

What's wrong with the deal?

Sophie Cotton

We believe the biggest two reasons to vote no to the deal are management's attacks on pay and Education Focused Roles (EFRs). The third significant issue of casualisation is covered elsewhere in the bulletin.

On pay, we should be proud of forcing management to give us an 18.2 per cent pay rise over 2022 to 2026. However this is tempered by the fact that the latest May RBA forecast puts predicted inflation over that period at around 19.2 per cent to 20.3 per cent.

This means that even out to mid-2027, we will still be lagging behind our 2021 real pay by 1.8 per cent. Even after their newly announced \$300 million budget surplus, Management still refuse to meet inflation and stop staff going backwards.

Management's \$2000 bribe is a survival payment. After a year of unprecedented real wages decline, many staff will need it to make ends meet. But it comes at the expense of future pay, and there's no suggestion we'll continue getting survival payments in subsequent years..

And on EFRs, Sydney Uni is currently below the sector average in its reliance on EFRs with around 10% of ongoing teaching staff compared to the 15.9% average. But now management for the first time has the right to blow this out to one of the highest in Australia!

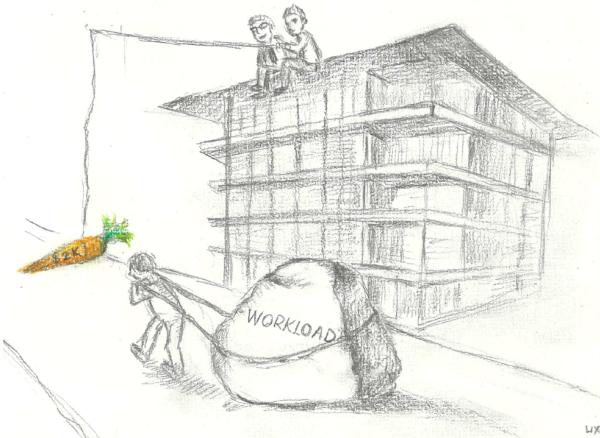


Illustration by Wendy Xin



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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, contact us on Facebook, Twitter or Instagram, or call Jean on 0449 646 593.

Rank and File Action Bulletin #10

June 9, 2023

Vote No and Prepare to Fight On!

In the past 18 months we've been at the centre of one of the most vibrant enterprise bargaining campaigns the union has ever seen, breaking NTEU records with 750 person member meetings and 9 days of strike action.

This energy needs to continue into semester two and beyond.

We should be proud of the important wins of our campaign, like sick pay for casuals, defending 40:40:20, increasing management's pay offer, 20% decasualisation, 330 new academic jobs and professional staff redeployment and work-from-home rights.

But there are clearly also significant attacks that management has got through.

- The 18.2% pay rise will **still leave us 1.8% behind inflation** since 2021 out as far as June 2027.
- The possible **tripling of the education focused workforce** is a huge structural transformation in the nature of academic work, leaving these workers with unbearable workloads and poor rights to convert to 40:40:20.
- And the casuals who miss out on the new jobs will still ultimately be living on insecure and exploitative contracts.

Given this, we are advocating a **no vote** on the upcoming Enterprise Agreement.

And most importantly, we are calling on members **not to demobilise** but to strengthen union organisation in every way.

No matter which way the vote goes, this approach will be essential moving forwards.

Even if the new Enterprise Agreement is voted up, a strong minority no vote will be a signal to management that union members will not go down without a fight, and remain prepared to contest management on workloads, pay, and job security. Going forward, we will need a powerful enforcement campaign with local organising and union membership growth. An agreement is only ever as good as the power of union members to enforce it.

And if the Enterprise Agreement is voted down, we will need to grab the opportunity with both hands. We will need to be prepared for everything management will throw at us, scare-mongering, an onslaught of aggressive Jagose emails, and a likely non-union ballot or compulsory arbitration. These attacks will need a strong and mobilised union branch to fight them back. And with universities in Melbourne, Canberra, and WA moving into action, there is exciting potential to build the kind of national fight that could win the structural transformation of our sector that we desperately need.

Vote no, and prepare your colleagues to fight.

Now is not the time to lose momentum. The enthusiasm and energy of the last 21 months are our greatest weapon and one we cannot afford to lose.

Stay in touch
and get involved!



Bulletin contents

- **Vote No and Prepare to Fight On!** front page
- **What's wrong with the deal?** back page
- **Non-Union Ballots and Arbitration** page 2
- **Why Academic Casual Staff Should Vote No** A4 insert

Non-Union Ballots and Arbitration

Benjamin Lasker

In the face of ongoing attacks on worker's rights, it is critical that we continue the fight for the heart of the university. As unionists, it is incumbent on us to consider the risks of continuing the fight.

In previous members' meetings, we have been asked by our fellow unionists to consider these risks, most notably those of a non-union ballot (NUB) and arbitration before the Fair Work Commission. It is likely that they will ask us to consider these again at the upcoming members meeting and argue that we should accept the deal offered by management.

While these risks are serious and should be discussed, they do not merit demobilising our campaign for a fairer university.

On non-union ballots

The first risk that we have been asked to consider is the threat of losing a non-union ballot. The argument put forward by the NTEU leadership and conservative NTEU members is that losing a non-union ballot is an unacceptable risk for the union because it would delegitimise the union's role in future bargaining rounds and undercut any gains we may have currently won. Let us take the opportunity to consider the chances of losing such a non-union ballot.

After 18 months of industrial action and 9 days of decisive strike action in the face of a hostile university management, Mark Scott and Annamarie Jagose have not called a non-union ballot despite Jagose's frequent allusions to it. If management thought that they could win a non-union ballot easily, then they would have called one by now.

We should not underestimate our ability to fight a non-union ballot and win.

As to the substantive part of this argument—that losing such a non union ballot would delegitimise the union—this is not clear either. Losing a non-union ballot would be a blow to the union. But as with the no vote, a strong stance against this deal in a non-union ballot will be a signal to management that we will not go down without a fight. More importantly, it will be a signal to our fellow workers that we are willing to fight for better working conditions and a fairer university.

Surely this is a strong foundation for building our union!

On arbitration

The argument here is that we would be subject to the "intractable bargaining determination" if we continue campaigning, leading to a judgement from the Fair Work Commission (FWC) that may erode our working conditions due to the FWC's intention to hold agreements to so-called "community standards" (the current standard practices in the industry in question).

But as we have argued previously, this is untested legislation.

Firstly, it is not clear that the University would wish to go through this procedure.

Secondly, it is not clear that we would be found to be in an intractable dispute. This would require the FWC to judge that there is "no reasonable prospect of an agreement being reached." Our dispute has seen regular negotiation over the bargaining period with progress on key issues for our membership (backed up by strong strike action, of course!). Neither of these facts point conclusively towards this conclusion.

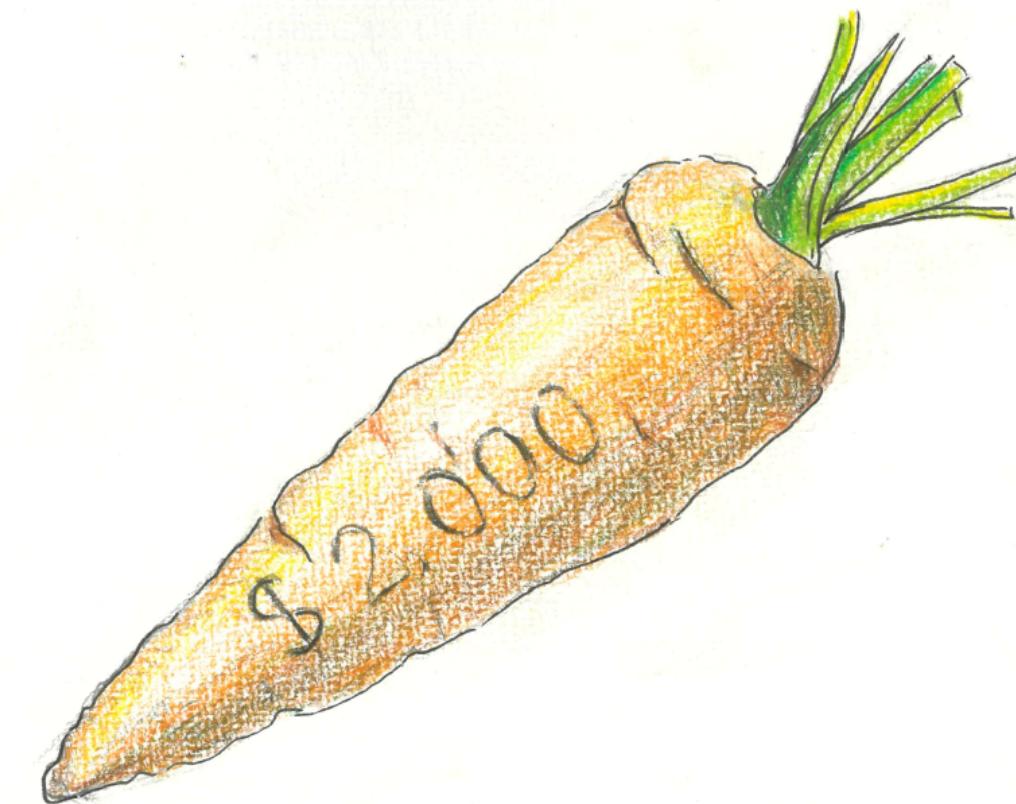
And finally, even if the University decided that it wanted to go through this procedure and even if the Fair Work Commission did find that we were in an intractable dispute, it is not clear that this would automatically result in an erosion of our working conditions beyond that which is contained in the deal that we are being asked to consider. Jagose's emails have spelt out what has been agreed to and it remains to be seen that an industrial court would be willing to take these off the table at arbitration.

Of course, the situation has changed since we last discussed the threat of arbitration. The new IR laws have come into effect, making the potential threat of an intractable bargaining determination more palpable. But as with the threat of a non-union ballot, we should be careful not to overstate the risks and downplay our ability to respond to them.

Unionism is not without risks!

These risks above are serious and should not be taken lightly. But it is important that we consider these risks appropriately. We do ourselves a disservice by assuming the worst and downplaying our ability to navigate these risks appropriately.

As one of the strongest NTEU branches in the country, we are well prepared to face these risks. We should be prepared to vote no and to send a message to Mark Scott, Annamarie Jagose and NTEU branches across the country that we will not acquiesce; not now, not ever.



Ceci n'est pas une payrise.

Illustration by Wendy Xin



Illustration: 'EPR Ward' (submitted by Julian Wood)

What's the price of the \$2k bonus?

- 70% workloads for Education Focused staff.
- A blowout in EF roles.
- An average real pay cut of 4.2% agreement to agreement.
- No guarantee for First Nations parity
- Lost internal advertising for HEO9 and above