

# NTEU Bargaining Strategy Pays Off

## HEWRRs funding comes through for 16 institutions

**A**t the very end of February, new Federal Education Minister, Julie Bishop, announced the first group of universities which had been found to comply with the *Higher Education Workplace Relations Requirements (HEWRRs)*. This secures their existing Commonwealth funding for 2006, and vindicates the strategy adopted by NTEU since the HEWRRs were announced in April last year.

At the same time, the Union has been able to achieve the nearly all of the key bargaining outcomes it was seeking at the beginning of the ‘fourth round’ in 2003. Our ‘State of the Board’ table (*see pp.10-13*) sets out those gains, and the outcomes achieved in response to the HEWRRs.

### NTEU’s Original 2003–2006 claims

Before and since the HEWRRs, the Union has pursued a series of improvements for members at all universities. These included:

- A minimum 15% pay increase by June 2006.
- A minimum 26 weeks’ paid parental leave or equivalent.
- Caps or limits on casual employment.
- Enforceable/improved general staff classification arrangements.
- An Indigenous employment strategy.

These outcomes have been achieved at nearly all institutions prior to the HEWRRs.

### HEWRR-compliance claims

The HEWRRs were announced in April 2005, and the details have been widely reported in NTEU publications. For detailed information, visit [www.nteu.org.au/campaigns/higheredatrisk](http://www.nteu.org.au/campaigns/higheredatrisk).

In brief summary, HEWRRs required:

- No limits on the use of fixed term contracts and casual employment.
- All staff to be offered AWAs and that these override Agreements.
- No direct union involvement in disputes and workplace consultation and in the appointment of discipline and review committees.

In response to this, the Union adopted a new set of claims to protect members against the worst aspects of the HEWRRs:

- Extending or making new Agreements until 2008, with wage rises of around 22% for 2003–2008.
- An enhanced severance regime for fixed term contract staff, along with rights to convert to continuing employment in some cases.
- A genuine choice between an AWA and the collective agreement, plus a right to appoint a bargaining agent.
- Elected staff/union committees to supplement union representation and carry out important functions previously carried out by the Union alone.
- The modification of review and appeal rights concerning redundancy and termination, to retain these while keeping them HEWRR-compliant.

The Union has managed to achieve all of these outcomes at the great majority of institutions, in the batch of enterprise agreements which had to be negotiated, under the HEWRRs, by 30 November 2005. Unfortun-

ately, at the University of Ballarat, the management refused to negotiate an agreement with NTEU and took the risk of attempting to get a non-union agreement approved at a staff ballot. On both occasions they were defeated, and the University has missed out on its full funding for 2006 (*see p.15*).

At the time of writing, two institutions – Batchelor Institute of Indigenous Tertiary Education (BIITE) and Curtin University – have not yet had their funding approved under the HEWRRs. The Union is cooperating with both institutions in an attempt to meet the concerns of the Government.

### The Way Ahead

Those universities which already had new Enterprise Agreements when the HEWRRs were announced in April 2005, now have to negotiate new agreements by August this year to receive their full funding in 2007. Already, at the time of writing, Agreements have been reached at the ANU, Sydney and Melbourne universities.

At its February 2005 meeting, NTEU National Executive decided to make the achievement of HEWRR-compliant agreements delivering good pay-and-conditions outcomes an urgent priority. This is particularly important with the Government’s new industrial laws expected to take effect in late March this year. 🌐

**Ken McAlpine, Senior Industrial Officer**

**See ‘NTEU Bargaining: State of the Board’ tables, pp.10-13**

### Special Note: Ballarat and CDU

**T**he University of Ballarat and Charles Darwin University (CDU) are shown in the ‘State of the Board’ tables but their Agreements are different from all the others.

In the case of Ballarat, the Union has defeated two attempts by management to have non-union ballots approved. The University has been offering AWAs, instead. The Agreement shown in the table is a 2001 Agreement from the previous bargaining round.

At CDU, a sub-standard Agreement with other unions on-site was unfortunately approved by staff against the opposition of the NTEU. However, this Agreement, certified in early 2005, will need to be re-negotiated to comply with the HEWRRs by August this year. 🌐