

1 August 2016

Professor Stephen Garton
Provost and Deputy Vice-Chancellor
University of Sydney
Email dvc.provost@sydney.edu.au

Dear Stephen

Notification of an Industrial Dispute under Clause 380 of the University of Sydney Enterprise Agreement 2014 – 2017 (the Agreement)

Failure to properly consult under *Part I: Managing Change* of the Agreement

The NTEU provides formal notification under Clause 380 of the Agreement that we are in dispute with the University regarding the University's current attempt to relocate SCA to main campus and integrate it into the Faculty of Arts and Social Sciences.

Background

The Vice-Chancellor's email to all staff at 2:03pm on Thursday 28 July included the following points:

- *The SCA will become a part of the Faculty of Arts and Social Sciences, as foreshadowed in the September 2015 discussion paper Improving our organisational design and agreed by Senate last December.*
- *The SCA will begin the move to the Camperdown/Darlington Campus, as signalled in the 2016–20 Strategic Plan, from the beginning of 2017. This will avoid the unnecessary costs of remaining at Rozelle for more than a transition period but, even more importantly, will enable the SCA fully to exploit the opportunities of interdisciplinary research and teaching created by proximity to so many relevant disciplines, and allow those disciplines to enhance their work through greater engagement with the visual arts. The University is exploring all options for appropriate accommodation on the Camperdown/Darlington Campus and will be making an announcement about a new home for the SCA in the coming weeks.*

Further, members in the SCA Library have recently informed the NTEU that they have been directed to catalogue and pack the collection to prepare for relocation the main campus.

Dispute

Section 310 of the Agreement requires that the University enter into consultation with staff and the NTEU if it "proposes to introduce changes in programs, organisation, structure or technology

that are likely to have significant effects on staff". Significant effects include both "change to the composition, operation or size of the University's workforce" and "restructuring and/or relocation of work units".

There can be no contesting that the changes outlined in your email constitute change that will have significant effects.

Under Clause 313 of Managing Change the University is required to prepare a Draft Change Proposal (DCP) for consideration of the staff and the NTEU prior to implementing and changes. The Agreement requires that this document include the following:

- (a) proposals to mitigate negative effects including training and redeployment;
- (b) expected outcomes including expected advantages and disadvantages;
- (c) ways to minimise any disadvantages to work health and safety in the workplace;
- (d) financial implications;
- (e) the timing of the consultation and timing of the proposed implementation of change; and
- (f) implications for staff including changes in duties, number of staff, workload and/or work environment.

The University has not produced such a document. The September 2015 Discussion paper does not meet the requirements of consultation under the Agreement.

Process

Until such time as the Consultation process, as provided by the Enterprise Agreement, has been completed, any steps taken to implement a proposal is premature and pre-supposes the outcomes of the consultation.

The NTEU requires that university management inform all staff that the relocation of SCA to FASS and main campus is a proposal and that it will be producing a DCP for consideration, where staff will have the opportunity to comment on the proposed change and suggest alternatives.

Further, as no action should be taken to implement the proposal, all current directions for library staff to catalogue and prepare the SCA collection for relocation should be rescinded.

I look forward to your confirmation of these matters and our subsequent meeting. I am available to meet on short notice.

Regards,

Michael Thomson

Michael Thomson
Branch President
NTEU University of Sydney Branch