

13 September 2016 – EA Bargaining Meeting

The following issues were discussed at the negotiation meeting on 13 September:

Job security issues revisited

There is a fundamental difference in approach between the NTEU and Curtin in regard to how future employment should be structured. Curtin is seeking to normalise the operation of fixed-term contracts to be consistent with the broader community and create a new form of contract. In our view, the NTEU is seeking to further distance Curtin from common fixed-term contracts by increasing regulations and restrictions.

Ultimately, job security is about having a vibrant and successful university that provides interesting jobs and careers for staff. Curtin is competing in a changing, global higher education sector and some things need to change for us to continue to be successful and provide those interesting jobs and careers.

For example, Curtin is seeking to create a new form of contract that reflects conditions common in many industries. Our 'open contract' proposal has contracts structured without an end date, with severance provisions increased above current fixed-term provisions and with termination provisions reflecting those currently contained in the Curtin Research Contract. This could be used by many staff now on fixed-term contracts.

In addition, Curtin is seeking to remove conversion clauses from fixed-term contracts, aligning with sectors outside higher education which do not have this type of provision. These changes are proposed on the basis that fixed-term contracts would not be as commonly used if the new form of contract was put in place.

The NTEU raised its concerns that our proposed open contract would become the norm, substantially replacing continuing employment. We acknowledged this concern and are open to putting in place provisions to maintain the number of staff on existing continuous contracts.

Other discussions in relation to job security included the NTEU's proposal for casual staff members (professional and general) to be able to apply for conversion to non-casual status where they are engaged for at least two hours per week for a period of two years. In addition, the union wants automatic renewal of fixed term-contracts where work is ongoing and it wants staff who have had two or more consecutive contracts for a period of six or more years to be eligible for automatic conversion to continuous status, so long as they are not subject to an unsatisfactory performance process. This would be irrespective of whether there is ongoing work or not.

We are confused by the NTEU proposal, which includes provision for fixed-term staff who have been terminated for unsatisfactory performance or serious misconduct to be considered for, and offered, redeployment to any suitable vacant position within the University.

The NTEU is also proposing that research staff be automatically offered a contract for the entire term of a research grant, irrespective of whether or not their aspect of the work is required for the full period of the grant.

Overall, there remains considerable distance between the views of those at the bargaining table on these matters.

Redundancy

Curtin proposes to remove the internal review committee processes for reviewing redundancy decisions, given that staff can have these decisions reviewed externally by the Fair Work Commission. We remain a fair way apart from the NTEU on this matter.

Professional staff reclassification

Our assessment is that the negotiating parties are fairly close to agreement on this matter.

Public holidays

The NTEU is seeking more feedback from its members about Curtin's proposed phasing out of the need to work on certain public holidays. An academic working party is currently considering the academic calendar and the impact any changes may have on current leave arrangements, including the end-of-year closedown period. Curtin's proposal is to provide 2.5 days leave for each WA public holiday worked. However, for the next four closedown periods, a minimum of four days leave will be offered, irrespective of the number of public holidays worked.