

USYD staff facing serious rollback of conditions and pay after strike cancellation - how did this happen?

University of Sydney management's offer is a historic attack on staff conditions and pay. It's a travesty that our bargaining team has capitulated and helped sell this offer.

The proposed agreement will mean a real pay cut for staff. An average HEO5 worker on step 5 will lose \$20,000 by the end of the new agreement to inflation. Management will have free reign to expand education-focused roles, with the cap increasing from 120 to 650 EFRs. For most departments, every new academic hire over the life of the agreement will be education-focused. A new form of precarious employment called 'PhD fellowships' – uncapped under the current offer – will give management a cheap source of labour to carry out teaching work. These roles will threaten the jobs of many long-term casuals, who miss out on the prospect of job security after our automatic conversion clause was traded off in March 2022. In place of robust conversion rights, thousands of casuals will be expected to compete for just 110 positions, 55 of them education-focused. Professional staff are being promised extended redeployment but with serious limitations—a minor 'win' that comes off the back of pay-cuts and winding back of conditions. Internal advertising, which provides increased job security for professional staff and protections to those undergoing restructures, is being weakened.

This package of attacks was largely presented as a 'win' (the 'best agreement in the country') to bolster the argument to cancel the Week 10 strike and move to settlement. Unfortunately, at a members' meeting on Tuesday 18th April 2023, this motion prevailed. **But this situation was entirely preventable.**

How did we get here?

Management's intentions for this bargaining round were clear from the start. They produced a list of attacks to push through and hired a corporate lawyer from Clayton Utz to bargain for them. Our side needed to adopt a firm stance on every issue to win. Unfortunately, the 'no concessions' position was rejected by the bargaining team and union officials early on, and they sought to block 'no concessions' activists at every turn. This helped pave the way for the situation we find ourselves in now.

Trading off conditions

For the past year, the bargaining team – composed of the factions Rank and File Action (RAFA) and Thrive – traded away hard-won conditions and claims from our member-endorsed log, whilst overselling the few crumbs management was prepared to offer. There has been an aversion toward any scrutiny of the bargaining process from members of Fightback on the Branch Committee. Emails and requests for discussion of clauses are ignored, and attempts to raise concerns in members' meetings stifled. The bargaining team have also continually refused to release the details of the clauses negotiated to members, despite repeated calls from NTEU Fightback members on the Branch Committee. Further, they made decisions to drop claims from our Log of Claims (including our pay claim for CPI + 1.5%, and various casuals' claims including the claim to increase the casual loading to 50%) without taking these decisions to members, and in some cases without transparently informing

members that these decisions had been made. (For a full list of our member-endorsed original Log of Claims, see our Facebook post caption). Throughout this process, there has been a general lack of transparency and democracy: an explicitly top-down approach to bargaining. Attempts at holding the bargaining team to account have been dismissed as 'point-scoring'.

The first clear admission that the agreement would see a diminution of conditions was in Tuesday's meeting, when the bargaining team was questioned by members of Fightback. Representatives were forced to admit we haven't won 'pay for all hours worked' for casuals, after the branch president and National Secretary had explicitly claimed it as a win. Other measures such as an unenforceable promise of sick pay for casuals were still presented as a significant step forward.

An inadequate strike campaign

From day one of the campaign, Fightback argued that serious strike action was required. We argued to call strikes sooner to have sufficient time to mobilise members, and to escalate our strike action to place increased pressure on management. Rank and File Action and Thrive repeatedly voted against our proposals and continually acted to stifle any escalation of our strike action. For example: at the end of 2022, RAFA and Thrive blocked Fightback's call for a 3 day strike in week 3 of Semester 1, opting instead to pursue work bans. In the absence of significant pressure from sustained and escalating strike action, and with momentum squandered or deliberately



undermined by delaying or canceling strikes, insufficient pressure was put on management.

Thrive repeatedly insisted that there was 'no will' amongst the membership for continued strike action. This became a self-fulfilling prophecy amongst a section of members. However, the Thrive position disregarded the fact that members had repeatedly voted up strike action, including in record numbers at the March 29th meeting.

Overstating 'wins' in bargaining

Ahead of the Tuesday April 18th members' meeting, both Rank and File Action and Thrive overstated progress in bargaining. Members were told that we were close to an agreement, although the most substantial attacks remained on the board. They presented the agreement as a significant step forward with a few matters outstanding, whereas in reality it is a significant step backward. As a result, the choice posed to members on Tuesday was not a choice between accepting management's offer or rejecting management's offer (and the significant attacks it contains). Instead, fear-mongering around a non-union ballot or intervention by Fair Work helped frame the choice as one between consolidating gains or risking them. The result was an abandonment of our strike campaign, the only thing capable of pressuring management to abandon their attacks.

Provost Annamarie Jagose's triumphant email on Thursday seeks to intimidate staff out of any remaining opposition. Her response shows the same disdain for staff that has been repeatedly demonstrated over the past two years and indicates that caving to management only emboldens them to increase their attacks. This has set us back for future bargaining rounds.

"NTEU Fightback is calling for a 'no' vote to register opposition to management's attacks on our conditions and pay.

A significant proportion of members (40%) voted to continue our strike action, and 6% abstained. Only 52% voted to suspend strike action and move toward settlement. Further, members were not fully prepared to make an informed vote in Tuesday's meeting. Democracy means having the clauses in front of you and due time to assess them before any moves to shut down our industrial campaign. Democracy is your union backing you to organise on a colossal scale and undertake the escalating industrial campaign needed to win.

What should we do next?

We must learn the lessons of this industrial campaign and must not repeat the mistakes next time. We have to take a firm stance against cuts to pay and conditions. Members can't be kept in

the dark about the details of bargaining. Strikes need to be called sooner and more frequently.

From this point onwards, we can expect the 'Vote YES' campaign to be pushed by the unholy alliance of Jagose, RAFA and Thrive. Despite the probability of the sub-par offer being pushed through, it is important to register a protest vote against this historic attack. We therefore call on members to vote NO to the proposed Enterprise Agreement.

Voting NO is not just about sending a signal to management. It's also about sending a message that we need to rebuild a fighting union that doesn't see members' hard won pay and conditions as bargaining chips to be traded away for crumbs. We need to rebuild a union that sees members taking strike action not as an occasional tactic for negotiations, but as the key way in which we exercise our power to fight for our demands. Join us in sending that message and rebuilding the kind of union we need and deserve.

Five things you can do

1. Keep our heads up!! Despite management and the NTEU hierarchy throwing everything they could at us – and despite Annamarie Jagose's sneering email – remember that only 52% of Tuesday's meeting voted to suspend strikes.

2. Sign up to stay in touch with our campaign to Vote No – and encourage your friends and workmates to do the same!

3. Keep track of the spectacular, thousands-strong strikes winning new conditions for higher education workers in the US! Just a few years ago, no one thought this was possible. Now, indefinite strikes by 48,000 workers at the University of California last year, by 9,000 workers at Rutgers University in New Jersey last week, and many others, show how to win the sort of working conditions – and the sort of university – that we deserve.

4. Get familiar with the clauses! We have explainers on our website. The whole university will be talking about the EA for weeks to come, if not longer – so get informed so you can help your workmates separate fact from the not-so-factual hard sell.

5. Stay in touch with USyd Fightback – We'll be providing a regular commentary on what we hear from the negotiations, analysis of the clauses as they come to light, and – maybe most important of all – hope from the sorts of mass strikes which are possible and actually happening.

Visit www.fightback.sydney or follow us on Facebook: NTEU Fightback Sydney Uni

