

## **QUESTION AND ANSWER – NTEU INDUSTRIAL ACTION**

**(updated 1.00 pm Wednesday, 23 September 2009)**

### **I'm an NTEU member. If I go on strike, will I still get paid?**

The *Fair Work Act 2009* prohibits the University from paying employees in respect of any stop work action and also provides for a reduction in payments to staff where partial work bans are put in place. Employees who participate in the 24 hour strike on 9 September will forfeit a full day's pay.

### **What happens if I participate in work bans for some specific activities?**

These are called "partial work bans" under the *Fair Work Act 2009*. The University will identify what percentage of normal work will not be undertaken because of these bans and then deduct this percentage of pay from a participating staff member each day until such time as the NTEU advises that the ban has ceased.

### **I'm not a union member. Can I still strike?**

No, you cannot take protected industrial action if you are not a member of the NTEU.

### **Can't I just take annual leave that day?**

The University cannot legally approve annual leave for the purposes of participating in the strike.

### **What if I'm sick on that day and can't come to work?**

You will need to meet the requirements of UNE's current Workplace Agreement (clause 27), which include notifying your supervisor or other senior person as soon as is practicable, stating the estimated duration of your absence.

### **What if I need to take family and community leave?**

You will need to meet the requirements of UNE's current Workplace Agreement (clause 29), which include informing your supervisor as soon as is practicable, stating the nature of the leave requested and the estimated duration of the absence.

### **How will the University or my manager know if I'm on strike?**

Employees who take industrial action on 9 September 2009 are required to submit an advice form to Human Resource Services by close of business Friday, 11 September 2009, confirming that they were on strike. This form can be found at: <http://www.une.edu.au/hrs/eb/industrial-action-advice.doc> .

### **Why doesn't UNE just agree to the NTEU's demands?**

UNE believes the positions put to the Union are fair, equitable and transparent. In considering any potential agreement, the University needs to consider a wide range of factors, including the needs of staff and students and the ongoing financial health of the University. UNE is still pursuing a reasonable negotiated outcome.

### **Why has enterprise bargaining taken so long?**

Actually, enterprise bargaining at UNE has been progressing steadily, and UNE is the most advanced NSW university in EB negotiations. Since September 2008, the University has been meeting and communicating regularly with the unions to negotiate various conditions. The University provided both unions with "without prejudice" final settlement offers for new enterprise agreements back in July. Agreement may be close for a general staff and ELC teachers enterprise agreement, with the CPSU advising that it will take that agreement to its members for endorsement on Wednesday, September 9.

### **I'm a supervisor. How do I know who is going to be on strike, and what can I do to prepare my area to keep running through the strike?**

You could ask your staff ahead of time if they intend to strike so that you can have some indication of what the impact may be. You cannot compel them to tell you they will be going on strike in advance but it would be hoped that employees would be prepared to assist in plans you may need to make particularly to inform students of any changes for that day. As to how you prepare, this is difficult to answer because the impact of the strike will vary from area to area. If you, as the supervisor, find yourself without sufficient staff to undertake the core functions in your area, you will need to speak to your manager so that arrangements can be made to cover any critical functions. This may mean getting assistance from staff from another area who are willing to help out. You should certainly ensure that students and other employees are informed as soon as possible of any changes to scheduled arrangements.

**IF YOU HAVE ANY OTHER QUESTIONS, PLEASE EMAIL:**

[ebatune@une.edu.au](mailto:ebatune@une.edu.au)

**WHICH WILL BE ANSWERED AS SOON AS POSSIBLE BY ONE OF UNE'S EB NEGOTIATING TEAM. WE SHALL ALSO PUT UP NEW QUESTIONS AND ANSWERS BASED ON THOSE WE RECEIVE.**