. But the FWC, in its ruling, described the case as "one that is on the borderline." In order to sustain these actions, we would need to carefully calibrate an exemptions regime that permits the release of grades in such a way that ensures that no part of the student population is harmed. This is a technical task, and one that we can readily resolve.

Second, university management are likely to respond strongly to marking bans or flat marking. This could involve the suspension of pay for staff involved in the action, as happened in 2012 to staff at UNSW. It is therefore critical to ensure there is financial support, through our own strike funds and the National Defence Fund. We must also make sure that as many of us as possible commit to marking bans and flat marking because leaving it to only a few to engage in these tactics would leave them to bear the brunt of management's retaliation alone. Crucially, we must be willing to take immediate strike action in response to any adverse reaction to these tactics by the University. For instance, if management suspends the pay of members involved in flat marking or marking bans, we will go out on strike in defense of our membership until management withdraw any threats to pay.

Our campaign is a fight for everyone at this University, and one that management has intransigently opposed. Deepening and extending our campaign by adopting marking bans and flat marking is a critical step towards escalation. Ours is a righteous fight, and one that we can win. Let's get on with it.