

**From:** une-official-bounces@une.edu.au [mailto:une-official-bounces@une.edu.au] **On Behalf Of** Vice-Chancellor and CEO  
**Sent:** Wednesday, 1 July 2009 1:28 PM  
**To:** une-official@une.edu.au  
**Subject:** [une-official] Enterprise Bargaining

Dear Colleagues

### **Enterprise Bargaining – Threat of industrial action by NTEU**

I have been very pleased with the collegial atmosphere and strong progress made towards the resolution of Enterprise Bargaining as a result of meetings between the University team, NTEU and CPSU. From the University perspective, we recognise that there are now only a small number of matters left to agree, notwithstanding that these are important ones, and it is our hope that we will complete negotiations quickly.

A change in the bargaining process seems to have occurred recently however and it now appears that NTEU is to seek a ballot for Industrial Action. From the University's perspective we believe that it would be a shame if negotiations were disrupted by industrial action.

The issues raised by NTEU in seeking a ballot for Industrial Action require some comment.

1. The University has bargained in good faith and has upheld all the commitments it has made to both unions during bargaining. In relation to a 'comprehensive live document', all parties have all of the current status of all clauses and so there has at no time been any impediment to any of the parties bargaining towards a successful outcome. Bringing all clauses together into a 'comprehensive live document' is not an easy task as the clauses are complex, include the history of 'track changes' and change after each meeting. However, the University will shortly be able to provide the updated 'comprehensive live document' reflecting all changes to both unions and after this major effort, will be able to update the document incrementally. NTEU would of course be welcome to take on this task itself should it wish. Please see my response to previous NTEU letters through the [Enterprise Bargaining web site](#).
2. In terms of commitment to completing the bargaining process, the NTEU reduced the number of days for bargaining from 2 days per fortnight to 2 days per month, the University stated its objections and discussed options, but in the end, the University has had no choice but to agree to this even though we would have preferred to have met more frequently in order to finalise the process.
3. The NTEU has cancelled a number of the agreed bargaining days when one member of their team could not attend; the University has not cancelled any agreed bargaining sessions even though on some occasions some of our EB team were not available.
4. The NTEU has advised the University that it will not agree to a new agreement before 1 July 2009 as this suits their national agenda. The University remains committed to coming to an agreement in the shortest time possible.
5. In terms of drafting clauses which form the basis for negotiations, the University has provided more draft clauses to the NTEU than the NTEU has provided the University.

6. Prior to 25 June the NTEU requested a meeting with the University to discuss a 'final settlement' which the University agreed to hold in good faith to reach a final agreement on 1 July 2009 having been led to believe by the NTEU that they wished to achieve a speedy resolution to bargaining without industrial action being necessary.

In relation to other specific points raised by NTEU:

- a) Sick leave – there has been a great deal of discussion on this but the University and NTEU still have different positions;
- b) Workload – there has again been much discussion of workload but the University and NTEU have different positions;
- c) Salaries – NTEU seeks 20% over 3 years the University has offered 9% over 3 years;
- d) Higher Duties Allowance – this is not an issue for academics, for General staff the CPSU has proposed such a clause and it is being discussed;
- e) Grievances – the University has drafted this clause and the NTEU only responded for the first time on Monday 29 June;
- f) Appeals/Review Panels – form part of the misconduct and unsatisfactory clauses where agreement appears to be very close;
- g) Workplace Change – the University drafted this clause and the NTEU is yet to reply to the latest version;
- h) Misconduct/serious misconduct – there are three outstanding issues but this appears to be very close to agreement ;
- i) Unsatisfactory Performance – there are two outstanding issues, but this appears very close to agreement;
- j) ELC classification and salaries – after waiting some months the University received this claim at our last ELC teachers meeting on 2 June, the University will respond at our next meeting on 6 July;
- k) Disputes – this was verbally agreed by the University and NTEU on 16 June;
- l) Family and Community Leave – is close to agreement;
- m) Indigenous Employment – the University has consulted with Oorala but the NTEU has a national agenda on this point.

Again, from my perspective the University team has been undertaking EB negotiations in good faith and attempting to reach a settlement as quickly as possible. We remain committed to this course of action and would be disappointed to see industrial action disrupt progress towards an agreement.

With best wishes

Prof Graham Webb  
Acting Vice-Chancellor