

# **Realism for university optimists**

Talking points for university staff about to vote on the Jobs Protection Framework

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## **Acknowledge of country**

We acknowledge the tradition of custodianship and law of the Country on which Australian University campuses stand. We pay our respects to those who have cared and continue to care for Country. Their sovereignty was never ceded.

## **Thanks and disclaimers**

This report was written on the run, because we have felt the pending national vote on the proposed Jobs Protection Framework has created the urgent need for some substantive analysis. Our rush to print no doubt created blind spots and errors—and a rather bloated document, as we ran out of time to tighten it.

Any factual errors in this report are our responsibility. Any insights in this report are collective products. We've tried as best we can to learn from the many union conversations we've had since the pandemic took hold.

In particular, we want to thank the following people for their time and solidarity: Ushter Abbasi, Erik Adams, Alison Barnes, Ben Brown, Gareth Bryant, Damien Cahill, Vince Caughley, Lachlan Clohesy, Linda Connor, Simon Copland, Louise Cornie, Nour Dados, Cathy Day, Luke Deer, Julia Dehm, James Hitchcock, Matthew King, Stewart Jackson, Rick Kuhn, Jen Hamilton, Tash Heenan, Lina Koleilat, Inger Mewburn, Kurt Iveson, Ivo Lovric, Claire Parfitt, Fiona Probyn-Rapsey, Nick Reimer, Clara Sitbon, Tess Snowball, Russell Smith, Nick Tesoriero, Amy Thomas, Laura Wilson, Deborah Veness, Anthea Vogl and Dinesh Wadiwel. Needless to say, some of these comrades will disagree with our analysis.

We are rank-and-file members of the NTEU and Branch Committee members at the University of Sydney and Australian National University. The perspective we set out here is our own and does not represent the positions of those Branch Committees or anyone we've been discussing the Jobs Protection Framework with.



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## Introduction

This week National Tertiary Education Union (NTEU) members are to take part in a national vote on an unprecedented industrial bargain with Vice Chancellors. The process of voting on the proposed '[National Jobs Protection Framework](#)' has been rushed, and there is a lot of negative industrial affect circulating.

It is hard to think in a state of panic. On one side we have fear: the story goes that university revenues are devastated, and many thousands of jobs will be lost. Solidarity demands that everyone sacrifice some pay to keep casual and fixed-term colleagues employed—and the situation is so bleak that redundancies will be coming for continuing staff too. Right now there is nothing to stop management from shedding jobs, standing people down or reducing hours, so even a bitter deal is better than nothing.

On the other side we have anger: the job of a union is not to help the bosses with the books, but to fight to defend pay and conditions and never surrender. The National Exec is selling us out. No concessions!

We are not convinced by either of these options. Now more than ever, we need to take a moment, calm down, and try to get a bit of perspective about our short and long run goals and options.

This is a report assessing the Jobs Protection Framework (the Framework herein) and what we know about our industrial situations. Though we are not opposed to a deal as such, our view is that this agreement does not do what it intends to do.

The advocates of this Framework claim realism about our situation. But their proposed deal is not realistic about our longer run problem. We are optimistic that we have potential organising capabilities and that any deal should be designed to improve our leverage. This one doesn't.

In some situations, we might collectively choose to trade pay for conditions and for levers that give us power in our workplaces. But this Framework has too many loopholes for us to be confident universities would translate savings from pay cuts into saved jobs.

It does not give us much leverage over management decisions. We certainly do not think the situation is so urgent that we should rush into this before more thorough discussion and information-gathering. Finally, it is a bad idea to promote public sector pay cuts in the middle of a recession, and solidarity with the broader workforce calls on us to stand our ground.

Here are some taking points for union members putting forward the case for No. It's a '**not these concessions right now**' perspective for those of us who want an effective and hopeful strategy for the long run.

## **On the jobs apocalypse**

- The familiar 2020 job loss estimates from Universities Australia and NTEU National (21,000 full-time equivalent and 30,000, respectively) are back-of-the-envelope calculations based on questionable assumptions. They presume job losses will have a linear relationship to revenue falls, but it will actually be hard for universities to shed labour in the short run, and they are highly likely to run deficits and concentrate savings elsewhere, even without a deal.
- For the same reasons, the estimate of 12,000 jobs saved by the deal is probably overblown: some of the savings from pay cuts are likely to take the place of deficits and government support. There is little leverage to ensure that pay cuts actually do translate into retained jobs.

## **On our evidence and uncertainty**

- Right now, no-one really knows what is going to happen to fee revenue in Semester 2, 2020 or 2021. It is truly a case of radical uncertainty. Rather than advertise the inevitability of lost work, we should establish the essential work we do, and use existing bases (e.g. education quality standards and workload policies) we have to question local decisions to cut employment budgets.
- We should be more skeptical of the presumption that employment will fall in line with revenue. This is almost certainly not the case. Frontline work in teaching and other operations are harder to shed in the short run. We need to leverage our power here.

## **On the budget-labour nexus**

- The financial clauses are too loose. The only hard metric of financial strain set out in the Framework's Expert Panel review tenets is revenue decline. But the universities most exposed to international student fees also tend to be the wealthiest, with the best financial options.
- The Framework requires a university to satisfy a joint management-union Expert Panel that borrowing and asset sale options have been exhausted, but these are unclear grey areas involving trade-offs, so the union representatives will not find it easy to point to clear-cut alternatives. This part of the deal needs tighter definitions to make wealthy universities use their wealth.

## **On redundancies and stand-downs**

- The Framework does not limit redundancies in cases where they are 'connected to a reduction in work'—i.e., in most cases. Ironically, by boosting universities' cashflow, the deal may make it easier for universities to pursue redundancies: they involve very expensive lump sum payments.
- The JobKeeper style payment for those stood down is positive, but the benefit from this provision depends on the level of need in our institutions. Given the university campuses are opening up again, new rounds of stand-downs among continuing and fixed-term university staff seem unlikely at the moment.

## **On new 'flexible' workloads and duties**

- The 'flexibility' allowed for redeployments and increasing academic teaching loads create new problems, and risks reducing aggregate volumes of casual work in the short term.

- Clauses establishing ‘reasonable’ expectations of future contingent work are infeasible and unlikely to be used as an organising tool.

### **On the old and new problems for contingent staff**

- The labour shedding strategies universities are likely to use in the short run are explicitly allowed under the terms of the Framework. Clause 32 allows management to trim offerings and free up continuing staff to cover remaining work that contingent staff would have done.
- Non-renewal or non-offers of fixed-term and casual contracts is the main way university labour will be shed next semester and probably beyond. There is no obstacle in the Framework to prevent it—in fact it explicitly allows for it.

### **On timing and our biggest bargaining chip**

- In proposing pay cuts, we are playing a major industrial bargaining card too hastily, and with too little leverage in return. We need more time to negotiate something better and based on more internal democracy.
- The more serious threats to university staff will come in the next year or so as we reach enterprise bargaining rounds, and as universities plan restructurings to cope with likely sustained falls in international student revenue. The ‘jobs apocalypse’ is not so urgent that we must abandon our commitment to organising for power. Neither top-down advocacy nor mobilising alone will get us where we want to go.

### **On the potential of this moment for member-led strategy**

- There is a lot of angst, but also a lot of energy within our Branches right now. We can channel it better with organising and deliberative democracy.
- Our need for a longer-term vision and member-led strategy is urgent. Without a plan for the long run, we are letting panic stand in the way of a confident step toward enterprise bargaining in 2021.
- We need to build our branches’ capacity and develop plans for the short and long run together.

# 1. Jobs apocalypse and online angst

Do you remember how you first heard about the catastrophe befalling Australian higher education? Maybe you got a very serious email from the Vice Chancellor with an apparently self-evident austerity message. It probably cited a very large shortfall against revenue projected in the budget. This kind of austerity message might already be very familiar. But it was different enough to make you read half of it.

Or perhaps you didn't get that email. Perhaps you heard about it in the worst possible way. Perhaps your line manager wrote to you about the shutdowns. If you're casual professional staff in a lab or a library or one of the many contracted services at our universities, then maybe you were just told, 'don't come in to work'.

Or maybe you're among the #academictwitter cohort who get a daily stream of lifeboat-themed [job saving memes](#) issued from a handful of paid staff and elected officials of the NTEU. Depending on who your Facebook friends are, soon enough you will also have seen a succession of [#fightback memes](#) from local action groups.

No matter how you heard about it, if you're still in work, you're likely panicked. The two numbers most will be familiar with are 21,000 and 30,000. These numbers started as rough guesses of jobs at risk in the next six months and have since been repeated into the status of Fact. The estimate of 21,000 full-time equivalent jobs the pandemic 'may place at risk' first entered our angsty social media consciousness on 7<sup>th</sup> April in a [media release](#) from Universities Australia (the employers' association). It seems to have been reached simply by dividing anticipated 2020 revenue shortfalls by half (because labour costs make up about half of university costs), and then dividing by average salary (plus super, etc.). As far as we can tell, staff in the NTEU National Office got to a [30,000 job apocalypse](#) by adjusting the full-time equivalent number into a raw number of jobs.

But right now we have no idea what the revenue shortfall will be, or what it means for jobs. The guesstimates date from the most discombobulated days of April. Since then things are looking at least a little rosier. Universities have pushed back the start of Semester 2, and we haven't yet seen huge student withdrawals. Also since the estimates, [government has guaranteed Commonwealth Grant Scheme funding and HELP student loan advances](#) based on pre-COVID-19 enrolment forecasts, taking domestic student worries out of the mix.

Whatever the revenue shortfall turns out to be, we can't assume it translates proportionately into job losses. Universities are certain to run deficits this year, one way or another, whether they secure more public funding, borrow, or run down investments. Right now the government and university managements are playing chicken, and it suits both to see the union swerve first.



## 2. Evidence and uncertainty

Thankfully, university workers have two things we need to get a grip on this situation. We have research capacities and institutional knowledge. What is your local institutional evidence for jobs apocalypse? How does the financial story being told square with labour outcomes in your institution? Is the austerity all COVID19 related? Do you have access to the numbers, and the details of how the forecasts are calculated, or are you taking it on trust from people with an incentive to paint a scary picture?

At the University of Sydney, just for example, the university with the highest proportion of international to total enrolments, Semester 1 teaching revenue is currently down just 3.2 per cent on this time last year; this shortfall is forecast to rise to 5.6 per cent. Semester 2 teaching revenue is forecast to be down 20.8 per cent – but this is just a forecast; so far, revenue based on current enrolments for next semester are down just 3.0 per cent on this point in 2019. Of course it makes sense to predict a substantial decline in enrolments next semester, but no-one really knows how big it will be. Students are still waiting to see what things are going to look like, and we have no idea how many will be satisfied with the fully online classes most will be offered.

We should be even more skeptical of the presumption that employment will fall in line with revenue. This is almost certainly not the case. We see the management dilemma as we prepare for Semester 2. On a spreadsheet, it looks rational to cut units, save on their casual tutors, and redeploy the continuing coordinators and perhaps research-only staff to replace casual tutors elsewhere. That will surely be part of the plan for some line managers (and not something the deal prevents, as we discuss below).

But cut too many units, and they risk leading more students to sit the semester out rather than allow themselves to be funnelled efficiently into the diminished course offerings. We have just seen the Faculty of Arts and Social Sciences at Sydney back down from planned 30 per cent second-semester unit cuts to 8 per cent, in the face of an organised backlash.

We're not suggesting there is no financial strife or no people losing work. We have serious concerns about the news trickling through from colleagues who have had their hours cut at libraries or their contracts put into limbo, and of the casual labour shedding at [RMIT](#) and La Trobe, UWA and the voluntary redundancies announced at [CQUniversity](#). But our panicked collective acceptance that 30,000 jobs are on the line in the next 6 month is terrible social science. And even worse industrial relations. Right now, no-one really knows what is going to happen to fee revenue in Semester 2, 2020 or 2021.

It is truly a case of radical uncertainty.

### 3. The Jobs Protection Framework

So now you are probably up to the part of your union conversation where you're wrapping your head around the proposed Jobs Protection Framework.

The Framework is an unprecedented industrial bargain. It proposes sacrifices for one group in exchange for new protections for more vulnerable staff. We've never done anything like this before.

In the abstract, the Framework is a good idea. It's unfair that staff who happen to have jobs that aren't possible due to COVID19 should be the only ones to bear the costs of the pandemic. And we are all acutely aware that Australia's universities are unacceptably stratified, in terms of pay and conditions (not to mention occupational status).

National Executive officials argue the Jobs Protection Framework is a means to regulate jobs losses and save 12,000 of the 30,000 jobs. If we don't vote for it, officials keep repeating that the alternative is a hellish unregulated free-for-all. There will be no net to catch those 12,000 people; only the JobSeeker mat on the ground, quite a way down; and those of us still in the net (which our EAs already provide) will look down with extreme guilt.

This is an overstatement. In our view, the Framework is better understood as a differently regulated process of labour shedding at best. Job losses are already regulated. Extremely unevenly, because of the deep segmentations between staff. The Framework adds some new protections for some types of staff. The strongest protections added are for continuing and fixed-term staff facing stand-downs over the next 12-18 months.

The clauses on workloads and contingent staff are weak. As one colleague said in a meeting last week, 'you can't protect rights that aren't there.'

The deal is a hasty handover of pay and conditions for very little without any strategic thinking about the future. The Framework does not do what it says it does. And it hamstringing our capacity to build the kind of organisational power we need moving into enterprise bargaining next year.

The Framework is temporary, lasting 12 months with a possible six-month extension to the end of 2021. By then we'll be at the enterprise bargaining table. It sets the course and balance of power for our collective industrial future. We should not kid ourselves that our wages and conditions will 'snap back' to use Scott Morrison's unrealistic turn of phrase. It's likely some of the rationale for these concessions will still be there—so we better think carefully and for the long term.

## 4. Soft financial constraints

The proposed Framework introduces new technocratic oversight of university budgets. An Expert Panel with a mix of managers, economists and accountants appointed by the NTEU and university management would assess the financial position and cost-saving measures taken by each university. This is an interesting idea. We know budgetary decisions shape our labour conditions in profound ways. As one colleague put it, the ‘gaze’ of expert scrutiny will have real material effects—even if these numbers should be available to us all, and as a matter of course.

The Expert Panel is tasked with opening university books, to determine the degree of financial stress. The Framework groups Universities into two financial hardship categories: Category A and Category B (see clauses 56-57). Category A involves 5-10% reduction in forecast 2020 revenue, relative to 2019; Category B involves greater than 10% reduction. (There are also supplementary cash flow margin criteria.)

The NTEU estimates an un-specified 90% of Australian universities will fall into these categories. Category B universities will have access to larger pay reductions (up to 10% on income over \$30k) than Category A universities (up to 5% on income over \$30K). Universities will also be given new power to ask staff to take a fraction reduction of weekly work hours up to 10%, and to direct staff to take annual and long service leave.

It is a worry that the Framework defines financial hardship only in terms of revenue and cash flow. The universities most exposed to international student revenue drops also tend to be the wealthiest, and have more financial options available to deal with the disruption. Before pay cuts, the Framework requires a university to satisfy the Expert Panel that it has implemented ‘other cost saving measures’, including ‘debt capabilities’ and ‘drawing on investments’ (though these are not, strictly speaking, cost saving). The problem is that these are grey areas that are not carefully defined in the deal.

There is no clear-cut metric with which to judge borrowing capacity. Most universities are almost certainly able to borrow—the question is how, at what interest rate, and with what effect on their credit rating. (Here, a government guarantee could be helpful with little cost.) Similarly with investment funds: some universities have hundreds of millions of dollars in untied funds invested in financial instruments and off-campus real estate. They are, of course, not liquid or easy to dispose of, especially in current conditions—but their function is in any case generally to secure loans.

Managers have an interest in playing up the difficulties—but our prediction is that these objections would be overcome at a pinch, and we will almost certainly see it start to happen. A deal should put harder, more definite definitions as to what counts as exhausting these avenues. Otherwise, it is very likely that pay cuts will partially substitute for these rather than job cuts.

## 5. The budget-labour nexus

The generation and allocation of work hours, and processes that determine the quantities and types of employment are sub-institutional. The amount of money available for a hires or for project assistance is shaped by governing decisions from the Chief Financial Officer and Senate, through to Faculties and Schools. Schools or Departments have casual teaching budgets. Academics have grants with different kinds of obligations, or pots of internal 'discretionary' money for research assistants. Professional staff have budgets for projects and so on.

The Framework does not give the union oversight on the work unit scale financial administration that regulates the nexus between budgets and labour.

The proposed Framework shuffles different types of staff and work duties around, for two main reasons: to assist people in avoiding stand-downs, and to allow managers to reduce costs.

Clause 19 of the Framework Heads of Agreement allows for staff to be redirected to work outside their classification under the period of the Framework. This is cost saving for management and allows stand-downs to be avoided.

The major potential cost saving measure on academic workloads is in Clause 21, which states that academics may be directed to perform alternative duties if some part of their work cannot be performed (e.g. more teaching if they're deemed unable to perform research due to restrictions). This is a considerable threat to academic conditions. Depending on how the clause in the EA amendment is written up, the provision may allow line managers to shift staff to teaching-intensive workloads. This is already an [agenda](#) within higher education, with [deleterious effects](#) for staff and educational quality.

This clause will need particular scrutiny by staff voting on this Framework. When we have the draft EA amendment clauses you should consider the workload rule with regard to your existing rights in your local workloads policy and university enterprise agreement.

The topic of workload intensification is conspicuously missing from the proposed Framework. The shift to teaching and meeting on-line while working at home has massively increased work hours across the sector. Online teaching is hugely time-intensive. Meanwhile, the already existing collision between care and work is a major gender equity issue within the academy in normal times and [heightened in the pandemic](#). Only the ANU has introduced equitable work-hour adjustments to deal with this following advocacy of the Gender Institute.

## 6. Contingent and now tethered staff

Many of the supporters of this Framework are saying they are keen to pull their weight and sacrifice pay to protect jobs. This response seems to be driven by a mix of solidarity and guilt. As one colleague put it to us this week, 'it's about survivor's guilt'. Workforce stratification is visible and routinely politicised in academic departments. Some workers with a professorial salary (in the top 5% of income earners of Australia) routinely have moments of guilt about the younger generation of student workers and graduates contingently employed and anxious about their future careers.

This has led to an odd reversal, with support for the deal coming from the most secure and senior academics keen to support casuals, while it is hard to find a casual happy with it.

Non-renewals and non-offers of fixed-term and casual contracts are one of the main ways university labour will be shed next semester and probably beyond. There is no obstacle in the Framework to prevent it—in fact it explicitly allows for it. Clause 32 in the Heads of Agreement says: 'Where there is no work or insufficient work available for a continuing or fixed-term employee, the University will seek to identify other work for that employee, which might include work usually performed by casual employees.' It then clarifies that 'This provision takes precedence over items 33 and 34,' which are the clauses saying that work usually performed by a casual or fixed term employee must be offered to those employees if it will be done by anyone.

The privileging of internal applicants for any appointments that are made during the 12-18 months of the Framework duration has not been welcomed by active casual NTEU members. This means casual teachers and researchers get tethered to the last institution they worked at. It seems the Framework designers did not consider this group's reality. They often shift from one institution to another over short contracts.

Our industrial affect needs to be channelled better. Our guilt-stricken Professor colleague changed their mind after hearing more about the substantive detail of the Framework. Our assessment is that the industrial levers in this Framework for keeping contingent staff in work are celery sticks. Or to mix metaphors, they, raise bigger questions about what we might call our industrial household economics.

Who will do the housework of this agreement? Will this Framework help us as we start cleaning up and refurbishing our unacceptably stratified workplaces? Who's going to take care of the kids (next generation of would-be secure academics and other knowledge worker grads)? Who's going to organise the help (all the people who are operational staff as casuals, FT, contractors)? Branches with active Case Committees would be looking at these clauses likely concluding they don't have capacity for the enforcement case work needed.

## 7. Stand-downs and redundancies

The Fair Work Act 2009 (s.524) states stand downs are possible where there are stoppages of work for employer cannot be held responsible, and where no alternative work can be found. The Framework introduces a JobKeeper-style system for staff stood down. They will be placed on 30-50% of full pay or \$1500/fortnight (whichever is greater, clause 40), with offer of Voluntary Redundancy after 30 days. Universities are required to pursue all options to avoid stand downs (clause 37), including relocation, and professional development.

The stand down clause is a considerable improvement on existing situation for workers at risk of being stood down. But the significance of that improvement depends on how likely we are to face stand-downs in short-to-medium term. As universities begin to open up again, it's not clear that stand downs will be large in number.

The redundancy provisions (clauses 42-48) are a modest improvement on clauses in our EAs. Change management processes must involve a local committee which is half-Union. Within a given change process, unless everyone is being made redundant, voluntary redundancies must be offered before forces, and managers must accept the volunteers unless they are considered "vital staff".

But the Framework does not have tight protections against redundancies. Forced redundancies are allowed, so long as they are 'connected to a reduction in work': that is, 'where a definite decision has been made to permanently abolish a substantial work function... or where there is a surplus of employees due to insufficiency of work in a particular work unit or function' (clauses 44 and 46).

It is hard to see this as meaningfully limiting redundancies at all. The Framework may actually make them easier. Redundancies are very expensive, involving lump sum payments that depend on the employee's length of service and age. They are generally a substantial fraction of a year's salary, and not uncommonly a year or more of pay. They are not going to be easy for a university in the middle of a cash flow squeeze.

It would be some parody of solidarity if agreed salary cuts end up financing redundancies! But it is a real possibility.

## 8. The logic of pay cuts

The salary sacrifices are the big industrial bargaining card we are playing. There are good reasons this pay cut will not redistribute income to contingent staff and it mixes weirdly with the research funding regime. The moral arguments don't stand up unless we can be confident in the material outcomes.

There is a bizarre effect of the proposed Framework for project-funded staff, such as research only academics and technical officers funded by soft money or the ARC or NHMRC. Grant contracts are usually tied, with fixed allocations to staff wages. Blanket pay cuts would contradict those contracts and even put university's compliance to funding bodies into question. If the Framework was stronger and ensured genuine redistribution of income between existing continuing staff to contingent and more junior staff then we'd be less critical of it. But we have no way of forcing management to actually use the savings to keep people employed. They may instead substitute for deficits that would otherwise have been run, as we explained in Section 4.

In universities that seem less financially troubled, staff have been urged to vote for the deal to support the less fortunate. For instance, the case being made by NTEU officials at the ANU is not articulated at the level of the local institution, it's aimed at the sector. The idea is that though we're not looking at mass job losses at the ANU in the next year, but we should be participating in the Framework out of solidarity with others in the sector. This doesn't make sense to us. Potentially needless pay cuts in one institution do not help any others. Sacrifice isn't an end in itself. If members at some institutions feel the deal will help them in spite of its limitations, it can be implemented locally.

And while we're looking toward sectoral solidarity, let's consider workers in other sectors. We shouldn't accept the terrible macroeconomics of all this either. Pay cuts, like job cuts, are misguided at this time—by taking pay from people's pockets they worsen the economic impact of the virus. There is no good reason for public austerity. Public sector wage constraint will only [hold us back](#) from economic recovery. What we do in our sector will be used as an example elsewhere, and if we care about jobs everywhere [we should not spread economic irrationality](#).

It's true that universities can't print their own money, and ultimately we depend on public funding. The Coalition is no friend of public education, but it is unthinkable that Commonwealth and state governments will allow universities to go bankrupt. As the Department of Education acknowledges, public universities have the '[implicit backing of governments](#)', and making up university shortfalls hardly registers against the scale of public spending and transfer so far this year. For reasons we have discussed, it will not be easy for

universities to shed enough labour to make up the shortfalls this year even if management wanted to. We have more room to stand our ground than many think.



## 9. In the long run we are all contingent

There is no denying that Australian universities are facing a substantial revenue hit, and there is a high chance it will last into next year. Even when international students are able to return physically, the global recession will subdue demand.

We have given reasons to be sceptical about the scale of job losses in the short run, because of the difficulty of reducing offerings this year. But over time, if universities believe the fall in international revenue will be sustained, it is a different story. It is not just panicked indiscriminate chops we need to worry about, but cold-blooded rationalisations when the dust begins to settle, and the proposals management will bring into the next round of enterprise agreements.

The system was already under pressure, and anyone who has listened to a Vice Chancellor or a Dean talk about ‘curriculum sustainability’ or similar will have heard some version of the story at any point in the last few years. Public funding per domestic student has not grown at the same pace as costs. According to a recent University of Sydney briefing, Commonwealth funding and domestic student fees per student have grown by 1.7 per cent per year, while costs have grown by 3 per cent. ([Commonwealth core teaching grant funding has barely grown in real terms since 2012.](#)) International student fees have grown in line with costs and slowed this ‘margin compression’, but could do so only as long as the composition of students kept shifting towards international. The education of domestic students has been heavily subsidised by international fees, but the international share was not going to grow forever.

The surge in fee-paying Chinese students fell into management’s lap as a way of coping with stagnation in real public funding. Its success then helped to justify the public funding squeeze, because universities seemed to be doing fine without it—which in turn reinforced the turn to the market.

This has made the public higher education system dependent on the market, and so subject to the kinds of irrationalities we now see: the sudden withdrawal of the financial conditions for academic labour, in spite of all the resources that have gone into developing it. Management has openly used contingent employment as its main strategy to prepare for a downturn—pushing the risk onto workers.

Something certainly will have to give: the gap will be closed through some combination of (1) restoration of public funding, (2) lower salaries, (3) intensified workloads, and (4) lower quality. From management’s perspective, the path of least resistance probably involves [seeking growth in teaching-intensive positions](#) and the cutting of less marketable programs, especially those less attractive to international students. We are likely to see managers coming to into enterprise bargaining with resurgent force not only seeking slower salary growth, but also a wholesale dismantling of the academic connection between teaching and research.

We urgently need to think seriously about our own strategy and the terrain we're moving into. The absent negotiating partner is government. Both the Vice Chancellors and NTEU National would strongly agree that public funding is the answer, but neither believe the current government will be at all responsive, and neither truly expect all that much better from Labor.

As employees, we don't get to negotiate with government directly, and management will always tell us they are between a rock and a hard place. In such a situation, we better keep being either the rock or the hard place. Universities as they are today depend in many ways on our goodwill, and without it the system would shudder to a halt. We have more power than many think, if we organise it.

We believe the next round of enterprise bargaining will be critical, and potentially shape what universities are for a generation. It is absolutely essential that we hold the line on workloads, and the research-and-teaching norm—lest the system no longer even be worth saving. It may well be that in prioritising the conditions on which true scholarship depends, we choose to sacrifice pay for higher level academics. If we're expecting the public to fully fund our work, it is a legitimate question why some earn twice the average.

But this is quite a different proposition than across-the-board pay cuts in the middle of a deep recession. This makes no sense for a number of reasons we've already outlined. While revenue support is ultimately in the hands of the government, this Framework reinforces the myth that public sector pay cuts and retrenchment are the answer to recession, when the opposite is the case. What we do in our sector will be used as an example elsewhere, and if we care about jobs everywhere we should not spread economic irrationality.

In our bargaining context in 2021, pay restraint is a very powerful card for us to play, which makes it extremely important that we use it only in return for something extraordinary. The current Framework does not give us nearly enough for such a concession. We are likely to go into enterprise bargaining in straitened financial circumstances, and it is vital to keep things up our sleeve and not concede too much too soon.

## 10. Member-led strategy is our best option

It is not surprising that many of us are in two minds about this deal. Many are inclined to trust the leadership on this, and we have no doubt their motivations are honourable and well-intentioned. But there is far too much we don't know about the situation universities are in, and we have not had time or the right process to have a serious conversation among ourselves about what is really going on and what kinds of leverage we might be able to build together for the short and long run.

We are exhausted by the excess angst and carelessness about our democratic process in some corners of the union. We at least need a pause and shift in gear to do some local Branch organising (not just mobilising) and strategy aimed at identifying where the threats to labour in our institutions, so we can sort out responses together.

Our No Vote is in part rejection of top-down advocacy and strategy from above. This deal could have been strengthened by input from members who know their workplaces and needs.

The union leadership is right that No Concessions has no real strategy yet. Rallies and petitions for both groups are cathartic but ignorable; draconian anti-strike law makes it hard to imagine a critical mass engaging in unprotected industrial action. These activations need to be part of something bigger and more systematic, and more banal. We need the NTEU to become a feature of our everyday work life.

We really do have potential bases for real workplace leverage, beyond the moral suasion of rallies and petitions. First, universities depend on our goodwill. We all know that our real workloads routinely spill over the bounds of the hours we are paid for, and we are constantly being asked for more. It's time for that to stop, and our existing enterprise agreements give us solid backing for that. Workloads campaigns are a promising way to organise: the strains are felt by almost everyone, and they strike at the heart of the budget-labour nexus. Our time must be seen as firm a constraint on management as financial budgets.

Second, universities still have at least the shells of self-governance bodies. These are ready-made venues for questioning management and talking among ourselves about how our institutions should operate. From department meetings to Academic Board and Senate, we should be using whatever openings we have to demand financial information and put pressure on management. There are always alternative ways to deal with even the tightest financial circumstances. Many of these committees have become rubber-stamps, but they don't have to be—we should be talking among ourselves and organising to occupy whatever levels of governance we can.

Third, Branches are also ripe for renewal. If you're reading this and not on you're Branch committee, you should look it's members up and reach out. So many Branches have vacancies

that need filling. The conspicuous absence of senior university staff on our Branch Committees is striking and our Arts and Social Sciences representative bias needs to be corrected. And sitting on the Committees are not the only way to build our organisation. You can organise in your own work units. We need a broad mix of knowledge and influence to build our Branches.

And we need to reconnect strategy with genuine member organising. Elected national officers and their staff have developed a strategy for us, because we are alienated from one another. Moving forward, we will need to bridge the divide between rank-and-file members and NTEU officials and staff.

A good deal of the affective dissonance is experiential. When union organising is professionalised, paid staff are operating outside of our workplaces in their own offices (and now we are all at home). Other union staff and officials are their main colleagues. They are understandably in solidarity with one another.

Union officials and staff do an awful lot for us. And we often don't have or make space/time to connect with them. We need do more of the routine union work with staff, from administration to delegate training. As we move forward, strategy should be led by members so they can contribute their knowledge and buy in. Jane McAlevey [reminds us](#) that these practices are the basic ingredient of organising. Without it, we risk division and demobilisation.

There is a stack of energy out there to harness and channel. We're heartened by things like the emerging [discussions](#) among casual staff campaigners about the kinds of industrial levers they need for secure work. The proposals on the National Higher Education Action Network Facebook page, like the idea for a national work-to-rule campaign. And the '[new social contract](#)' radio initiative. And the less visible work our colleagues on Branch Committees across the country have done to assess this Framework and facilitate deliberation. They will need everyone who can to pitch in in the coming months.

Framework or no, we are going to have to find ways to reconnect and lead from our Branches.