



University of
South Australia

ENTERPRISE BARGAINING 2021



Our key priorities for a new enterprise agreement ... in further detail



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.

[In further detail 19 July 2021](#)

The term over which we propose to base future salary increases is a period of 4 years commencing from the date a new Enterprise Agreement is approved by the Fair Work Commission.



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.

[In further detail 19 July 2021](#)

In our email to the Bargaining Unit on 16 July 2021 in response to a question from the NTEU on 'changing student expectations', the University advised:

One of the most significant outcomes of the University's Academic Organisational Transformation was the successful implementation of an academic structure that orientated around the University's programs, ensuring our resources were focused on quality teaching, industry engaged and informed research and the

student experience. The student experience has evolved significantly over the years and, particularly in response to the global Covid-19 pandemic (which out of necessity drove a shift toward delivering more teaching online), and with the increasing popularity of remote learning alternatives offered via services such as UniSA Online, we are now seeing a shift in student expectations towards an increase in flexible delivery modes and durations, access to online content and study resources, and more individualised study plans that enable students to accommodate an increasing number of other responsibilities and activities.

In our email to the Bargaining Unit on 16 July 2021 in response to a question from the NTEU on 'Government policy', the University advised the reference to 'Government policy' are those policies of the Commonwealth or State that impact the University, some of which may translate into legislation or through regulation. Recent examples include Commonwealth HE funding reforms with the Job-Ready Graduates and recent industrial relations reforms that resulted in amendments to the *Fair Work Act 2009*.

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.

In further detail 19 July 2021

Our proposal addresses different needs and maintains the current 7am-7pm span Monday to Friday within which the ordinary hours for professional staff can be worked.

Firstly, we seek to enable staff to work their ordinary hours by individual choice outside of the 7am-7pm span to accommodate individual and family circumstances. We see these circumstances being those that are at short notice – often on the day or close to it, rather than arrangement that may be appropriate to be considered on a temporary or ongoing basis through the flexible ordinary hours provision which we seek to maintain. This seeks to address a gap in response to our working from home experience in 2020 and our staff's desire to access more flexible ways of working to accommodate their changing individual and family needs.

Secondly, we seek to review the continuing need for the customary hours 8.30am-5.15pm prescription in future Enterprise Agreements together with the process that requires the customary hours to be changed. Our reasons for this is that individual needs have evolved considerably since the customary hours provision was introduced in the 2004 Enterprise Agreement. Many professional staff now work their ordinary hours either side of the customary hours in a regular and flexible way to accommodate their changing individual needs and those in their local areas, without the formality of requirements to effect these changes.

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.

In further detail 19 July 2021

Our proposal seek changes to the following fixed term employment categories:

Specific Task or Project:

To provide clarity on the meaning of “operating grant from government”. This term has been derived from the HECE Award in the mid-late 1990’s and since this time the types of government funding has expanded and addressed different types of specific initiatives and activities from traditional operating grant funding.

Research:

To provide clarity on the meaning of “operating grant from government” under the second work activity provision of “directly supporting” a research only person. This term has been derived from the HECE Award in the mid-late 1990’s and since this time the types of government funding has expanded and addressed different types of specific initiatives and activities from traditional operating grant funding.

We also propose to expand the circumstances in which the University can employ a person directly supporting a research only person to also include where the person is supporting Research Institutes and/or Research Centres.

Replacement Staff Member:

To clarify and expand the circumstances in which a replacement staff member can be employed to include staff employed to backfill other staff who have negotiated a temporary reduction in employment fraction as a result of a flexible work arrangement.

Teaching Academic:

To remove the no less than 0.4FTE and no less than 6 month minimums under which a teaching academic fixed term contract can be offered.

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.

[In further detail 19 July 2021](#)

Our proposal is to remove the current 25% academic casual employment restriction and include requirements for conversion from casual employment in line with National Employment Standards.

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.

[In further detail 19 July 2021](#)

We signalled in the bargaining meeting on 24 June 2021, that the University intention is to seek greater flexibility in how the 20% scholarship is used, as individual circumstances and activities have evolved over time since the teaching academic career pathway was introduced in 2014. In this respect we advised it is not the University’s intention to reduce the 20% minimum scholarship allocation.

In our email to the Bargaining Unit on 16 July 2021 in response to a question from the NTEU on ‘academic workload guidelines’, the University advised it will continue to work in accordance with the current Academic Workload Guidelines 2019 (the Guidelines) negotiated and agreed with the NTEU as part of the current Enterprise Agreement. It’s not the University’s intent to progress changes to the Guidelines independent of

the bargaining. The Guidelines apply for the life of the Enterprise Agreement and in our priorities our intent is to propose enhancements to the Guidelines in bargaining based on the work undertaken to date by the Provost in consultation with our staff and the unions. This relates to the consultation and feedback from staff and the unions as part of the Academic Workload project currently being led by the Provost and our intent is to also continue to consult with academic staff and the NTEU as part of that project.



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.

[In further detail 19 July 2021](#)

In our email to the Bargaining Unit on 16 July 2021 we advised:

Our proposal is to enable the University to introduce an annual close down period of up to two weeks (fourteen calendar days) which in design, will operate alongside of our annual Christmas/New Year period (not replace it). With our annual Christmas/New Year period, professional staff continue to take their 4 accumulated days off and academic staff their grace days, in addition to the arrangements in place for public holidays that fall during the Christmas/New Year period. Under our proposal the two week annual closedown period would then follow and during that period all continuing and fixed term staff would be required to take Extra Recreation Leave (ERL) by converting their 17.5% leave loading into 4 days ERL (for full-time staff) and pro rata for part time staff, with the remaining (6) days being an opportunity to access existing leave conditions such as recreation leave or other leave.

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.

[In further detail 19 July 2021](#)

We outlined the University's intent with parental leave at the bargaining meeting on 8 July 2021 and discussions are ongoing with respect to proposed changes to the parental leave provisions.



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.

[In further detail 19 July 2021](#)

In our email to the Bargaining Unit on 16 July 2021 we advised:

We see there is an opportunity to review the higher duties allowance provisions for academic and professional staff. These clauses have remained unchanged for over 20 years and we have seen where the provisions have been restrictive for staff and the University, inconsistently applied due to gaps or not keeping pace with evolving ways to better reward and remunerate staff for higher duties. This includes:

- Providing consistency in application including a review of thresholds when a higher duties allowance kicks in – for example some take 4 weeks before a 100% allowance applies for academic staff acting in senior staff positions;
- Consider the different mechanisms through which higher duties may be paid – for example secondments, fixed term contracts, additional duties undertaken on a temporary basis at a higher classification level but undertaken within a staff member's existing position rather than a staff member having to fully occupy a higher level position on a temporary basis.

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.

[In further detail 19 July 2021](#)

In the same way as the approach taken by the NTEU to propose changes to parental leave for example, the University will propose changes that are minor in nature as we progress through negotiations on specific matters and in the drafting of a complete Enterprise Agreement. We will also look to opportunities to further clarify the Enterprise Agreement to ensure that it is clear and constructive.

19 July 2021