

15 November 2016 – EA Bargaining Meeting

The key issues discussed at our negotiation meeting of 15 November are summarised below.

Preliminary discussion: clarifications

The NTEU has been circulating information suggesting that the Vice-Chancellor has had a 21% pay rise, an increase of \$104,000 from 2014 to 2015. This information was obtained from the 2015 Curtin Annual Report. Unfortunately, the information supplied to staff in the NTEU's fortnightly bulletin neglected to say that the Vice-Chancellor commenced part-way through 2014 and that the salary paid in 2014 was not for a full year. This means that the comparison of salary paid to the Vice-Chancellor between 2014 and 2015 is misleading when calculating an annual pay rise percentage. The NTEU, when requested, acknowledged the error and removed the material from their web site.

The NTEU asked Curtin to clarify a statement made in a recent VC Note to Staff relating to Curtin's pay offer. It was stated in this communication that the salary increase of 1% for 2017 "aligns salary increases with the indexation Curtin receives on Commonwealth funding grants".

Staff will be paid 2% more in 2017 than 2016 (plus any level increments applicable to individuals, which costs Curtin the equivalent of a 0.5% increase in wages costs) as a result of the 4% pay rise paid in the middle of 2016.

Indexation of Commonwealth funding will be 1.5% in 2017. This means that Curtin will have an indexation 'shortfall' of around 1% in 2017 (2% pay increase plus 0.5% average increment less indexation of 1.5%). This indexation shortfall is being reflected in the 2017 budget challenges that schools and administration areas are currently grappling with. These budget challenges will be repeated each year unless indexation increases and wage increases are consistent with this each year.

To clarify our statement regarding our pay offer and indexation, the Curtin offer of a 1% pay rise late in 2017 is consistent with the 2017 indexation level when the 0.5% average increment cost is also factored in.

It is a key part of Curtin's position during the bargaining process that increased wage costs (salary increase plus average increment cost) remain within the indexation envelope. Just imagine the impact on your school or area budget if the NTEU claim for 3.75% per year wage increase and 17% superannuation for all staff were accepted. Based on current indexation levels, this would result in an indexation shortfall of 2.75% each and every year plus an estimated \$8m additional cost for superannuation that would need to be factored into school budgets. It is easy for unions to push for high wage claims but the staffing and workload implications of such claims needs to be better explained to members.

Change and consultation

A new draft clause, incorporating some minor rewording, was tabled a short time before the meeting by the NTEU. We are now very close to agreement on this clause, with issues around the transfer of staff to suitable alternative employment having been steadily worked through.

Public holidays

The NTEU have agreed in principle to removing the requirement for staff to work on public holidays unless this is specifically needed for organisational reasons. The four days leave currently provided at the end-of-year closedown (in lieu of these public holidays being worked) will remain in place until the nominal expiry of the new agreement, irrespective of whether any public holidays are worked or not. Some different arrangements are proposed for trades staff and this has yet to be agreed with the unions representing these staff.

Fixed-term employment/Curtin Open Contract

A Curtin Open Contract for research staff normally employed on fixed-term contracts has been supported by the NTEU, with some drafting still under consideration. Features of this open contract include no end date and more generous severance payments than are available under fixed-term contracts. The open contract would be taken up only at the choice of the employee and would be limited to research-only positions (both internally and externally funded).

The NTEU indicated that feedback from their members about this revised proposal is generally positive.

However, the NTEU still does not agree with Curtin's proposal to remove the right of criteria-driven conversion to continuing status for fixed-term staff, adopted to bring Curtin fixed-term contracts in line with the higher education awards and general community practice.

Aboriginal and Torres Strait Islander employment

We maintain our position that an Indigenous employment target shouldn't be included in the agreement as it reflects only one narrow aspect of Curtin's strategies and initiatives to further the cause of Indigenous staff members and students. We will, however, continue to maintain a Reconciliation Action Plan (RAP) that includes an aspirational employment target, with our performance against the RAP monitored and measured by Curtin Council.

While the NTEU does not itself employ any Indigenous staff in Western Australia, we are advised that the National Executive of the NTEU won't approve an agreement at Curtin without an employment target being included. We remain apart on this issue.

Excess annual leave

The NTEU presented our new clause to their members for endorsement and have now indicated an agreement in principle. Under this new clause, the definition of excess leave has been reduced from eight weeks leave (40 days) to six weeks leave (30 days).

Unsatisfactory performance

A new draft clause was tabled by the NTEU. Significant work has been done to simplify the unsatisfactory performance process throughout the negotiation process, but a couple of issues remain unresolved. The first of these is how 'informal' discussions are carried out prior to formal performance management processes commencing, and the second relates to our proposal to remove the internal review committee process. The NTEU have put forward two new provisions relating to these two matters that we will now consider.

Personal leave – domestic and family violence leave

Curtin has a strong commitment to supporting staff to deal with the consequences of domestic violence. We maintain our position, however, that a separate category of leave is not required for this as our personal leave provisions already cater well for the wide range of circumstances in which staff may need to take time off to resolve family and other personal matters. We remain at an impasse on this issue.