

# ENTERPRISE BARGAINING 2021



## *Our key priorities for a new enterprise agreement*

### *Our current context*

When we opened our last round of negotiation for enterprise bargaining in 2018, our aim was to achieve a new enterprise agreement that provided as much clarity and certainty of our commitments to staff as possible. We clearly signalled to staff the challenges we faced and that we needed to make decisions that would support our ability to be agile and to respond to the further challenges that we knew lay ahead. In collaboration with the unions, we achieved our key objective, maintaining and improving employment conditions for staff through our 2019 Enterprise Agreement.

Then 2020 happened, bringing with it an operationally disrupting (and ongoing) global pandemic. With uncertainty still firmly on the horizon, we determined our best course of action would be to take the longer view, leverage the strategic progress we'd made in support of our *Enterprise25* strategy, including the academic organisational transformation, and trust our commitment to fiscal prudence. We took a very deliberate and structured approach to cost management with an overriding position that we would preserve employment levels as best we could to position us well for recovery.

We navigated through 2020 largely on course. We withstood the worst of the financial impact arising from COVID without forced job cuts, maintained our commitment to scheduled salary increases and, thanks to the collective efforts of our staff, we emerged in considerably better shape than many of our peers in the sector. With hindsight, our current enterprise agreement and people-focussed policies have served us well, even in adversity, and have enabled us to respond to the challenges we've faced, including supporting our unexpected transition to working remotely and safely, and our subsequent return to campus. We've been able to respond to unanticipated situations with tailored policy solutions with the welfare of our staff front of mind, and these policy solutions continue to be a key mechanism through which we develop and apply solutions as they are needed. Regardless of how well we feel we have navigated issues to date, the ongoing impost of COVID-19 on the operating model of all Australian Universities will only grow more acute in the next two to three years. The financial position of the higher education sector is precarious and at a critical juncture.

With a solid strategy guiding us, we're not about to change direction, but without recovery in international student numbers, not now anticipated to begin to occur until well into 2022 at the earliest, and the commencement of the Federal Government's Job Ready Graduate scheme from next year, we are facing even greater financial challenges in 2022 and 2023 and possibly even further out.

With Council's support, we hope to achieve a break-even position against our budget in 2021 and again, we will seek to preserve employment levels as we go. To do this we will continue to exercise prudence and restraint.

We will continue to control what we can and let go of what we can't and, once again, endeavour to plan as far ahead as we can – to reduce strain and uncertainty for everyone in our University community. We will continue to prioritise our efforts and resources in support of our stated *Enterprise25* goals, in a prudent, responsible and sustainable way.

We can and should be proud of what we have achieved together. We have a solid foundation to move forward as we respond to the current challenges and have charted a course can provide for our future sustainability and success. We have a proven track record in making good choices, focussing on our people and culture and this will continue to serve us well in meeting the challenges ahead to deliver an outstanding student experience, quality in all that we do, and to differentiate ourselves as Australia's University of Enterprise.

So much has happened in the space of so short a time, it can be hard to countenance, swept up as we have been in circumstances wholly beyond our control, with such significant consequences for us all and with ramifications for our sustainable operations in the near term. As we open negotiations for a new enterprise agreement in 2021, we will continue to work constructively with the unions and our staff to deliver outcomes that are prudent and responsible in the current environment, and to continue to provide as much clarity and certainty for our staff into the future as possible.

### **Our key priorities**

We will pursue the following priorities during bargaining for a new enterprise agreement:



#### **A responsible and sustainable approach to salary increases**

We committed to continue to honour and apply our existing salary increases in June 2020 (1.8%) and June 2021 (\$1,600 pa) despite the significant financial impact we incurred through the impact of COVID-19. We are also committed to continuing to deliver a superannuation contribution uplift to 17% for all remaining continuing and fixed term staff from 30 June 2021, and separately, a superannuation guarantee increase for all casual staff from 1 July 2021.

Our approach to future salary increases must be sustainable, mindful of the further financial challenges we face, our commitment to endeavouring to sustain our levels of employment and consistent with our financial settings to keep us going forward and on course.

We propose to base future salary increases over a 4-year term for a new enterprise agreement, so our staff have real certainty about our salary commitments for a reasonable period of time. Our salary increases will ensure that we appropriately recognise the contribution of our staff and that we remain competitive in the current environment.



#### **Responsive, flexible and agile working arrangements**

We will propose arrangements which support a flexible and agile workforce that is responsive to changing student expectations and Government policy, and enables hours of work that support a hybrid way of working to enhance the student experience and meet changing expectations of, and demands on, our staff.

#### **Ordinary hours for professional staff**

We will propose changes to our current 7AM-7PM span of ordinary hours for professional staff to cater for more flexibility whereby staff may work their hours outside of these hours. We will also propose changes to the current requirement that customary hours be undertaken between 8.30AM-5.15PM.

Our current arrangements have been in place since 2004 and were designed for a campus-based approach to working hours. Our working from home experience in 2020 identified limitations where staff could not work their ordinary hours by choice to accommodate their individual and family circumstances outside of their customary hours from 8.30AM-5.15PM

or the 7AM-7PM span, except through a pre-approved process or where staff entered into an individual flexible ordinary hours agreement.

To accommodate the changing needs of our workforce, to reflect contemporary working modalities and with campus consolidation a strategic priority, we will seek ways to provide greater flexibility for individual staff and, as we move towards more choice in how our workforce delivers on the outcomes we need, working both on and off campus role and responsibilities.

#### **Fixed term employment categories**

We will propose changes to the existing definitions for fixed term contract categories, including the specific task or project and teaching academic categories, to enable more flexibility to employ staff on a fixed term contract, rather than through casual employment.

#### **Casual employment**

We will propose a more consistent alignment with other universities with respect to casual employment, enabling us to be more flexible and adaptable to changing demands. We will propose removing the current 25% academic casual employment restriction and, as a result of the Commonwealth Government industrial relations reforms finalised in late March 2021, we will include requirements for conversion from casual employment in line with the National Employment Standards. This includes the provisions that casual staff must be employed for a period of at least 12 months to be eligible for conversion and in the last 6 months of that period, a casual staff member must have worked a regular pattern of hours on an ongoing basis that, without significant adjustment, would allow them to continue to work on a full-time or part-time basis.

#### **Academic workload allocation**

We will propose greater flexibility in the mandated 20% scholarship for the teaching academic career pathway and capacity for a research academic to undertake teaching related activities. We will also propose enhancements to our Academic Workload Guidelines, based on the work undertaken to date by the Provost & Chief Academic Officer in consultation with our staff and unions, with a commitment to continuing to consult with academic staff and the NTEU on any proposed changes.



#### **Expanded leave provisions**

We already have a suite of extensive leave provisions available to staff that are generous and benchmark with the best. We do see an opportunity to add to and enable greater access to our existing array of leave conditions.

#### **Annual closedown and extra recreation leave**

In support of rest and respite for our staff and in common with other universities in the sector, we will propose that the University may determine an annual closedown period up to two weeks (fourteen calendar days), to operate in conjunction with our annual Christmas/New Year period.

We will also propose that all continuing and fixed term staff convert their 17.5% leave loading to four extra recreation leave days to be taken during the annual closedown, with remaining days taken from existing recreation leave or other forms of leave in the event their recreation leave balance is exhausted.

#### **Unpaid parental leave**

We propose to reflect and align with changes to the National Employment Standards that increase a staff member's access to unpaid parental leave where, as a parent, regrettably they experience traumatic events during or ahead of their unpaid leave as a result of stillbirth, premature birth, or death of a child.



### **A clear and constructive agreement**

We propose to update and modernise our higher duties clauses for academic and professional staff and better distinguish the application of higher duties to other pay related matters including additional duties and secondments, providing more clarity for staff on their entitlements.

Whilst our key priorities are outlined here, there are other changes that we will propose in a new agreement that though minor in nature, when considered as a whole, will form part of an overall package of employment conditions that is clear and constructive and provides an enabling and sustainable agreement. Naturally, in line with our agile and flexible approach we will reserve our right to amend and add to our proposals, including responding to matters arising from the bargaining process with the unions and importantly through staff consultation.

We look forward to a constructive bargaining process and mutually beneficial outcomes for our staff, our unions, and the University.

**Jane Booth**  
Executive Director: People, Talent & Culture

**Professor Joanne Cys**  
Acting Provost & Chief Academic Officer

Lead negotiators appointed by the Vice Chancellor for the University of South Australia

15 June 2021